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**AB 13 Sacramento-San Joaquin Delta Conservancy**

**Salas [D]**

**Status:** Heard in Asm floor 6/3, out 50-26, Bonnie Lowenthal support, to Senate committee on NR & W. Hearing date 7/7

**Description** Adds Division 29 (commencing with Section 80500) to the Water Code, relating to the Sacramento-San Joaquin Delta. Will establish a conservancy to provide oversight on a comprehensive delta sustainability program. Deals with restoration of the Delta, so it could have effect on imported water supplies.

**Positions:** **LBWD: Watch**      **SUPPORT: MWD; OPPOSE: none; OTHER: none**

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**AB 28 Natural Gas Engines: Water movement**

**Jeffries [R]**

**Status:** Failed committee passage 3 to 6 on 5/4. Reconsideration granted.

**Description** An act to add Section 40722 to the Health and Safety Code, relating to air pollution. This bill would require any requirement imposed by an air pollution control district, an air quality management district, or other local agency or local regulatory body relating to emissions limitations on, or imposing monitoring, testing, inspection, maintenance, or reporting requirements relating to emissions caused by, the use of a natural gas engine, as defined, to comply with prescribed requirements. Control agencies would have less authority over local government.

**Positions:** **LBWD: Watch**      **SUPPORT: none; OPPOSE: none; OTHER: none**

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**AB 39 Sacramento-San Joaquin Delta****Huffman [D]**

**Status:** Passed Asm floor 46 to 28 on 6/3. To Senate committee on Natural Resources & Water. Hearing date 7/7

**Description** An act to add Division 34 (commencing with Section 84000) to the Water Code, relating to the Sacramento-San Joaquin Delta. This bill would require the California Delta and Ecosystem Water Council to prepare a plan to implement the Delta Vision Strategic Plan issued by the Delta Vision Blue Ribbon Task Force in October 2008, and to submit that plan to the Legislature before January 1, 2011.. Need to look at the Delta Strategic Plan to see what potential effects it could have on LB Water. The final plan is a 205-page document.

**Positions:** **LBWD: Watch**                      **SUPPORT: none; OPPOSE: none; OTHER: none**

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**AB 49 Water Conservation****Feuer [D] and Huffman [D]**

**Status:** Heard and passed on Asm floor on 6/3 w/ vote of 43 to 30. In Senate committee on NR & W. Amended and re-referred to NR & W. Hearing Date 7/6

**Description** An act to add Part 2.55 (commencing with Section 10608) to, and to repeal and add Part 2.8 (commencing with Section 10800) of, Division 6 of the Water Code, relating to water. The bill would require the state to achieve a 20% reduction in urban per capita water use by December 31, 2020. Directly affects LB Water, along with all other municipalities throughout the state.

**Positions:** **LBWD: Support - subj** **SUPPORT: NRDC, MWD, many local/environmental agencies; OPPOSE: ACWA, many Agriculture and other agencies/districts; OTHER: Recommend to Board to support at July 9 Board meeting**

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**AB 450 Recycled Water: oil refineries****De La Torre [D]****Status:** Being held under submission in Asm Appropriations committee 5/28

**Description** An act to amend Section 13551 of add Section 13552.1 to the Water Code, relating to water. This bill would declare that the use of potable domestic water for oil refineries is a waste or unreasonable use of water, if certain requirements are met. The bill would additionally prohibit a person or public agency from using potable water for oil refinery purposes, if certain requirements are met. The bill would state that it is the intent of the Legislature to provide incentives to facilitate compliance with these provisions. These provisions would become operative on January 1, 2020. LB Water currently provides a large amount of recycled water to the LB Oil islands for subsidence mitigation.

**Positions:** **LBWD: Watch**                      **SUPPORT: none; OPPOSE: none; OTHER: none**

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**AB 474 Contractual assessments: Water quality improvements****Blumenfield [D]****Status:** Passed Asm floor 61 to 14 on 5/21. Referred to Senate committee on Local Government. Hearing postponed until 7/8

**Description** An act to amend Section 1102.6b of the Civil Code, and to amend Sections 5898.12, 5898.14, 5898.20, 5898.21, 5898.22, 5898.24, 5898.30, and 5898.32 of, and to add Section 5898.31 to, the Streets and Highways Code, relating to contractual assessments, and declaring the urgency thereof, to take effect immediately.

