

Exhibit B
(Stipulation of
Applicants)

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BEFORE THE
STATE WATER RESOURCES CONTROL BOARD

San Bernardino Valley Municipal Water District, Western Municipal Water District of Riverside County, Orange County Water District, Chino Basin Watermaster, San Bernardino Valley Water Conservation District, and City of Riverside,

WATER RIGHT HEARING ON
APPLICATION NOS. 31165, 31370, 31174,
31369, 31371, 31372

STIPULATION OF APPLICANTS

Applicants

Date: May 2, 2007
Time: 9:00 a.m.
Dept: Cal EPA Building, Coastal Hearing Room

Applicants San Bernardino Valley Municipal Water District ("Muni") and Western Municipal Water District of Riverside County ("Western") (Application Nos. 31165 and 31370), Orange County Water District ("OCWD") (Application No. 31174), Chino Basin Watermaster (Application No. 31369), San Bernardino Valley Water Conservation District ("Conservation District") (Application No. 31371), and City of Riverside (Application No. 31372 and Wastewater Change Petition WW-0045) (collectively, the "Parties"), hereby enter the following Stipulation to resolve Issue Numbers 4 and 5, as set forth on page 10 of the February 16, 2007 Notice of Public Hearing and Pre-hearing Conference on Water Right Applications and Wastewater Change Petition:

1. The priority of rights as among all legal users of water from the Santa Ana River, including all applicants in the current proceedings, was the subject of several cases, all litigated and resolved as set forth below.

2. The first such case was *Orange County Water District v. City of Chino et al.* (Orange County Superior Court No. 117628) (the "*Orange County Judgment*"), in which judgment was entered on April 17, 1969. A general description of the case and the key elements

1 of that judgment, which is excerpted from the 35th Annual Report of the Santa Ana River
2 Watermaster dated April 30, 2006, is attached hereto as Exhibit A; reference should be made to
3 the actual *Orange County* Judgment on file with the Orange County Superior Court for particular
4 details of the case and rights and obligations of the parties thereunder.

5 3. The continuing vitality of the *Orange County* Judgment has been recognized and
6 reaffirmed in various documents which also served as the vehicles by which any upstream
7 diverters which had concerns over OCWD's application either agreed not to protest or dismissed
8 their protests against OCWD's application. Those agreements are:

9 (a) *Memorandum of Understanding to Affirm and Preserve Existing Rights in*
10 *the Santa Ana River Watershed*, between and among Inland Empire Utilities Agency, Orange
11 County Water District, San Bernardino Valley Municipal Water District and Western Municipal
12 Water District of Riverside County, November 16, 1999;

13 (b) *Santa Ana River and Chino Basin Water Right Accord*, September 15,
14 2000.

15 (c) *Agreement Between Orange County Water District and City of San*
16 *Bernardino Concerning Water Rights*, September 1, 2004;

17 (d) *Agreement Between Orange County Water District and East Valley Water*
18 *District Concerning Water Rights*, June 23, 2006; and

19 (e) *Agreement Between Orange County Water District and City of Riverside*
20 *Concerning Water Rights*, July 24, 2006.

21 4 The second such case was *Western Municipal Water District of Riverside County*
22 *et al. v. East San Bernardino County Water District, et al.* (Riverside County Superior Court
23 No. 78426) (the "*Western Judgment*"), in which judgment was also entered on April 17, 1969,
24 simultaneously and in conjunction with the *Orange County* Judgment. A general description of
25 the case and the key elements of that judgment is attached hereto as Exhibit B; reference should
26 be made to the actual *Western Judgment* on file with the Riverside County Superior Court for
27 particular details of the case and rights and obligations of the parties thereunder.
28

1 5 The third such case was *Big Bear Municipal Water District v. North Fork Water*
2 *Company, et al.* (San Bernardino County Superior Court No. 165493) (the "*Big Bear Judgment*"),
3 in which judgment was entered on February 7, 1977.

4 6 Certain of the Parties have also entered into settlement agreements to clarify their
5 respective priorities to use the waters of the Santa Ana River:

6 (a) *Settlement Agreement Relating to the Diversion of Water from the Santa*
7 *Ana River System*, dated July 21, 2004 (the "*Seven Oaks Accord*"); and

8 (b) *Settlement Agreement Among San Bernardino Valley Water Conservation*
9 *District, San Bernardino Valley Municipal Water District and Western Municipal Water District*
10 *of Riverside County*, dated August 2005 (the "*Conservation District Agreement*").

11 7 The fourth such case was *Chino Basin Municipal Water District v. City of Chino et*
12 *al.* (San Bernardino County Superior Court Case No. RCV 51010) (the "*Chino Basin Judgment*"),
13 in which judgment was entered on January 30, 1978.

14 8 The effect of the *Orange County Judgment* was to divide the waters of the Santa
15 Ana River between the Lower Area and the Upper Area, as those areas were defined in the
16 *Orange County Judgment*, in the manner set forth in that judgment.

17 9 The effect of the *Western Judgment* was to allocate the waters of the San
18 Bernardino Basin, Colton Basin and Riverside Basin Areas, i.e., the "Upper Area" except for
19 Chino Basin, consistent with the requirements of the *Orange County Judgment*.

20 10 The effect of the *Big Bear Judgment* was to implement a physical solution that
21 allows for the maintenance of high levels of water in Big Bear Lake for recreational purposes
22 without interfering with downstream water rights.

23 11 The effect of the *Chino Basin Judgment* was to allocate the waters of the Chino
24 Basin among the parties to that judgment, which are all located within that basin, consistent with
25 the requirements of the *Orange County Judgment*.

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12 The relative priority of OCWD to divert water from the Santa Ana River is established by the *Orange County* Judgment and affirmed in the agreements identified in paragraph 3 above.

13 The relative priority of Chino Basin Watermaster to divert water from the Chino Basin is established by Inland Empire Utilities Agency's rights and obligations under the *Orange County* Judgment, the *Chino Basin* Judgment, and the agreements identified in paragraphs 3(a) and 3(b) above.

14 The relative priority of the City of Riverside to change the point of discharge, place of use and purpose of use of its wastewater discharge is established by the *Orange County* Judgment, the *Western* Judgment, and the agreement identified in paragraph 3(c) above.

15 The effect of the judgments and agreements identified in paragraphs 2, 3(a), 4, 5 and 6 above has been to create, upon action by the State Water Resources Control Board to approve Application Nos. 31165, 31370 and 31371, the following relative priorities among the Parties that divert and use water from the mainstem of the Santa Ana River in the Upper Area, consistent with the requirements of the *Orange County*, *Western*, and *Big Bear* Judgments:

(a) The City of Redlands, East Valley Water District, Bear Valley Mutual Water Company, Lugonia Water Company, North Fork Water Company and Redlands Water Company would have first priority to divert up to 88 cubic feet per second

(b) The Conservation District would have a second priority to divert and spread pursuant to License Nos. 2831 and 2832.

(c) Muni/Western's diversion and storage of water that is the subject of Application No. 31165 would have a third priority.

(d) The Conservation District's diversion of water that is the subject of Application No. 31371 would have a fourth priority.

(e) Muni/Western's diversion and storage of water that is the subject of Application No. 31370 would have a fifth priority.

The priorities described in paragraphs 14(c) through 14(e) above are subject to the provisions of

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paragraphs 5(e) and 5(f) of Exhibit A of the Conservation District Agreement.

16. The Parties do not intend this Stipulation to modify or amend the terms of any of the judgments or agreements referenced above. In the event that there is any inconsistency between the terms of those judgments or agreements and the descriptions of those judgments or agreements in this Stipulation, the terms of the judgments or agreements shall control

17. Given that the foregoing proceedings have included all legal users of water in the Santa Ana River, the above constitutes a full resolution of the water right priorities among the Parties and is fully protective of other legal users of water. Accordingly, the Parties request that the SWRCB accept this stipulation as a full resolution of Issues 4 and 5 concerning relative water rights priorities and protection of other legal users of water at the April 5, 2007 Pre-Hearing Conference.


DATED: April 5, 2007

DOWNEY BRAND LLP

By: 
David R. E. Aladjem
Attorneys for Applicants
San Bernardino Valley Municipal Water District and Western Municipal Water District of Riverside County

DATED: April 5, 2007

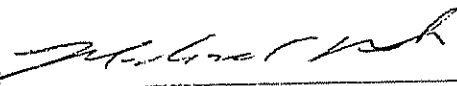
PILLSBURY WINTHROP SHAW PITTMAN LLP

By: 
Christopher J. McNevin
Attorneys for Applicant
Orange County Water District

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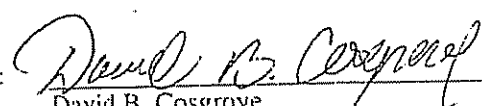
DATED: April 5, 2007

HATCH & PARENT

By: 
Michael T. Fife
Attorneys for Applicant
Chino Basin Watermaster

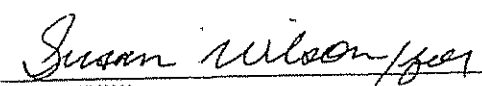
DATED: April 5, 2007

RUTAN & TUCKER LLP

By: 
David B. Cosgrove
Attorneys for Applicant
San Bernardino Valley Water Conservation
District

DATED: April 5, 2007

BEST BEST & KRIEGER LLP

By: 
Jill N. Willis
Attorneys for Applicant
City of Riverside

ORDER

IT IS SO ORDERED:

April ____, 2007.

