

THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

MINUTES

COMMUNICATIONS AND LEGISLATION COMMITTEE

December 13, 2011

Chair Ackerman called the meeting to order at 10:25 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, Friedman, Gray, Griset, Heidel, Lewinger, Morris, K. Murray, and Record.

Members absent: Directors Lowenthal and Montalvo.

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

Staff present: Acuña, Bennion, Breaux, J. Carrillo, L. Carrillo, Coffey, Cole, Escuadro-Dailey, Green, Hackett-Cole, Hiltcher, Kightlinger, Man, Martinez, Patterson, Philp, Scully, Stites, Thompson, Waade, 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 COMMUNICATIONS AND LEGISLATION COMMITTEE MEETING HELD ON NOVEMBER 7, 2011

Approved

Moved: Peterson

Seconded: Ballin

3. COMMITTEE CHAIR'S REPORT

Chair Ackerman reported that on November 2, Senator Michael Rubio invited farmers, local business owners, residents and others in his district to a town hall meeting to learn more about the Bay Delta Conservation Plan (BDCP) process. Experts at the forum included Jerry Meral, Deputy Secretary, California Natural Resources Agency; Mark Cowin, Interim Director, Department of Water Resources; and Dr. David Sunding, Professor, U.C. Berkeley College of Natural Resources, co-author of "Employment

Impacts for Proposed Bay Delta Water Conveyance Tunnel Options”, which was recently released. Kathy Cole and Tom Philp also attended the meeting.

On November 17, several directors and staff attended the Southern California Water Committee annual dinner event, which featured recently retired U.S. District Court Judge Oliver Wanger as the keynote speaker. In addition, the SCWC honored Representative Grace Napolitano (D-CA) with the Harriett Wieder Water Leadership Award for 2011.

On November 15-18, Director Griset and staff attended the National Water Resources Association’s Conference in Tucson, Arizona. Roger Patterson, Assistant General Manager, was a speaker at the conference. He discussed Metropolitan’s water resource planning efforts including the BDCP and the updated Integrated Resources Plan.

Chair Ackerman announced that at the January Communications and Legislation Committee, staff will report on Metropolitan’s legislative program and the process undertaken by staff to review and analyze legislation.

Chair Ackerman also stated that in February, staff will begin the process of updating various policy principles, which will be brought to the Committee and the full Board for consideration and adoption.

Chair Ackerman noted that staff currently recommends positions on pending legislation based upon consistency with board policy. Legislation not consistent with board policy is brought to the Communications and Legislation Committee and the Board for consideration. Once approved and adopted by the Board, the policy principles will be posted on Metropolitan’s website and will serve to further guide staff recommendations on specific issues.

4. CONSENT CALENDAR ITEMS – ACTION

None

5. OTHER BOARD ITEMS – ACTION

8-2 Subject: Adopt Legislative Strategy for 2012

Presented by: Linda Waade, Deputy General Manager, External Affairs

Amendment 1: Add a priority under Regional Water Resource Management to the state Legislative Priorities to support administrative or legislative actions to further the use (statewide) of recycled water by more appropriately characterizing recycled water as a water resource.

Motion Carried Moved: Record Seconded: Barbre

Amendment 2: Add pharmaceuticals and personal care products to the list of constituents under the federal and state Water Quality legislative priorities for which Metropolitan will seek funding assistance and protective measures.

Motion Carried Moved: Friedman Seconded: Barbre

Amendment 3: Add a priority to the State Legislative Priorities to support administrative or legislative actions to remove current state prohibitions to enlarging Shasta Dam.

Motion Carried Moved: Peterson Seconded: Record
Opposed: Brick and Heidel

Amended Motion: Adopt the CEQA determination and Legislative Strategy for 2012 with the above listed amendments.

Motion Carried Moved: Barbre Seconded: Morris

6. BOARD INFORMATION ITEMS

None

7. COMMITTEE ITEMS

General Manager Jeff Kightlinger reported that on December 7, the House of Representatives unanimously passed H.R. 470, the Hoover Power Allocation Act of 2011. He stated that this is a congressionally approved, 50-year contract that will provide Metropolitan with enough power to annually move half of a full Colorado River Aqueduct to Southern California at the cost of producing the power. Mr. Kightlinger acknowledged and thanked Jon Lambeck, Water System Operations Unit Manager V; Joe Vanderhorst, Senior Deputy General Counsel; and Brad Hiltcher, Executive Legislative Representative, for their hard work to secure passage of this bill.

Chair Ackerman thanked Jeff Kightlinger for his leadership on this bill and stated that this legislation was a huge accomplishment for Metropolitan, member agencies, and the residents in Metropolitan's service area. She congratulated all those who took part in the Hoover legislation.

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.:

Appropriations

- Congress is finalizing an omnibus appropriations bill. The current Continuing Resolution expires on December 16.