This bill would expand provisions to authorize the legislative body of any public agency, as defined, to determine that it would be in the public interest to designate an area within which authorized city officials and free and willing property owners may enter into contractual assessments to finance the installation of water efficiency improvements that are permanently fixed to real property, as specified. Property owners would be able to use upfront financing from public agencies to make water efficiency upgrades to their properties and would then pay an assessment until the financing was repaid to the public agency fronting the money.

**Positions:** **LBWD: Watch**                      **SUPPORT: MWD, CMUA, many other organizations; OPPOSE: none; OTHER: none**

**AB 804 Invasive aquatic species: mussels**

Hall [D]

**Status:** Heard and passed (79 to 0) Asm floor 6/2. To Senate committees on JUD and NR & W. Passed Sen NR & W 11 to 0. To Senate JUD committee. Hearing 7/7

**Description** An act to amend Section 2301 of the Fish and Game Code, relating to invasive aquatic species. This bill would provide that an operator of water delivery and storage facilities, who has prepared, initiated and is in compliance with a plan to control and eradicate dreissenid mussels in accordance with provisions of law, would not be subject to any civil or criminal liability for the introduction of dreissenid mussel species as a result of operations of those facilities.

**Positions:** **LBWD: Watch** **SUPPORT: MWD, ACWA, California Central Valley Flood Control Association, California Special Districts Association, East Bay Municipal Utility District, Eastern Municipal Water District, El Dorado Irrigation District, Friant Water Authority, Las Virgenes Municipal Water District, Three Valleys Municipal Water District, Valley Ag Water Coalition, Western Municipal Water District; OPPOSE: none; OTHER: none**

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**AB 900 Water diWater diversion and use reporting**

DeLeon [D]

**Status:** Passed out of Asm 78 to 0 on 6/2. Amended and re-referred to Senate committee on NR & W. Hearing 7/6

**Description** An act to amend Sections 5100, 5101, 5103, and 5107 of, to add Chapter 2.7 (commencing with Section 348) to Division 1 of, and to repeal Section 5108 of, of the Water Code, relating to water diversion. This bill would revise the types of water diversions for which the reporting requirement does not apply, including, among other diversions, a diversion that occurs before January 1, 2009, if certain requirements are met. The bill would revise those specified exceptions that apply to the monthly record requirement, and requirements relating to the contents of the statement of diversions and use. The bill would subject a person to civil liability if that person fails to file, as required, a diversion and use statement for a diversion or use that occurs after January 1, 2009, tampers with any measuring device, or makes a material misstatement in connection with the filing of a diversion and use statement. The board would be authorized to impose the civil liability in accordance with a specified schedule.

**Positions:** **LBWD: Watch** **SUPPORT: MWD, MID, ACWA, other water agencies/districts; OPPOSE: none; OTHER: none**

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**AB1061 Common interest developments: water-efficient landscapes**

**Lieu [D]**

**Status:** Passed Asm 75 to 0 (4/20). Amended and passed by Senate T & H 11 to 0 (6/16). To Senate special consent calendar. File date 7/6

**Description** An act to repeal and add Section 1353.8 of the Civil Code, relating to common interest developments. This bill would provide that a provision of any of the governing documents of a common interest development (CID) shall be void and unenforceable if it prohibits, or includes conditions that have the effect of prohibiting, the use of low water-using plants as a group, or if it has the effect of prohibiting or restricting compliance with a local water-efficient landscape ordinance or water conservation measure. Would encourage CID residents to use more water-friendly landscaping and devices.

**Positions:** **LBWD: Watch**                      **SUPPORT: MWD, EBMUD, many other water agencies and other local organizations; OPPOSE: none; OTHER: none**

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**AB1187 Safe, Clean, Reliable Drinking Water Supply Act**

**Huffman [D] and Caballero [D]**

**Status:** Referred to Asm committee on W, P & W (3/26)

**Description** An act to add Division 26.7 (commencing with Section 79700) to the Water Code, relating to financing a water supply reliability and water source protection program, by providing the funds necessary therefor through an election for the issuance and sale of bonds of the State of California and for the handling and disposition of those funds. If approved by voters, would authorize the issuance of \$10.035 Billion in bonds pursuant to the State General Obligation Bond Law. Would establish and impose a water user fee to fund bond repayment.