Arthur G. Baggett, Jr
Hearing Officer

CHAPTER IV

HISTORY AND SUMMARY OF THE JUDGMENT in the case of Orange County Water District v City of Chino, et al. (Case No. 117628-County of Orange)

History of Litigation

The complaint in the case was filed by Orange County Water District on October 18, 1963, seeking an adjudication of water rights against substantially all water users in the area tributary to Prado Dam within the Santa Ana River Watershed, but excluding the area tributary to Lake Elsinore. Thirteen cross-complaints were filed in 1968, extending the adjudication to include substantially all water users in the area downstream from Prado Dam. With some 4,000 parties involved in the case (2,500 from the Upper Area and 1,500 from the Lower Area), it became obvious that every effort should be made to arrive at a settlement and physical solution in order to avoid enormous and unwieldy litigation.

Efforts to arrive at a settlement and physical solution were pursued by public officials, individuals, attorneys, and engineers. Attorneys for the parties organized in order to facilitate settlement discussions and, among other things, provided guidance for the formation and activities of an engineering committee to provide information on the physical facts.

An initial meeting of the engineers representing the parties was held on January 10, 1964. Agreement was reached that it would be beneficial to undertake jointly the compilation of basic data. Liaison was established with the Department of Water Resources, State of California, to expedite the acquisition of data. Engineers representing the parties were divided into subcommittees which were given the responsibility of investigating such things as the boundary of the Santa Ana River Watershed and its subareas, standardization of the terminology, the location and description of wells and diversion facilities, waste disposal and transfer of water between subareas.

In response to a request from the attorneys' committee at a meeting held April 17, 1964, on April 30, 1964, the joint engineering committee prepared a list of preliminary engineering studies directed toward settlement of the Santa Ana River water rights litigation. Special assignments were made to individual engineers on selected items requested by the attorneys' committee.

The attorneys and engineers for the defendants then commenced a series of meetings separate from the representatives of the plaintiffs in order to consolidate their positions and to determine a course of action. On October 7, 1964, engineers for the defendants presented the results of the studies made by the joint engineering committee. The defendants' attorneys requested that additional information be provided on the methods

of measuring flow at Prado Dam, the historical supply and disposal of water passing Prado Dam, segregation of flow into components, and determination of the amount of supply which was usable by the downstream area. On December 11, 1964, the supplemental information was presented to the defendants' attorneys.

During 1965, engineers and attorneys for the defendants held numerous conferences and conducted additional studies in an attempt to determine their respective positions in the case. Early in 1966, the plaintiff and defendants exchanged drafts of possible principles for settlement. Commencing March 22 and ending April 13, 1966, four meetings were held by the engineers to discuss the draft of principles for settlement.

On February 25, 1968, the defendants submitted a request to the Court that the Order of Reference be issued requesting the California Department of Water Resources to determine the physical facts. On May 9, 1968, the plaintiffs' attorney submitted motions opposing the Order of Reference and requested that a preliminary injunction be issued. In the meantime, every effort was being made to come to an agreement on the Stipulated Judgment. Commencing on February 28, 1968 and extending until May 14, 1968, six meetings were held to determine the scope of physical facts on which agreement could be reached so that if an Order of Reference were to be approved by the Court, the work under the proposed reference would not repeat the extensive basic data collection and compilation which had already been completed and on which engineers for both plaintiffs and defendants had reached substantial agreement. Such basic data were compiled and published in two volumes under date of May 14, 1968 entitled "Appendix A, Basic Data."

On May 21, 1968, an outline of a proposal for settlement of the case was prepared and a committee of attorneys and engineers for the parties commenced preparation of the settlement documents. On June 16, 1968, the Court held a hearing on the motions it had received requesting a preliminary injunction and an Order of Reference. The parties requested that the Court delay the preliminary hearings on these motions in view of the efforts toward settlement that were underway. The plaintiff, however, was concerned regarding the necessity of bringing the case to trial within the statutory limitation and, accordingly, on July 15, 1968, submitted a motion to set the complaint in the case for trial. On October 15, 1968, the trial was commenced and was adjourned after one-half day of testimony on behalf of the plaintiff. Thereafter, the parties filed with the Court the necessary Settlement Documents including a Stipulation for Judgment. The Court entered the Judgment on April 17, 1969, along with Stipulations and Orders dismissing all defendants and cross-defendants except for the four major public water districts overlying, in aggregate, substantially all of the major areas of water use in the watershed. The districts, the locations of which are shown on Plate 1, "Santa Ana River Watershed", are as follows:

- (1) Orange County Water District (OCWD), representing all lower basin entities located within Orange County downstream of Prado Dam.

- (2) Western Municipal Water District (WMWD), representing middle basin entities located within Riverside County on both sides of the Santa Ana River primarily upstream from Prado Dam.
- (3) Inland Empire Utilities Agency (IEUA), formerly Chino Basin Municipal Water District (CBMWD), located in the San Bernardino County Chino Basin area, representing middle basin entities within its boundaries and located primarily upstream from Prado Dam.
- (4) San Bernardino Valley Municipal Water District (SBVMWD), representing all entities within its boundaries, and embraced within the upper portion of the Riverside Basin area, the Colton Basin area (being an upstream portion of the middle basin) and the San Bernardino Basin area, being essentially the upper basin.

Summary of Judgment

Declaration of Rights. The Judgment sets forth a declaration of rights. Briefly stated, the Judgment provides that the water users in the Lower Area have rights, as against the water users in the Upper Area, to receive certain average and minimum annual amounts of non-storm flow ("base flow") at Prado Dam, together with the right to all storm flow reaching Prado Dam. The amount of the Lower Area entitlement is variable based on the quality of the water received by the Lower Area. Water users in the Upper Area have the right as against the water users in the Lower Area to divert, pump, extract, conserve, store and use all surface and groundwater supplies originating within the Upper Area, so long as the Lower Area receives the water to which it is entitled under the Judgment and there is compliance with all of its provisions.

Physical Solution. The Judgment also sets forth a comprehensive "physical solution" for satisfying the rights of the Lower Area. To understand the physical solution it is necessary to understand the following terms that are used in the Judgment:

Storm Flow – That portion of the total flow which originates from precipitation and runoff and which passes a point of measurement (either Riverside Narrows or Prado Dam) without having first percolated to groundwater storage in the zone of saturation, calculated in accordance with procedures referred to in the Judgment.

Base Flow - That portion of the total surface flow passing a point of measurement (either Riverside Narrows or Prado Dam) which remains after deduction of storm flow, nontributary flows, exchange water purchased by OCWD, and certain other flows as determined by the Watermaster.

Adjusted Base Flow - Actual base flow in each year adjusted for water quality pursuant to formulas specified in the Judgment. The adjustment of Base Flow for water quality is intended to provide an incentive to the Upper Area to maintain a

better quality of water in the river. When the total dissolved solids (TDS) is lower than a specified value at one of the measuring points, the water quantity obligation is lower. When the TDS is higher than a specified value, the water quantity obligation is higher. This is the first comprehensive adjudication in Southern California in which the quality of water is taken into consideration in the quantification of water rights.

Credits and Debits - Under the accounting procedures provided for in the Judgment, credits accrue to SBVMWD in any year when the Adjusted Base Flow exceeds 15,250 acre-feet at Riverside Narrows and jointly to IEUA and WMWD when the Adjusted Base Flow exceeds 42,000 acre-feet at Prado Dam. Debits accrue in any year when the Adjusted Base Flows falls below those levels. Credits or debits accumulate year to year.

Obligation at Riverside Narrows. SBVMWD has an obligation to assure an average annual Adjusted Base Flow of 15,250 acre-feet at Riverside Narrows, subject to the following:

- (1) A minimum Base Flow of 13,420 acre-feet plus one-third of any cumulative debit
- (2) After October 1, 1986, if no cumulative debit exists, the minimum Base Flow shall be 12,420 acre-feet.
- (3) Prior to 1986, if the cumulative credits exceed 10,000 acre-feet, the minimum Base Flow shall be 12,420 acre-feet.
- (4) All cumulative debits shall be removed by the discharge of a sufficient Base Flow at Riverside Narrows at least once in any ten consecutive years following October 1, 1976. Any cumulative credits shall remain on the books of account until used to offset any subsequent debits or until otherwise disposed of by SBVMWD.
- (5) The Base Flow at Riverside Narrows shall be adjusted using weighted average annual TDS in such Base Flow in accordance with the formula set forth in the Judgment.

Obligation at Prado Dam. IEUA and WMWD have a joint obligation to assure an average annual Adjusted Base Flow of 42,000 acre-feet at Prado Dam, subject to the following:

- (1) Minimum Base Flow at Prado shall not be less than 37,000 acre-feet plus one-third of any cumulative debit.
- (2) After October 1, 1986, if no cumulative debit exists, the minimum Base Flow quantity shall be 34,000 acre-feet.