House and Senate Committees to Examine Water Infrastructure Challenges

- The Senate Environment and Public Works Committee will hold a hearing to discuss the impacts of aging water and sanitation infrastructure to find ways to assist the water and wastewater treatment industry comply with the Clean Water Act.
- The House Transportation and Infrastructure Committee will also hold a hearing on how to address aging water infrastructure throughout the United States.

b. Subject: Report on activities from Sacramento

Presented by: Kathy Cole, Executive Legislative Representative

Ms. Cole reported on activities in Sacramento:

Legislative Dates:

January 4 - Legislature reconvenes
January 10 - Governor must submit proposed FY 2012/13 state budget to Legislature
January 27 - Deadline to submit new legislative requests to Legislative Counsel
January 31 - Deadline to pass 2011 bill introductions from house-of-origin

State Budget:

Ms. Cole reported that on December 5, Governor Brown filed an initiative with the Attorney General's Office to generate nearly \$7 billion in dedicated funding to protect education and public safety programs.

Potential 2012 Legislation:

- 2012 Water Bond
 - Ms. Cole reported that in anticipation of legislative activity next year, the Association of California Water Agencies (ACWA), California Municipal Utilities Association (CMUA) and California Urban Water Association (CUWA) spent the past several months developing position papers and potential water infrastructure financing alternatives.
 - She stated that Director Record leads an ACWA Water Finance Task Force to identify a path to fund the "public benefits".
 - Ms. Cole stated that CUWA has been developing its policy paper on key elements of a beneficiary pays system and on concerns about proposals for a Public Goods Charge for water
 - She also stated that CMUA is developing a policy statement in response to funding proposals revealed thus far.
- WateReuse Statutory Rewrite
 - In 2012, the WateReuse Association will propose a new set of laws to move, consolidate and re-codify recycled water law to align with the state's recycled water policy.

Other Potential Issues for 2012

- Pension Reform
- Lake Mathews: Assembly Member Kevin Jeffries (R-CA) may introduce a bill to open recreational access to Lake Mathews
- Rainwater Capture: reintroduction of AB 275 by Assembly Member Jose Solorio, D-Santa Ana
- Department of Fish and Game Reform: implementation of AB 2376 by Assembly Member Jared Huffman, D-San Rafael
- Energy Public Goods Charge
- Water Use Efficiency
- Groundwater Management
- Submeters: AB 19 (Fong, D-Palo Alto): Two-year bill which will be amended to focus solely on metering individual residential and commercial units in common interest developments
- Delta levees: SB 200 (Wolk, D-Davis): The Senator is expected to amend the bill to extend the sunset date for Delta levee subventions program.
- Hydropower: SB 297 (Canella, R-Ceres): Two-year bill which seeks to count hydrogenation as a renewable resource
- Delta planning documents (e.g. Delta Plan, BDCP, Delta Sustainability Plan, etc.) will likely stimulate legislative interest.

Ms. Cole introduced Rosalie Thompson, Legislative Representative, and Veronica Hackett-Cole, Senior Administrative Analyst, both from the Sacramento Office.

8. MANAGEMENT REPORT

Ms. Waade acknowledged that Ms. Cole was nominated by ACWA for the Emissary Award. The nomination recognizes outstanding leadership by ACWA member volunteers.

Ms. Waade also reported that at the request of Director Brown, she and External Affairs staff met with Director Brown, representatives from the Burbank Unified School District, including a member of their board, Mr. Kemp, to discuss Metropolitan's education programs. They are particularly interested in Metropolitan's Conservation Connection program that will roll out in 2012.

A video, "Diamond Valley Lake", was shown. The video provides highlights of the construction and operation of DVL and also depicts Metropolitan's water supply situation over the last few years. Ms. Waade stated that this video will be posted on Metropolitan's website.

Director Griset stated that he has been a liaison to the National Water Resources Association (NWRA), and suggested that Metropolitan extend an invitation to Don Metzler, Project Manager for the Moab, Utah, mine tailings removal project, to provide Metropolitan with an update on the project.

Chair Ackerman stated that she is a member of the Santa Ana Regional Water Quality Control Board and participated in two workshops with a task force formed several years ago to address emerging contaminants. She said the task force provided an extensive overview of emerging contaminants and suggested that representatives of the task force be invited to provide its presentation on emerging contaminants at a future Metropolitan committee meeting.

In response to the suggestions made by Director Griset and Chair Ackerman, General Manager Jeff Kightlinger stated that the items raised by Director Griset and Chair Ackerman be referred to the Engineering and Operations Committee.

9. FUTURE AGENDA ITEMS

None

Next meeting will be held on January 10, 2012.

Meeting adjourned at 11:15 a.m.

Linda Ackerman
Chair