**Positions:** **LBWD: Watch**                      **SUPPORT: none; OPPOSE: none; OTHER: none**

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**AB1253 Sacramento-San Joaquin Delta****Fuller [R]**

**Status:** Passed Asm floor 71 to 3 (6/2). To Senate committee on NR & W. Hearing set for 7/6

**Description** An act relating to the Sacramento-San Joaquin Delta. This bill would require the Independent Science Board to conduct an independent scientific review of existing literature and studies on fish predation in the Sacramento-San Joaquin Delta, and to prepare and submit to the Legislature and the Governor a report, including a recommendation as to whether additional studies are needed, and, if so, additional recommendations for the design and scope of those studies and an estimate of the total costs for the studies. The bill would also authorize the board to enter into funding agreements with public agencies and nongovernmental organizations to pay for the cost of the independent scientific review.

**Positions:** **LBWD: Watch** **SUPPORT: MWD, MID, many other water districts/agencies; OPPOSE: Delta Protection Commission, Water 4 fish (prev version), West Marine (prev version); OTHER: none**

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**AB1366 Residential self-regenerating water softeners****Feuer [D], Caballero [D], Strickland [R]**

**Status:** Passed Asm floor 60 to 16 (5/28). Referred to Senate committee on EQ (6/11). Amended and re-referred to EQ. Hearing postponed by committee to 7/6

**Description** An act to add Section 13148 to the Water Code, relating to water softeners. This bill would authorize any local agency that maintains a community sewer system within specified areas of the state to take action, by ordinance and after a public meeting, to control salinity inputs from residential self-regenerating water softeners to protect the quality of the waters of the state, if the appropriate regional board makes a finding that the control of residential salinity input will contribute to the achievement of water quality objectives.

**Positions:** **LBWD: Support - subj** **SUPPORT: MWD, IEUA, IRWD WRDSC, a number of other water agencies and other organizations; OPPOSE: California Retailers Association, Culligan Water Solutions, Home Depot, Water Quality Association; OTHER: LBWD staff will propose a support position to its board on July 9th board meeting**

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**AB1408 Subdivisions: Water Demand Mitigation Fund****Krekorian [D]**

**Status:** Asm floor voted 34 to 32 (6/2), which caused bill to fail passage. Author Krekorian granted reconsideration. To inactive file on motion of Krekorian (File date 6/22)

**Description** An act to amend Section 66473.7 of the Government Code, relating to subdivision map approvals. This bill would require the legislative body of a city or county or the advisory agency, to the extent that it is authorized by local ordinance to approve, conditionally approve, or disapprove the tentative map, to include as a condition in any tentative map that includes a subdivision a requirement that the subdivision have a sufficient water supply available or that sufficient water supplies will be made available through a Water Demand Mitigation Fund, as defined, held by the public water system. The bill would require the amount of funding needed for voluntary participation by the subdivision applicant in the Water Demand Mitigation Fund to be based on offsetting at least 100 percent of the projected water demand associated with the subdivision, as determined by the public water system. The bill would authorize the public water supplier to collect fees necessary to provide additional analysis of extraordinary water conservation measures. The bill also would require the public water system to expend all funds in the Water Demand Mitigation Fund on water conservation measures that will offset at least 100 percent of the projected demand associated with the subdivision, as specified. By adding to the duties of public water system officials, this bill would impose a state-mandated local program. The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement. This bill would provide that no reimbursement is required by this act for a specified reason.

**Positions:** **LBWD: Watch**                      **SUPPORT: none; OPPOSE: none; OTHER: Two-year bill**

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**SB 12 Sacramento-San Joaquin River Delta, Clean Drinking Water...****Simitian [D]**

**Status:** Passed Senate floor 26 to 9 (6/3). To Asm W, P & W

**Description** An act to add Division 26.8 (commencing with Section 79850) to the Water Code, relating to the Sacramento-San Joaquin Delta. This bill establishes the Delta Ecosystem and Water Council to advance the coequal goals of restoring the Delta ecosystem and creating a more reliable water supply in California. The board of directors of the council will consist of seven unspecified members.