- (3) Prior to 1986, if the cumulative credit exceeds 30,000 acre-feet, the minimum Base Flow shall be 34,000 acre-feet.
- (4) Sufficient quantities of Base Flow shall be provided at Prado to discharge completely any cumulative debits at least once in any ten consecutive years following October 1, 1976. Any cumulative credits shall remain on the books of account until used to offset any debits, or until otherwise disposed of by IEUA and WMWD.
- (5) The Base Flow at Prado during any year shall be adjusted using the weighted average annual TDS in the total flow at Prado (Base Flow plus Storm Flow) in accordance with the formula set forth in the Judgment.

Other Provisions. SBVMWD, IEUA and WMWD are enjoined from exporting water from the Lower Area to the Upper Area, directly or indirectly. OCWD is enjoined from exporting or "directly or indirectly causing water to flow" from the Upper Area to the Lower Area. Any inter-basin acquisition of water rights will have no effect on Lower Area entitlements. OCWD is prohibited from enforcing two prior judgments so long as the Upper Area Districts are in compliance with the physical solution. The composition of the Watermaster and the nomination and appointment process for members are described along with a definition of the Watermaster's duties and a formula for sharing its costs. The court retains continuing jurisdiction over the case. There are provisions for appointment of successor parties and rules for dealing with future actions that might conflict with the physical solution.

History of the Watermaster Committee Membership

The Santa Ana River Watermaster is a committee composed of five members nominated by the parties and appointed by the court. SBVMWD, IEUA (formerly CBMWD), and WMWD nominate one member each and OCWD nominates two. The Watermaster members annually elect a Chairman, Secretary, and Treasurer.

The original five members were appointed at the time of entry of the judgment. They prepared a *pro forma* annual report for the 1969-70 Water Year. The first annual report required by the judgment was prepared for the 1970-71 Water Year and reports have been prepared annually since then.

The membership of the Watermaster has changed over the years. The historical listing of members and officers shown in Table 8 reflects the signatories to each annual report.

TABLE 8
HISTORY OF THE WATERMASTER COMMITTEE MEMBERSHIP

Water Year	SBVMWD	IEUA	WMWD	OCWD	OCWD
1969-70	Clinton O. Henning	William J. Carroll	Albert A. Webb, Secretary	Max Bookman, Chairman	John M. Toups
1970-71 through 1973-74	James C. Hanson	William J. Carroll	Albert A. Webb, Secretary	Max Bookman, Chairman	John M. Toups
1974-75 through 1977-78	James C. Hanson	William J. Carroll	Donald L. Harriger	Max Bookman, Chairman	John M. Toups, Secretary
1978-79 through 1981-82	James C. Hanson	William J. Carroll	Donald L. Harriger	Max Bookman, Chairman	William R. Mills, Jr., Secretary
1982-83 through 1983-84	James C. Hanson	William J. Carroll	Donald L. Harriger	Harvey O. Banks, Chairman	William R. Mills, Jr., Secretary
1984-85 through 1988-89	Robert L. Reiter	William J. Carroll	Donald L. Harriger	Harvey O. Banks, Chairman	William R. Mills, Jr., Secretary
1989-90 through 1994-95	Robert L. Reiter, Secretary/Treasurer	William J. Carroll	Donald L. Harriger	Harvey O. Banks, Chairman	William R. Mills, Jr.
1995-96	Robert L. Reiter, Secretary/Treasurer	William J. Carroll, Chairman	Donald L. Harriger	Bill B. Dendy	William R. Mills, Jr.
1996-97	Robert L. Reiter, Secretary/Treasurer	William J. Carroll	Donald L. Harriger	Bill B. Dendy	William R. Mills, Jr., Chairman
1997-98	Robert L. Reiter, Secretary/Treasurer	Robb D. Quincey	Donald L. Harriger	Bill B. Dendy	William R. Mills, Jr., Chairman
1998-99 through 2000-01	Robert L. Reiter, Secretary/Treasurer	Richard W. Atwater	Donald L. Harriger	Bill B. Dendy	William R. Mills, Jr., Chairman
2001-02 through 2002-03	Robert L. Reiter, Secretary/Treasurer	Richard W. Atwater	Donald L. Harriger, Chairman	Bill B. Dendy	Virginia L. Grebbien
2003-04 through 2004-05	Robert L. Reiter, Chairman/Treasurer	Richard W. Atwater	John V. Rossi	Bill B. Dendy, Secretary	Virginia L. Grebbien

EXHIBIT B

The *Western* Judgment, entered simultaneously with the *Orange County* Judgment, settled rights within the upper SAR watershed in part to ensure that those resources upstream of Riverside Narrows would be sufficient to meet the flow obligations of the *Orange County* Judgment at Riverside Narrows (*Western Municipal Water District of Riverside County v. East San Bernardino County Water District*, Superior Court of Riverside County, Case No. 78426 [April 17, 1969]). Toward this end, the *Western* Judgment generally provides for:

- A determination of safe yield of the San Bernardino Basin Area (SBBA);
- Establishment of specific amounts that can be extracted from the SBBA by plaintiff parties equal in aggregate to 27.95 percent of safe yield;
- An obligation of Muni to provide replenishment for any extractions from the SBBA by non-plaintiffs in aggregate in excess of 72.05 percent of safe yield;
- An obligation of Western to replenish the Colton and Riverside basins if extractions for use in Riverside County in aggregate exceed certain specific amounts; and
- An obligation of Muni to replenish the Colton and Riverside basins if water levels are lower than certain specific water level elevations in specified wells

Like the *Orange County* Judgment, the *Western* Judgment identifies regional representative agencies to be responsible, on behalf of the numerous parties bound thereby, for implementing the replenishment obligations and other requirements of the judgment. The representative entities for the *Western* Judgment are Muni and Western. Muni and Western are principally responsible for providing replenishment of the groundwater basins if extractions exceed amounts specified in the Judgment or as determined by the Watermaster. For purposes of this replenishment obligation, Muni acts on behalf of all defendants dismissed from the *Western* Judgment, and similarly, Western acts on behalf of the Plaintiffs and other dismissed parties within Western. Plaintiff parties with specific rights to produce 27.95 percent of the safe yield from the SBBA are the City of Riverside, Riverside Highland Water Company, Meeks & Daley Water Company, and the Regents of the University of California. The *Western* Judgment is administered by the two-person Western-San Bernardino Watermaster Committee: one person nominated each by Muni and Western, and both appointed by the court.

Like the *Orange County* Judgment, the *Western* Judgment contemplates that the parties to the Judgment will undertake "new conservation" which is defined as any increase in replenishment from natural precipitation which results from operation of works and facilities not in existence as of 1969. The *Western* Judgment specifies that the parties to the Judgment have the right to participate in any new conservation projects and, provided their appropriate shares of costs are paid, rights under the Judgment are increased by the respective shares in new conservation, in proportion to each party's share of the safe yield under the *Western* Judgment.

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Exhibit C
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Chino Basin Water Quality Anomaly Remediation Activities

Plume: Chino Airport

Character: VOCs

Remediation Status: Subject of RWQCB Cleanup and Abatement Order 90-134. Plume is currently being characterized and a draft remediation plan is expected by the end of 2007.

Oversight Agency: RWQCB

Plume: California Institute for Men

Character: VOCs

Remediation Status: CIM, who is voluntarily performing the cleanup, has been working with the RWQCB to remediate the groundwater contamination. Plume has been characterized and is currently being remediated.

Oversight Agency: RWQCB

Plume: General Electric Flatiron Facility

Character: VOCs

Remediation Status: General Electric, who is voluntarily performing the cleanup, has been working with the RWQCB to remediate the groundwater contamination. No Cleanup and Abatement Order has as of yet been issued. Plume is characterized and remediation is in place to contain it.

Oversight Agency: RWQCB

Plume: General Electric Test Cell Facility

Character: VOCs

Remediation Status: Subject to Hazardous Materials Division of San Bernardino County Environmental Health Services and the DTSC Docket Numbers 88/89-009C0 and 97/98-014, respectively, for soil remediation. Closure was requested on May 11, 2004 with regard to the soil remediation. General Electric, who is voluntarily performing the cleanup, has been working with the RWQCB for the past 8 years, to characterize and remediate the groundwater contamination. No Cleanup and Abatement Order has been issued. The plume is characterized and a draft remediation plan has been submitted to the RWQCB.

Oversight Agencies: San Bernardino County; DTSC; RWQCB

Plume: Kaiser Steel Fontana Site

Character: TDS/TOC

Remediation Status: Subject of RWQCB Cleanup and Abatement Order 87-121, as amended by Order 91-40. Thereafter, Kaiser and the RWQCB entered into a 1993 settlement agreement whereby Kaiser is required to mitigate any adverse impacts caused by its plume on existing and otherwise useable municipal wells. Pursuant to the settlement, the RWQCB rescinded its earlier order 91-40 and Kaiser was granted capacity in the Chino II Desalter to intercept and remove the Kaiser plume from the Chino Basin.

Oversight Agency: RWQCB

Plume: Milliken Sanitary Landfill

Character: VOCs

Remediation Status: Subject of RWQCB Order No. 81-003. Plume has been characterized and no active remediation plan has been developed.