**Positions:** **LBWD: Watch**                      **SUPPORT: none; OPPOSE: none; OTHER: none**

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**SB 42** Desalination Intake

Corbett [D]

**Status:** Was heard on 4/21/09 - Sen. Utilities; Became a "two-year" bill, with informational hearing to be scheduled in coming months

**Description** Adds Division 20.6 (starting with Section 30970) to the Public Resources Code, relating to coastal resources. This bill would prohibit a state agency, as defined, from authorizing, approving, or certifying a new powerplant or industrial facility, as defined, that uses once-through cooling, as defined.

**Positions:** **LBWD: Watch** **SUPPORT:** American Federation of State, County and Municipal Employees, California Coastkeeper, Defenders of Wildlife, Greenspace-the Cambria Land Trust, Heal the Bay, Monterey Bay Aquarium, Monterey Coastkeeper, Ocean Conservancy, Orange County Coastkeeper, Pacific Coast Federation of Fishermen's Associations, Planning and Conservation League, Ratepayers for Affordable Clean Energy, Residents for Responsible Desalination, San Luis Obispo Coastkeeper, San Francisco Baykeeper, Santa Monica Baykeeper, Sierra Club California, SLO Coast Alliance, Surfrider Foundation; **OPPOSE:** American Council of Engineering Companies, MWD, Association of California Water Agencies, California Building Industry Association, California Business Properties Association, California Chamber of Commerce, California Council for Environmental and Economic Balance, California League of Food Processors, California Manufacturers & Technology Association, California Taxpayers' Association, Chemical Industry Council of California, City of Carlsbad, Greater Fresno Area Chamber of Commerce, Independent Energy Producers, Industrial Environmental Association, Milpitas Chamber of Commerce, Olivenhain Municipal Water District, Pacific Gas and Electric Company, Rincon del Diablo Municipal Water District, San Diego County Water Authority, Santa Fe Irrigation District, Sempra Energy, Southern California Edison, Southern California Water Committee, Sweetwater Authority, The Chamber - San Diego East County, Vallecitos Water District, Valley Center Water District, Western Electrical Contractors Association, Inc.; **OTHER:** This bill does not impact LBW operations; TWO-YEAR Bill

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**SB 261** Water Use

**Dutton [R], Ducheny [D]**

**Status:** Passed Senate 39 to 0 (6/3). To Asm W, P & W. Hearing on 7/7

**Description** An act to amend Sections 10004.5, 10631, 10814, and 10816 of, to add Section 10817 to, to add Chapter 5 (commencing with Section 10660) to Part 2.6 of Division 6 of, to repeal Section 10802 of, to repeal and add Sections 10801, 10813, 10840, 10841, 10844, 10845, 10853, 10854, and 10855 of, and to repeal and add Article 1 (commencing with Section 10820) and Article 2 (commencing with Section 10825) of Chapter 3 of Part 2.8 of Division 6 of, the Water Code, relating to water use. This bill would require a retail urban water supplier, as defined, to develop and implement an urban water conservation plan, including prescribed components, or achieve high-efficiency water use, as defined.

**Positions:** **LBWD: Watch** **SUPPORT: ACWA, Santa Ana Watershed Project Authority, Elsinore Valley MWD, MWD (if amended); OPPOSE: none; OTHER: LBWD staff will recommend an Oppose position at the July 9th Board meeting**

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**SB 283 DWR: recycled water systems**

DeSaulnier [D]

**Status:** Passed Senate 35 to 1 (6/2), with urgency clause adopted. Alan Lowenthal AYE. Passed Asm W, P & W 10 to 0 (6/16) and APPR 15 to 0 (7/1). To consent calendar.

**Description** An act to amend Section 13557 of the Water Code, relating to recycled water, and declaring the urgency thereof, to take effect immediately. This bill would revise the date the Department of Water Resources is required to adopt and submit regulations, as specified, to the commission to December 31, 2009. The bill would, commencing July 1, 2011, and annually thereafter, require the department to review and update, as necessary, the regulations. This bill would declare that it is to take effect immediately as an urgency statute.