Oversight Agency: RWQCB

Plume: Upland Sanitary Landfill

Character: VOCs

Remediation Status: The closed Upland Landfill is regulated under RWQCB Order No 98-99-07 dated Dec. 7, 1998. In a compliance with the Order, a Post-Closure Monitoring and Maintenance Plan (PCMMP) has been prepared and submitted. The PCMMP was revised in 2001, after completion of the final cover improvements, and is currently in place.

Oversight Agency: RWQCB

Plume: Ontario International Airport (VOC Anomaly – South of Ontario Airport)

Character: VOC

Remediation Status: The plume is currently being voluntarily investigated by a group of potentially responsible parties including Boeing, Aerojet, Northrop Grumman, General Electric and the Department of Defense. Investigative or Cleanup and Abatement Orders will likely be issued in the future. Watermaster is assisting the RWQCB in its preparation of these orders. The remediation of the plume will then likely be accomplished through existing Chino Basin Desalter I facilities, owned by the Chino Desalter Authority.

Oversight Agency: RWQCB.

Plume: Stringfellow NPL Site

Character: VOCs, perchlorate, NDMA, heavy metals

Remediation Status: The Stringfellow Site is the subject of USEPA Records of Decision EPA/ROD/R09-84/007, EPA/ROD/R09-83/005, EPA/ROD/R09-87/016, and EPA/ROD/R09-90/048. Pursuant to these decisions, the original disposal area is sealed; remediation is in progress focusing on source control, installation of pretreatment facilities and groundwater cleanup. There are approximately 70 extraction wells throughout the length of the plume that have been effective in stopping plume migration and removing contamination. DTSC assumed responsibility for the cleanup of the site in 2001. DTSC is currently conducting a supplemental feasibility study to address, in particular, soil remediation in the source area. This study will form the basis for decisions about long term remedies for the site. A risk investigation/feasibility study that is currently being conducted for perchlorate will result in a fifth USEPA Record of Decision. The RWQCB originally initiated orders and studies in the 1970s and 1980s, and gives input as a stakeholder, but the Records of Decision direct clean-up.

Oversight Agencies: USEPA; DTSC; RWQCB



CHINO BASIN WATERMASTER

II. REPORTS / UPDATES

E. INLAND EMPIRE UTILITIES AGENCY

4. Monthly Water Conservation Programs Report
5. Monthly Imported Water Deliveries Report (handout)
6. State and Federal Legislative Reports
7. Community Outreach/Public Relations Report



CHINO BASIN WATERMASTER

ADVISORY COMMITTEE

June 28, 2007

AGENDA

INTERAGENCY WATER MANAGERS' REPORT

Chino Basin Watermaster

9641 San Bernardino Road

Rancho Cucamonga, CA 91730

15-20 Minutes

Discussion Items:

“Drought Plan for 2008”-Richard Atwater
Summer Conservation Efforts
Status of Delta SWP Pumping Issues.

Written Updates:

- Monthly Water Conservation Programs Report
- Monthly Imported Water Deliveries Report
- State and Federal Legislative Reports
- Community Outreach/Public Relations Report

Regional Conservation Programs

Monthly Report – June, 2007

MWD Activities

- **California-Friendly[®] Marketing Campaign** - MWD kicked-off their media campaign over the Memorial Weekend holiday and the “Come on California, Let’s Save Water” ad campaign has been aired on numerous radio stations. On June 12, 2007, MWD’s Board approved 6.3 million dollars for the FY 07/08 budget for expanded outreach, communications and advertising to promote conservation and educate the public. The California Friendly[®] labeling campaign has been placed on hold until next year.
- **PAC Recommendations** – The CII PAC recommendations is scheduled to go to the MWD Board for approval on July 10, 2007. The recommendations include several new CII rebates, including two landscape rebates, rebates for high efficiency/multi-load clothes washers, one pint per flush urinals, synthetic turf, dry vacuum pumps and rotator nozzles for large landscapes such as golf courses.

Landscape Programs

- **Landscape Audit Program** - HydroEarth has completed 95 field audits to date and 23 draft reports are under review by IEUA. There have been 3 approved final audit reports completed, representing five sites. HydroEarth has completed 14 residential field audits. The program consists of 150 commercial audits and 50 large landscape residential audits to be completed by September 2007.
- **Ontario Cares** - The City of Ontario is implementing a pilot project to integrate California-Friendly[®] landscapes into the city’s existing Ontario Cares program to improve the aesthetics of their neighborhoods. There is a correction to last month’s monthly update regarding the first CA Friendly Landscape site being completed. The first site scheduled for the retrofit was temporarily placed on hold regarding compliance with allowable site costs and compliance with the United States Bureau of Reclamation grant for this project. A meeting was held on June 12, 2007 to discuss the compliance issues and complete site design modifications so the site can be completed. Final design modifications and layout is scheduled to be completed by June 19, 2007 and final drawings sent to the Ontario Redevelopment Agency for them to proceed with the completion of this site.
- **Landscape Retrofit Rebate and Educational Program** – An RFP for Consulting Services for an experienced Water Use Efficiency Consultant to manage, market, supply, administer and assess the Landscape Retrofit Rebate and Education Program was posted on the network on June 20, 2007. The Inland Empire Utilities Agency (“Agency”) is currently accepting proposals. Submittals are due by July 13, 2007.
- **Inland Empire Landscape Alliance** -The next meeting for the Landscape Alliance will be held at IEUA on September 13, at 4:00 pm. Staff will continue to address landscape issues raised by the cities and continue developing landscape policy and program recommendations, including a regional landscape ordinance. The workshops on California Friendly[®] Landscapes, water runoff, medians, and parkway BMP’s were covered in the last two months. The third workshop will be held at IEUA on June 27, from 7:30-9:30 about irrigation BMP’s. A two-part series in July and August will result in the construction of a model regional landscape ordinance.
- **California Friendly[®] Landscape Classes (formerly PDA)** – On May 17, 2007, MWD issued the new California Friendly Landscape Class curriculum and registration forms for FY 07/08. The classes are currently being coordinated with Metropolitan Water District.

Commercial/Industrial/Institutional Program

- **(CII SAVE-A-BUCK)** - There were 620 CII rebates this fiscal year. The following is a list of the most recent rebate activity within the IEUA service area:
 - **High Efficiency Clothes Washers** -The total for FY 06/07 is 74. To date, 409 commercial high efficiency clothes washers have been installed in our service area since FY 00/01.
 - **Conductivity Controller Cooling Tower** - A total of 16 conductivity controllers have been installed through the Save-a-Buck program since FY 00/01.
 - **ULF Toilets** – No ULFTs were rebated in May. The total number rebated is, 1,884 ULFTs in our service area since FY 00/01.
 - **HET—Toilets**- One toilet was rebated in the month of May. A total of 67 HET Toilets have been rebated in our service area since FY 06/07.
 - **Waterless Urinals** – A total of 74 waterless urinals were installed in May. A total of 84 waterless urinals have been rebated for in the IEUA service area.
 - **ULFT Flushometers** – To date, 4 flushometers have been rebated in IEUA’s service area.
 - **Water Broom** – To date, 695 water brooms have been rebated in IEUA’s service area since FY 00/01.
 - **SmarTimer Controllers** – No SmarTimer Controllers were rebated April or May.
 - **X-Ray Recirculation**- To date 11 X-ray recirculation devices were rebated in the IEUA service area.
 - **Pre-Rinse Spray Head-(PRSH)** One spray head has been rebated in our service area.

Residential Rebate Programs

- **ULFT and HET Rebate Program** - Effective February 1, 2007, IEUA began processing the ULFT and HET rebates. In the month of May, 21 ULFT rebates were processed. This brings the total number of rebates processed for FY 06/07 to 210; since the start of the program in 2002, a total of 3362 rebates have been processed.
- **High Efficiency Clothes Washer Rebate** - The total number of rebates processed in May was 95 bringing the number of rebates issued for FY 06/07 to 1335. The total number of rebates processed since the rebate program began in 2002 is approximately 7,759
- **“SmarTimer of Inland Empire” Program** - The program began in April 2006. To date, 27 SmarTimer Irrigation Controller rebates have been processed, with a total of 253 controllers placed since October 2006.
- **Rotating Nozzles for Pop-up Spray Heads** - The new rebate program for rotating nozzles commenced late January 2007. The incentive is \$4 per rotating nozzle to be replaced. The rotating nozzles save up to 6,600 gallons of water over five years. To date, 30 Rotating Nozzles have been placed.

Other Residential Programs

- **Multi-Family ULFT Program** – The Multi-Family Direct Installation Program began ULFT retrofits in October 2006. To date, there have been 9,289 ULFTs retrofitted within IEUA’s service area. During the month of May, there were 1,294 retrofits completed.