**Positions:** **LBWD: Watch** **SUPPORT:** IRWD, Association of California Water Agencies, California Association of Sanitation Agencies, California Municipal Utilities Association, California Special Districts Association, California State Pipe Trades Council, East Bay Municipal Utility District, Eastern Municipal Water District, International Association of Plumbing and Mechanical Officials, Los Virgenes Municipal Water District, Metropolitan Water District of Southern California, Orange County Business Council, Planning and Conservation League, Southern California Water Committee, Three Valleys Municipal Water District, WaterReuse Association, Western Municipal Water District; **OPPOSE:** none; **OTHER:** none

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**SB 301 Water Supply Reliability and Ecosystem Recovery and Restoration****Florez [D]****Status:** Sent to Senate committees on Natural Resources & Water and Environmental Quality 3/9

**Description** An act to add Division 26.7 (commencing with Section 79700) to the Water Code, relating to financing a water supply reliability and ecosystem recovery and restoration program, by providing the funds necessary therefor through an election for the issuance and sale of bonds of the State of California and for the handling and disposition of those funds, and declaring the urgency thereof, to take effect immediately. This bill will provide the actions and funding necessary to provide a comprehensive single investment California's water infrastructure to address long term water supply reliability and ecosystem needs. There are four generally designated areas in what would be a \$15 Billion bond: 1) Delta farming restoration - \$1 B, Storage - \$7 B, Sustainability, conveyance, protection - \$4.25 B, and Cleanup, wastewater & stormwater management, recycling projects - \$2.75 B

**Positions:** **LBWD: Watch**                      **SUPPORT: none; OPPOSE: none; OTHER: none**

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**SB 371 Safe, Clean, Reliable Drinking Water Supply Act****Cogdill [R]****Status:** To Senate committees on Natural Resources & Water and Environmental Quality 3/9

**Description** An act to add Division 26.7 (commencing with Section 79700) to the Water Code, relating to financing a water supply reliability and water source protection program, by providing the funds necessary therefor through an election for the issuance and sale of bonds of the State of California and for the handling and disposition of those funds, and declaring the urgency thereof, to take effect immediately. This bill would authorize the issuance of bonds in the amount of \$9.98 Billion.

**Positions:** **LBWD: Watch**                      **SUPPORT: none; OPPOSE: none; OTHER: none**

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**SB 456 Safe, Clean, Reliable Drinking Water Supply Act****Wolk [D]****Status:** Re-referred to Senate committee on Natural Resources & Water

**Description** An act to add Division 26.7 (commencing with Section 79700) to the Water Code, relating to financing a water supply reliability and water source protection program, by providing the funds necessary therefor through an election for the issuance and sale of bonds of the State of California and for the handling and disposition of those funds, and declaring the urgency thereof, to take effect immediately. If approved by voters, would authorize the issuance of \$9.8 Billion in bonds pursuant to the State General Obligation Bond Law.

**Positions:** **LBWD: Watch**                      **SUPPORT: none; OPPOSE: none; OTHER: none****SB 565 Water Recycling****Pavley [D]****Status:** Passed Senate 21 to 13 (6/3). Hearing cancelled at request of author (6/30)

**Description** An act to add Part 5.5 (commencing with Section 12567) to Division 6 of the Water Code, relating to water recycling. This bill would require SWRCB, DWR & DPH to develop a plan to ensure that at least 50% of wastewater that is annually discharged into the ocean, as of the year 2009, is recycled and put to beneficial use by the year 2030. The bill would prescribe various requirements with respect to that plan. The bill would require the state board to impose a fee on specified persons discharging wastewater into the ocean, the San Francisco Bay, or any other enclosed bay in the state, and would require that fee to be deposited into the Ocean Discharge Recycling Fund, which the bill would establish.

**Positions:** **LBWD: Watch**                      **SUPPORT: none; OPPOSE: MWD; OTHER: none****SB 735 Safe, Clean, and Reliable Drinking Water Supply Act****Steinberg [D]****Status:** Referred to Senate committees on Natural Resources & Water and Environmental Quality 3/19

**Description** An act to add Division 26.7 (commencing with Section 79700) to the Water Code, relating to financing a water supply reliability and water source protection program, by providing the funds necessary therefor through an election for the issuance and sale of bonds of the State of California and for the handling and disposition of those funds, and declaring the urgency thereof, to take effect immediately. If approved by voters, would authorize the issuance of \$9.8 Billion in bonds pursuant to the State General Obligation Bond Law. Would also allow DWR to establish and impose fees on water users throughout the state.