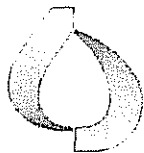
School Education Programs

- **Garden in Every School** - The selected schools were Litel Elementary in Chino Hills, El Rancho Elementary in Chino, Liberty Elementary in Ontario, Sycamore Elementary in Upland, Victoria Groves Elementary in Rancho Cucamonga, Buena Vista Arts-integrated School in Montclair and Poplar Elementary in Fontana for FY 06/07. All of the 06/07 garden dedications have been completed. Schools that applied but were not previously selected are being contacted to see if they are still interested in participating. Contact will also be renewed with past participants to help maintain the gardens and in the hopes of creating a support network between all of the GIES schools.
- **National Theatre for Children** - The National Theatre for Children (NTC) performances at elementary schools within IEUA’s service area have been completed as of May 2007. There were a total of 60 performances completed in seven sub-agency service areas. A new proposal for FY 07/08 school year was submitted by NTC and a new contract will be executed upon IEUA Board approval of the FY 07/08 IEUA Regional Conservation Budget. Contact is being made with potential schools for 07/08.
- **Chino Youth Museum** - Over the past year the Chino Youth Museum along with the City of Chino, MVWD, Chino Basin Water Conservation District and IEUA have been meeting to rejuvenate and improve the water exhibit that was constructed in 2002. The planning committee has received drawings from the consultant for the design of the new exhibit. Construction of the exhibit will begin in early summer.

Outreach

- **Water Fair** – The planning committee for the Water Fair 2007 is meeting monthly. Water Fair 2007 will be held Saturday, October 20, 2007, from 10:00 a.m. to 2:00 p.m., at Montclair Plaza, inside lower level Main entrance. The event will promote water conservation and educate customers on the various rebates and programs that exist in their area. There will be a water show and activities for kids.
- **Water Education Water Awareness Committee (WEWAC)** – WEWAC is developing its fiscal 07/08 programs.
- **Pervious Concrete Workshop** – On Thursday, July 26, 2007, IEUA will be holding a Pervious Concrete Workshop.

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Date: June 20, 2007
To: The Honorable Board of Directors
Through: Public, Legislative Affairs, and Water Resources Committee (06/13/07)
From: Richard W. Atwater *RWA*
Chief Executive Officer/General Manager
Submitted by: Martha Davis *MD*
Executive Manager of Policy Development
Subject: May Legislative Report from Innovative Federal Strategies, LLC

RECOMMENDATION

This is an informational item for the Board of Directors to receive and file.

BACKGROUND

Letitia White provides a monthly report on their federal activities on behalf of IEUA.

PRIOR BOARD ACTION

None.

IMPACT ON BUDGET

None.

RWA:MD:mef

Enclosure

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Innovative Federal Strategies LLC

Comprehensive Government Relations

MEMORANDUM

To: Martha Davis and Rich Atwater
IEUA

From: Letitia White and Alex Shockey

Date: May 28, 2007

Re: May Monthly Legislative Update

May has been another busy month on Capitol Hill. Finally, after a Presidential veto and much partisan haggling, the 2007 supplemental appropriations bill (to fund the war in Iraq and other emergency items) is finished and the Congress can dive into the fiscal year 2008 appropriations bills. So far only four of the FY08 bills - - Homeland Security, Military Construction, Energy and Water and Interior Appropriations - - have been marked up out of Subcommittee. Eight more bills must still be considered at the Subcommittee level and all of them must still be considered by the full Appropriations Committee and on the House floor before the Senate takes up their versions of the bills.

We expect to see the Subcommittees mark-up in the following order: Foreign Operations, Financial Services, Legislative Branch, Labor-HHS-Education, Transportation-HUD, Commerce-Justice-State, Agriculture, and, last but not least, Defense Appropriations. Once a bill is marked out of Subcommittee, it is expected to come to the full Committee the following week and the House floor the week after that. All of this is, of course, subject to change. Needless to say, there is a lot of work to do if the new Appropriations Chairman wants to stick to his timeline of passing all of the bills, except Defense, by the July 4th recess!

Speaking of the new Appropriations Chairman, Congressman Obey has decided to wait until House-Senate conference committee on each appropriations bill before inserting any earmarks. This includes earmarks requested by Members of Congress as well as earmarks requested by the Administration in the President's budget request. (While waiting until conference to list Congressional requests has some precedence, not listing funds for the President's requests is highly unusual!) In addition, Chairman Obey is bucking precedence in wanting both parties to review all earmark requests from both sides of the aisle. In years past, each party has been in charge of reviewing its own Members' projects. As you can imagine, this new process is time consuming and is causing some consternation. Since House-Senate conference committees are not likely to happen until the fall, there is a long time to wait before anyone knows the fate of their requests.

In addition to appropriations, immigration has been a major topic during the month of May. The full Senate started debate on its highly controversial immigration package towards the end of the month and the House has held multiple hearings on issues surrounding immigration reform.

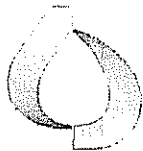
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Innovative Federal Strategies

While the Senate expects to finish work on their immigration package in June, the timeframe for a House bill still remains unclear.

Also this month, the Senate passed its version of the Water Resources Development Act (WRDA), legislation to authorize roughly \$14 billion worth of Army Corps of Engineers water infrastructure projects. Since the House passed its version of the bill in April, WRDA now heads to a House-Senate conference committee. This is particularly noteworthy because the Congress has not managed to reauthorize the WRDA, which is supposed to be renewed every other year, since 2000. Also of note, this bill is the first Senate legislation to require the disclosure of all earmark sponsors; this bill included an estimated 438 earmarks.

May has come to a close with the Memorial Day recess which started on May 25th. The Congress will reconvene on June 4th. As always, we will keep you posted!



Date: June 20, 2007

To: The Honorable Board of Directors

Through: Public, Legislative Affairs, and Water Resources Committee (06/13/07)

From: Richard W. Atwater *RWA*
Chief Executive Officer/General Manager

Submitted by: Martha Davis *MD*
Executive Manager of Policy Development

Subject: May Legislative Report from Geyer and Associates

RECOMMENDATION

This is an informational item for the Board of Directors to receive and file.

BACKGROUND

Bill Geyer and Jennifer West provide a monthly report on their state activities on behalf of IEUA.

PRIOR BOARD ACTION

None.

IMPACT ON BUDGET

None.

RWA:MD:mef

Enclosure

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MEMORANDUM

TO: Richard W. Atwater and Martha Davis
FROM: Jennifer West
DATE: June 1, 2007
RE: Sacramento Legislative Report

Budget Update

The budget subcommittees have finished their work. The remaining budget issues are now headed to the Budget Conference Committee, which will begin its hearings today.

Proposition 50 Funding

Of significance to IEUA, the subcommittees approved \$99 million from Proposition 50 for the second round of Proposition 50 IRWMP funding. This will ensure that SAWPA will receive \$25 million for its Proposition 50 IRWMP and will allow an expedited second round of funding be available to the rest of the state. The subcommittees also approved \$12.8 million in Proposition 50 for the local groundwater assistance grant program. This is a program that has benefited IEUA in the past.

Proposition 84 Funding : IRWMP and Perchlorate Cleanup

The Governor's budget additionally proposed \$808.5 million in IRWMP grants allocated to 11 regions of the state from Prop. 84. While the Assembly Budget subcommittee approved this funding, the Senate Budget Subcommittee did not, so the issue as to whether any Prop. 84 IRWMP funding will be approved in this year's budget will go to conference.

There are a number of policy bills, included on your bill list, which significantly change the Prop. 84 IRWMP requirements. DWR is not expected to go any further in IRWMP guideline development until the policy bills have passed and go into effect. Because of the timing of the policy bills, and the significant amount of Proposition 50 IRWMP funding that must be awarded by DWR in 2007/08, we expect the Conference Committee to deny the majority of Prop. 84 IRWMP funding for next year.

The Budget Conference Committee will also consider whether to include \$20 million in Prop. 84 funding for perchlorate cleanup in the San Gabriel Valley and in San Bernardino aquifers in the SAWPA region. If approved, the funding would be administered by the Department of Public Health.

Legislative Update

IEUA continues to closely coordinate its lobbying efforts with other statewide and local associations, including ACWA, WaterReuse, CASA, MWD and SAWPA. This includes sharing relevant information in meeting and conference calls and in some cases, coordinating lobbying visits.

This week was the deadline for policy bills to pass out of the Appropriations Committees. Some highlights of this week's actions include:

- **SB 55 (Florez)** failed to come off the Senate Appropriations Suspense file, making it a two year bill. IEUA is opposed the measure because it placed many new onerous requirements on the transport and disposal of biosolids.
- **AB 224 (Wolk)** passed off the Assembly Appropriations suspense file and will be heard on the Assembly Floor next week. At this point numerous water agencies are in support of the bill, which requires that climate change be incorporated into water planning at the state and local level. It also requires that the SWRCB study possible GHG reductions that can be achieved by the increased use of water recycling and conservation. IEUA is strongly in support of this measure. Today the Mayor of Los Angeles and the City of Los Angeles also announced their support for AB 224

Inland Empire Utilities Agency Legislative Tracking 5/31/07 (Prepared by Geyer Associates)		
Bond Funding/Prop. 84 and 1E	Bill Summary	Status
SB 59 (Cogdill) Water Bond 08	<p><u>Authorizes a \$3.9 billion water bond for the 2008 ballot.</u> Includes \$2 billion for two surface storage facilities.</p> <p>The Governor has vowed to reopen this issue as part of the budget, or end of session negotiations.</p>	<p>Senate Nat. Resources</p> <p>Failed passage</p>
SB 167 (Negrete McLeod) General Plans: planning grants	<p>Establishes grant and loan program at the Office of Planning and Research for Prop. 84 (Chapter 9(c) \$90 million). Allows cities and counties to apply for funding to update their general plans.</p>	<p>Senate Approp.</p> <p>Two year bill</p>
SB 292 (Wiggins) State Bond Funds: allocation	<p>Requires Cal-EPA and the Resource Agency to develop grant criteria for the urban greening funding in Prop. 84, which contains \$90 million. To be eligible for a planning grant under SB 292, an urban greening plan must have the goal of bringing together multiple agencies and funding sources to develop a more integrated vision for projects that have multiple benefits related to one of the following:</p> <ol style="list-style-type: none"> 1. Urban forestry. 2. Urban watershed management. 3. Stormwater programs. 4. Urban streams. 5. Local parks and plazas. 6. Joint public use facilities. 7. River parkway development/ improvement. 8. Green public buildings. 9. City sustainability planning. 	<p>Senate Approp.</p> <p>Two year bill</p>

SB 378 (Steinberg) Flood Prevention Bond Act 2006	Specifies that the \$300 million in Prop. 1E for stormwater management would be made available through a joint SWRCB and DWR grant program. The bill authorizes the agencies to prepare guidelines by March 2008. The agencies are required to conduct outreach to disadvantaged communities. There are no north/south split provisions mentioned in the bill.	Senate Floor
SB 732 (Steinberg) Prop. 84	States that DWR should revise the IRWMP Prop. 84 guidelines in consultation with the SWRCB, DFG and DHS. Lists a number of mandatory "statewide criteria" for the IRWMP, including helping to meet the state's 1 MAF recycling goal.	Senate Floor
SB 1002 (Perata) Prop. 84	Senate Leadership alternative to Governor's bond proposal. Appropriates various Prop. 84 and Prop. 1E monies to different water supply grant monies. This includes \$22 million for water recycling grants.	Senate Floor
AB 739 (Laird) Stormwater Discharge	Establishes criteria by which SWRCB and DWR award grants for stormwater management projects funded by a portion of the proceeds of Prop 1E flood bonds and Prop 84.	Assembly Floor
AB 783 (Arambula) Drinking Water Improvements	Makes changes to DHS grant funding in Prop. 84 for small and disadvantages communities. (Chapter 2, Section 7022)	Assembly Floor
AB 909 (Wolk) Mercury Monitoring	Allows stormwater grant funds in Prop. 84 to be used for grants to public agencies for addressing mercury contamination.	Assembly Floor
AB 1297 (Arambula) IRWMP	This bill establishes parameters by which DWR, in allocating the proceeds of bonds authorized by Proposition 84 earmarked for projects that implement integrated regional water management (IRWM) plans, would carry out Proposition 84's mandate that no more than 5% of the earmarked funds be used to develop, update or improve IRWM plans.	Assembly Approps. Two year bill
AB 1303 (Smyth) Urban Greening Act 2007	Establishes an urban greening grant program for Prop. 84 funds. (Chapter 9, (a)).	Assembly Approp. Two year bill

AB 1489 (Huffman & Wolk) Resource Bond Funds	Requires IRWMP applicants to identify the manner in which the proposed project will contribute to meeting the performance standards included in the plan. Makes of number other program changes in Prop. 84 grant programs.	Assembly Floor
AB 1602 (Nunez) Sustainable Communities & Urban Greening	Establishes a grant program in the Resources Agency "Sustainable Communities and Urban Greening Grant Program." There is \$90 million in Prop. 84 for this purpose.	Assembly Floor
Flood Control/Delta Conveyance		
SB 5 (Machado) Flood Management	Comprehensive flood management legislation backed by Senate leadership. It establishes the roles and responsibilities for the state of California, local governments and landowners in flood management.	Senate Approp. Floor
SB 17 (Flores) Reclamation Board and Powers	Gives the "Central Valley Flood Protection Board" new authority over flood control activities in the Central Valley. The bill is backed by Senate leadership.	Senate Approp. Floor
SCA 2 (Simitian) Bond	Places Delta bypass bond measure on the 2007 ballot.	Senate NR&W, E.R. & C.A., Approp.
SB 34 (Torlakson) Delta User Fee	Requires the strategic financing plan for the Delta include recommendations in accordance with a "beneficiaries pay" principle, as to persons and entities on which a fee would be imposed, and proposed fee categories in order to create a dedicated revenue stream to pay for maintenance and improvements to delta levees, project levees, and the levee conveyance system.	Senate Floor
AB 5 (Wolk) Flood Protection	Gives priority for state funds to be given to local agencies that have adopted a local plan of flood protection. Prohibits local governments in the Central Valley from approving new development within high-risk flood prone areas, unless adequate flood protection is assured	Assembly Floor

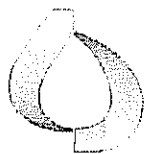
AB 1507 (Emmerson) Floodplain Management	Requires DWR to establish an Alluvial Fan Task Force.	Assembly Approp. Two year bill
Urban Water Management Plans/Conservation/Recycling		
SB 862 (Kuehl/ Steinberg) UWMP	Requires the UWMP to assess energy consumption and Bulletin 160. Contains all of the provisions of SB 1640 (Kuehl), 2006, except for the groundwater provisions. SB 1640 was vetoed last year because of the groundwater reporting language.	Senate Approp. Amended 4/25/07
AB 1420 (Laird) Water Demand Management	Conditions water bond funding on whether an agency has implemented water demand management measures in the UWMP. IEUA has been working with MWD to try to address concerns.	Assembly Floor
AB 1435 (Salas) Water Charges	Requires a local water purveyor that supplies water to retail customers to institute a conservation rate structure based on the amount of water used for other than agricultural purposes for each customers that has a service connection for which a water meter has been installed.	Senate Natural Resources
Groundwater		
SB 178 (Steinberg and Kuehl) Groundwater	Established a statewide groundwater elevation monitoring program. Under the provisions of the program, DWR would be required to receive and evaluate qualifications of those seeking to conduct the required monitoring. If there is no entity willing to do the monitoring, DWR would be required to step in. Contains the groundwater components that were in SB 1640 from last year. That measure was vetoed.	Senate Floor
Water Quality/Water Supply		
AB 559 (Ruskin) Public Water Systems	Asks the University of California (UC) to direct the UC Center for Water Resources to study the potential adverse affects on human health of compounds used to disinfect drinking water and byproducts resulting from disinfection, with emphasis on chloramine use by the San Francisco Public Utilities Commission, and to report the center's findings to the Legislature by July 1, 2009.	Assembly Approps. Two year bill

AB 640 (De La Torre) WDR waivers	Requires a water replenishment district that serves more than one groundwater basin to compute its groundwater replenishment assessment on a per basin amount.	Assembly Floor
AB 690 (Jones) Water Corp. Rates/Contamination	States that if a private water corporation receives monetary compensation for damage resulting from contamination of the utility's water supply, the PUC shall require the utility to equitably allocate the compensation between the ratepayers and investors of the utility.	Senate
AB 800 (Lieu & Krekorian) Discharge Notification	Increases maximum penalties imposed on persons who fail to immediately notify appropriate officials of an unauthorized discharge of sewage or other substances into state waters.	Assembly Floor
AB 1127 (Carter) Perchlorate	Would authorize DSH to contract with SAWPA for the purposes of assessing and treating drinking water for perchlorate contamination in and around the City of Rialto.	Assembly E.S. & T.M. Two year bill
	Compost	
SB 697 (Wiggins) Compost	This bill also requires Caltrans to develop a 10-year plan, on or before April 1, 2009, to increase the use of mulch, compost, and mulch products while phasing out the use of pesticides and chemical fertilizers and to report to the Legislature, on or before April 1, 2009, regarding the contents of that plan.	Assembly
	Green Buildings/Climate Change	
AB 35 (Ruskin) State Green Buildings	Requires the California Integrated Waste Management Board by 2009 to adopt regulations for sustainable building standards for the construction or renovation of state buildings	Assembly Floor
AB 109 (Nunez) Global warming	Spot bill to implement the California Global Warming Solutions Act of 2006.	Assembly Floor
Positions/Recommended Positions		