**Positions:** **LBWD: Watch**                      **SUPPORT: none; OPPOSE: none; OTHER: none**

**HR 21 National Ocean Policy**

Farr [D]

**Status:** In House Natural Resources committee. Subcommittee on Insular Affairs, Oceans and Wildlife hearings held 6/18

**Description** To establish a national policy for oceans, to strengthen the National Oceanic and Atmospheric Administration, to establish a national and regional ocean governance structure, and for other purposes.

**Positions:** **LBWD: Watch**      **SUPPORT: none; OPPOSE: none; OTHER: none**

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**HR 135 21st Century Water Commission**

Linder [R]

**Status:** Referred to House subcommittee on Water & Power (under NR committee) 2/4

**Description** To establish the Twenty-First Century Water Commission to study and develop recommendations for a comprehensive water strategy to address future water needs.

**Positions:** **LBWD: Watch**      **SUPPORT: MWD; OPPOSE: none; OTHER: none**

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**HR 146 Omnibus Public Land Management Act**

Bingaman [D]

**Status:** [HR 146] March 30, 2009 - Signed by President. Became Public Law 111-11....March 25, 2009 - Passed by House (285 to 140)....March 19, 2009 - Passed by Senate (77 to 20)....[S 22] March March 12, 2009 - Failed passage in House (282 to 144, with 2/3 needed for passage)...January 16, 2009 - Passed through Senate with amendments (73 to 21). Sitting at the desk of the House.

**Description** Formerly S. 22, which was voted down by the House (282 to 144). A bill to designate certain land as components of the National Wilderness Preservation System, to authorize certain programs and activities in the Department of the Interior and the Department of Agriculture, and for other purposes. Senator Boxer has a number of specific items within the bill that will go toward California projects and agreements.

**Positions:** **LBWD: Watch**      **SUPPORT: none; OPPOSE: none; OTHER: none**

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**HR 700 Health Communities Water Supply Act**

**McNerney [D]**

**Status:** Referred to the House subcommittee on Water Resources & Environment (under House T & I) 1/28

**Description** This bill will amend the Federal Water Pollution Control Act to extend the pilot program for alternative water source projects. It will increase appropriations for the program and extend inclusion to areas served by public water systems with less than 10,000 individuals.

**Positions:** **LBWD: Watch**      **SUPPORT: none; OPPOSE: none; OTHER: none**

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**HR1262 Water Quality Investment Act**

**Oberstar [D]**

**Status:** Passed House 317 to 101 (3/12). To Senate committee on Environment and Public Works

**Description** To amend the Federal Water Pollution Control Act to authorize appropriations for State water pollution control revolving funds, and for other purposes.

**Positions:** **LBWD: Watch**      **SUPPORT: none; OPPOSE: none; OTHER: none**

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**HR2868 Chemical Facility Anti-Terrorism Act**

**Thompson [D]**

**Status:** Referred to House committees on Homeland Security and Energy & Commerce.

**LBWD General Manager Kevin Wattier provided testimony for prior version HR 5577 on the issues of chemical security and alternative solutions to gaseous chlorine storage.**

**Description** Previously HR 5577. Legislation to increase security oversight at facilities utilizing dangerous chemicals. To amend the Homeland Security Act of 2002 to extend, modify, and recodify the authority of the Secretary of Homeland Security to enhance security and protect against acts of terrorism against chemical facilities, and for other purposes.

**Positions:** **LBWD: Watch**      **SUPPORT: none; OPPOSE: none; OTHER: none**

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**S 531 Energy and Water Integration Act**

**Bingaman [D]**

**Status:** Committee on Energy and Natural Resources. Hearings held 3/10. Hearings printed: S.Hrg. 111-19

**Description** To provide for the conduct of an in-depth analysis of the impact of energy development and production on the water resources of the United States, and for other purposes.

**Positions:** **LBWD: Watch**      **SUPPORT: none; OPPOSE: none; OTHER: none**

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