<p>SB 55 (Florez) Biosolids</p>	<p>Broadly defines "biosolids" to include any product with human waste, which would include some compost</p> <p>Requires POTWs to certify to the regional boards that biosolids meet "the requirements and standards for any pollutant listed in the waste discharge requirement for the POTW, including, but not limited to, any requirements of standards governing the 126 priority toxic pollutants listed in 40 CFR 131.38. This list is designed for surface water issues and includes many compounds not found in biosolids</p> <p>The bill was held in the Senate Appropriations Committee.</p>	<p>Oppose</p> <p>Senate Approps.</p> <p>Two year bill</p>
<p>SB 201 (Florez) Recycled Water Leafy Green</p>	<p>We are asking that the author delete a section of the bill that requires extra field testing for recycled water. The section calls into question the safety of using recycled water for agricultural purposes and singles out recycled water as the only type of water needing special testing. 40% of recycled water in the state is used for agriculture.</p>	<p>Oppose unless amended</p> <p>Senate Floor</p>
<p>SB 220 (Corbett) Bottled Water</p>	<p>Establishes a system for the regulation and inspection of water vending machines and imposes additional labeling requirements on water bottlers and vendors.</p>	<p>Support</p> <p>Senate Floor</p>
<p>SB 1029 (Ducheny) Drinking water regulations</p>	<p>Places a time limit on the Department of Finance of 60 days to review drinking water regulations that are already adopted on the federal level. ACWA is the sponsor.</p>	<p>Support</p> <p>Senate Approps.</p>
<p>AB 224 (Wolk) Climate Change/Water Supply Planning</p>	<p>Requires DWR to assess the possible affects of climate change on water supply. Requires that this information be incorporated into state and local water planning documents. States that if DWR does not provide the information the requirement does not apply</p> <p>Requires SWRCB to conduct a study on the energy savings and GHG reductions associated with increased use of recycled water and water conservation</p>	<p>Support</p> <p>Assembly Floor</p>

AB 503 (Swanson) Overtime Notice/public agencies	Applies to all local agencies and special districts. Would prohibit an agency from requiring any employee entitled to receive overtime compensation pursuant to any federal statute or regulation to perform services outside the employee's normal work schedule unless a minimum of 8 hours' written notice of that work assignment has been provided to the employee.	Oppose Assembly Floor
AB 662 (Ruskin) Water use efficiency	Requires the California Energy Commission (CEC) to prescribe cost effective measures to promote the use of water efficient appliances.	Support Assembly Floor
AB 566 (Plescia) Landscape Water Conservation	Requires the model landscape ordinance to include climate information for irrigation scheduling based on the California Irrigation Management Information System. IRWD sponsor	Support Assembly Floor
AB 715 (Laird) Low-flush Water Closets	<p>Phases in requirements that water closets and urinals have lower flush volumes, generally reducing toilets from 1.6 to 1.3 gallons per flush.</p> <p>Some older systems may not be able to operate efficiently under these low flow conditions. IEUA will work with CASA to seek an amendment that would recognize the limitation of older systems.</p>	Support Senate Tran. And Housing 6/12
AB 888 (Lieu & Laird) Green Building Standards	Requires CalEPA to develop and adopt building standards for commercial construction that meet or exceed the Leadership in Energy and Environmental Design (LEED) Gold Standard. Requires that by 2012 all new commercial buildings, 50,000 square feet or larger, meet these new standards. Small newly constructed buildings can waive this requirement for economic purposes.	Support Assembly Floor
AB 1260 (Caballero) Taxes and Fees	Clarifies how a public agency may provide notice when proposing a new, or increasing an existing, property-related fee or charge, and establishes a 120-day statute of limitations for any challenges to any property-related fee or charge. This bill is sponsored by ACWA and was introduced in response to the <u>Big Horn</u> decision last fall.	Support Senate Local Government 6/27

AB 1404 (Laird) Water use Reporting	Establishes comprehensive system for reporting water use. Specifically, <u>this bill</u> Requires the DWR, the SWRCB and the Department of Public Health (DPH) to develop, jointly, a coordinated water use reporting database.	Support Assembly Floor
AB 1406 (Huffman) Recycled Water in Condos	Allows the use of recycled water in toilets and urinals in condominiums. Sponsored by IRWD.	Support Senate Natural Resources
AB 1481 (De LaTorre) Water Recycling General Permit	Sponsored by LADWP. Requires that SWRCB prepare a general permit by 2010 for water recycling for landscape irrigation.	Support Assembly Floor
AB 1560 (Huffman) Building Standards	Requires the CEC to prescribe by regulation, water conservation design standards for new residential construction.	Support Assembly Floor



Inland Empire
UTILITIES AGENCY

Date: June 20, 2007

To: The Honorable Board of Directors

Through: Public, Legislative Affairs, and Water Resources Committee (06/13/07)

From: Richard W. Atwater *RWA*
Chief Executive Officer/General Manager

Submitted by: Martha Davis *MD*
Executive Manager of Policy Development

Subject: May Legislative Report from Dolphin Group

RECOMMENDATION

This is an informational item for the Board of Directors to receive and file.

BACKGROUND

Michael Boccadoro provides a monthly report on his activities on behalf of the Chino Basin/Optimum Basin Management Program Coalition.

PRIOR BOARD ACTION

None.

IMPACT ON BUDGET

None.

RWA:MD:mef

Enclosure

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June 1, 2007

To: Chino Basin/OBMP Coalition

From: Michael Boccadoro
Senior Vice President

RE: May Status Report

Please find attached the status report from The Dolphin Group for the month of June 2007.

In May, the California Legislature completed policy committee hearings, and began to consider the fiscal implications of the surviving bills in the Senate and Assembly Appropriations Committees. The legislature's fiscal committee deadline is June 1. All bills must also pass the house of origin by June 8, or measures will become 2-year bills.

SB 463, co-sponsored by IEUA, was unanimously approved by the Senate on a 38-0 vote. It is expected to be taken up by the Assembly Utilities and Commerce Committee in late June.

On regulatory matters, the California Air Resources Board continues to discuss the implementation of the state's greenhouse gas regulations. Public comment on the recently released "early actions" is continuing with final decisions to be made by CARB by July 1. AB 1969 implementation proceedings at the California Public Utilities Commission also are progressing to implement a standard contract for small renewable energy projects by public water and wastewater agencies.

Chino Basin / OBMP Coalition

Status Report – January 2007

ENERGY/REGULATORY

Energy Efficiency Funding for Water Conservation Efforts

On June 14th, the utilities will file supplemental information with the California Public Utilities Commission pertaining to their proposed pilot programs aimed at achieving energy efficiency savings through water conservation.

A workshop has been scheduled for June 20th to discuss the proposals, with comments from parties due on June 26th. DGI will review the supplemental information when filed and will supply comments in conjunction with IEUA as appropriate.

AB 1969 Implementation

On June 5th, the California Public Utilities Commission will be holding a workshop related to the implementation of AB 1969, a measure approved by the Legislature last year and sponsored by IEUA.

At issue are a number of provisions the utilities have included in their proposed standard contracts and tariffs. Of specific concern to IEUA are the following proposals:

1. PG&E has proposed to discount the Commission-approved Market Price Referent (MPR), in contradiction to AB 1969
2. All utilities only propose to offer a time-of-use (TOU) payment structure, instead of also offering the option for a flat MPR payment schedule
3. PG&E has proposed to cap the initial pre-approval of the tariff to only 1 MW, instead of seeking immediate pre-approval of all projects up to 1.5 MW

Although some of these issues pertain only to PG&E customers, and IEUA is a customer of SCE, as sponsors of the measure it is imperative that the measure be properly implemented. Senator Leland Yee (D – South San Francisco), who authored the measure in 2006, also submitted a letter to the Commission in support of some of IEUA's positions.

DGI will be attending the June 5th workshop, and will continue to work to ensure that the law is properly and fully implemented by the utilities.

AB 32 – GREENHOUSE GAS REGULATION

The California Air Resources Board continued to hold a series of hearings and workshops throughout May on implementation of AB 32 (Nuñez – 2006) to reduce California’s greenhouse gas emissions (GHG) to 1990 levels.

On May 23rd, CARB held a workshop on mandatory reporting of GHG emissions, and released an initial list of industries slated for specific reporting requirements. Included were power plants, oil refineries, cement plants and large stationary combustion sources. The threshold for “large stationary combustion sources” would be those operations which exceed 25,000 metric tons of CO2 annually. “Power plants” would be defined as all operations larger than 1 MW for all non-zero emission facilities. The next workshop on this issue will occur in July or August, with the CARB Board expected to adopt regulations on this issue by the end of the year. Reporting is expected to begin in mid-2009 on 2008 emissions.

The Environmental Justice Advisory Committee met on May 30th to consider recommendations to CARB on the proposed early actions announced in a draft report on April 23rd. The Committee adopted a number of recommendations, including rejecting two of the three proposed early actions. The groups also recommended adding manure management to the list of early regulated industries, among others.

The next day, on May 31st, the Economic and Technology Advancement Advisory Committee met to discuss potential strategies and efforts aimed at providing information and technological support for regulations that will be ultimately adopted by CARB.

2007-08 STATE BUDGET

May 14th, Governor Schwarzenegger released his “May Revise” to his proposed state budget for 2007-08. The \$103 billion budget included expected revenue increases of \$6 billion, and increase expenditures of \$1.5 billion. Nevertheless, the Legislative Analyst Office (LAO) notes that budget retains a structural shortfall of as much as \$5 billion.

Governor’s Budget General Fund Condition

(In Millions)

	2006-07	2007-08
Prior-year fund balance	\$10,540	\$4,433
Revenues and transfers ^a	96,157	102,276
Total resources available	\$106,697	\$106,709
Expenditures	102,264	103,765
Ending fund balance	\$4,433	\$2,944
Encumbrances	745	745
Reserve	\$3,688	\$2,199
Budget Stabilization Account	\$472	\$1,495
Reserve for Economic Uncertainties	3,216	704

^a 2006-07 amount includes \$472 million and 2007-08 amount includes \$1.023 billion in General Fund revenues transferred to the Budget Stabilization Account, which the administration excludes from its revenue totals. These different treatments do not affect the bottom-line reserve shown.

LAO also noted that revenue projections were adjusted downward by \$230 million from the January proposal, based largely on a softening economy.

LEGISLATION

The Legislature completed the last of the policy committee hearings in early May, and spent much of the month weighing the fiscal impacts of the proposed measures that survived earlier policy committee hearings.

Although a few measures were approved by their house of origin, such as SB 463 sponsored by IEUA, most measures remained for consideration by the respective Appropriations Committees.

As June begins, the Legislature will begin to turn its full attention towards the state budget. State law requires legislators to approve a budget by June 15th, though the state has seldom made that deadline.

SB 463- Dairy Biogas Net Metering

This measure, sponsored by IEUA, will allow an investor-owned utility to purchase surplus generation from an eligible biogas net metering customer. This allowance currently exists in the net metering statute for solar and wind self-generation.

The measure was unanimously approved by the full Senate on a 38-0 vote, and will now be considered by the Assembly.

CA SB 463	AUTHOR:	Negrete McLeod [D]	
	TITLE:	Energy: Biogas Digester Customer-Generator	
	INTRODUCED:	02/21/2007	
	LAST AMEND:	05/01/2007	
	DISPOSITION:	Pending	
	LOCATION:	ASSEMBLY	
	SUMMARY:	Relates to existing law that provides if the electricity generated by the eligible biogas digester customer-generator exceeds the electricity supplied by an electrical corporation over a specified period, the customer-generator is a net electricity producer and the corporation retains any excess kilowatthours generated over the specified period. Provides the customer-generator would not be owed compensation for excess kilowatthours unless there is an agreement. Imposes a limit on kilowatt hour price.	
	VOTES:	04/24/2007 Senate Energy, Utilities and Communications Committee	P 8-0
	Position:	Support	

Other Legislation

CA AB 94 **AUTHOR:** Levine [D]
TITLE: Renewable Energy
INTRODUCED: 12/20/2006
DISPOSITION: Pending
LOCATION: Assembly Natural Resources Committee
SUMMARY:
Revises the intent language so that the amount of electricity generated per year from eligible renewable energy resources is increased to an amount that equals at least 33% of the total electricity sold to retail customers in California per year by a specified date. Requires that each retail seller increase its total procurement of eligible renewable energy resources by at least an additional 1% of retail sales per year so that 33% of its retail sales are procured from eligible renewable energy resources.
VOTES:
04/09/2007 Assembly Utilities and Commerce P 7-3
Committee
Position: Watch

CA AB 109 **AUTHOR:** Nunez [D]
TITLE: Global Warming Solutions Act of 2006: Annual Report
INTRODUCED: 01/05/2007
DISPOSITION: Pending
COMMITTEE: Assembly Appropriations Committee
HEARING: 05/31/2007
SUMMARY:
Requires the State Air Resources Board to report to the Legislature annually the status and progress of implementing the Global Warming Solutions Act of 2006. Requires the state to adopt a statewide greenhouse gas emissions limit equivalent to the statewide greenhouse gas emissions levels in 1990 to be achieved by 2020.
VOTES:
04/23/2007 Assembly Natural Resources Committee P 7-1
Position: Watch

CA AB 114 **AUTHOR:** Blakeslee [R]
TITLE: Public Resources: Carbon Dioxide Containment Program
INTRODUCED: 01/09/2007
LAST AMEND: 05/02/2007
DISPOSITION: Pending
COMMITTEE: Assembly Appropriations Committee
HEARING: 05/31/2007
SUMMARY:
Requires the Energy Commission to submit a report to the Legislature containing recommendations regarding containment, scrubbing, and capture technologies to decrease carbon dioxide emission from thermal powerplants and other industrial processes. Requires the commission to include the report in its integrated energy police report and to share it with the State Air Resources Board.
VOTES:
04/23/2007 Assembly Natural Resources Committee P 9-0
Position: Watch

04/09/2007 Assembly Utilities and Commerce P 11-0
Committee

Position: Watch

CA AB 739

AUTHOR: Laird [D]
TITLE: Stormwater Discharge
INTRODUCED: 02/22/2007
LAST AMEND: 04/17/2007
DISPOSITION: Pending
COMMITTEE: Assembly Appropriations Committee
HEARING: 05/31/2007
SUMMARY:

Requires the Water Resources Control Board to establish a coordinated approach to ensure the allocation of funds on behalf of stormwater management programs that are financed pursuant to specified bond laws address the highest priority needs throughout the state. Requires the board to expend certain funds made available by the initiative bond law for a stormwater contamination prevention and reduction program to achieve specified purposes and to develop a framework for municipal stormwater management.

VOTES:

05/01/2007 Assembly Environmental Safety and Toxic P 6-0
Materials Committee

Position: Watch

CA AB 938

AUTHOR: Calderon C [D]
TITLE: Regional Water Management
INTRODUCED: 02/22/2007
LAST AMEND: 05/02/2007
DISPOSITION: Pending
COMMITTEE: Assembly Appropriations Committee
HEARING: 05/31/2007
SUMMARY:

Authorizes a county or city to convene one or more watershed quality committees to develop and facilitate cooperation in achieving local water quality solutions. Requires a committee to use reasonable efforts to prepare and submit a watershed management plan that addresses major sources of stormwater, urban runoff, and nonpoint source pollution within the region. Requires a city or county that provides certain utilities to provide facilities for returning captured waters to receiving bodies.

VOTES:

04/24/2007 Assembly Water, Parks and Wildlife P 13-0
Committee

05/09/2007 Assembly Local Government Committee P 7-0
Position: Watch

CA AB 1428

AUTHOR: Galgiani [D]
TITLE: Energy: Biogas Digester and Manure
Customer-Generator
INTRODUCED: 02/23/2007
LAST AMEND: 05/17/2007
DISPOSITION: Pending
LOCATION: SENATE
SUMMARY:

Relates to existing law that requires electrical corporations with net energy metering to provide eligible biogas digester customer-generators, that commence operations by a specified date, with net energy metering, under a pilot program. Includes certain manure-fueled electrical generating facilities in the existing pilot program, which this measure would recast to apply to eligible customer-generators.

VOTES:

04/09/2007 Assembly Utilities and Commerce P 12-0
Committee

04/23/2007 Assembly Natural Resources Committee P 7-0

05/23/2007 Assembly Appropriations Committee P 16-0

Position: Watch

CA AB 1506

AUTHOR: Arambula [D]
TITLE: Energy Independence/Early Adapter Bus Incentive Act

INTRODUCED: 02/23/2007

LAST AMEND: 04/26/2007

DISPOSITION: Pending

COMMITTEE: Assembly Appropriations Committee

HEARING: 05/31/2007

SUMMARY:

Authorizes a small business financial development corporations to provide direct loans and loan guarantees for capital expenditures that reduce greenhouse gas emissions or generate renewable energy. Authorizes the Infrastructure and Economic Development Bank to make loans on capital equipment directly result in a measurable reduction of greenhouse gas emissions.

VOTES:

04/17/2007 Assembly Jobs, Economic Development and P 6-0
The Economy Committee

04/23/2007 Assembly Revenue and Taxation Committee P 8-1

Position: Watch

CA AB 1532

AUTHOR: Parra [D]
TITLE: Public Utilities: Crude Oil Imports

INTRODUCED: 02/23/2007

LAST AMEND: 05/07/2007

DISPOSITION: Pending

LOCATION: Assembly Rules Committee

SUMMARY:

Relates to existing law that requires the State Air Resources Board to establish, by regulation, various standards for gasoline and motor vehicle fuel. Requires the state board to implement the Low Carbon Fuel Standard in a manner that does not increase the state's overall dependence on crude oil imports.

VOTES:

05/07/2007 Assembly Utilities and Commerce P 10-0
Committee

Position: Watch

CA AB 1613

AUTHOR: Blakeslee [R]
TITLE: Energy: Waste Heat and Carbon Emissions Reduction

INTRODUCED: 02/23/2007

LAST AMEND: 05/01/2007
DISPOSITION: Pending
COMMITTEE: Assembly Appropriations Committee
HEARING: 05/31/2007
SUMMARY:

Enacts the waste heat and carbon emissions reduction act. Requires a load-serving entity to purchase the incidental electricity generated by eligible customers utilizing distributed generation that employs combined heat and power technology that comply with the regulations, or interim guidelines. Requires that the rates be time or use rates that encourage energy conservation and net generation of electricity during periods of peak system demand. Relates to state building energy efficiency.

VOTES:

04/23/2007 Assembly Utilities and Commerce P 12-0
Committee

Position: Watch

CA SB 9

AUTHOR: Lowenthal [D]
TITLE: Trade Corridor Improvement: Transportation Project
INTRODUCED: 12/04/2006
LAST AMEND: 04/10/2007
DISPOSITION: Pending
COMMITTEE: Senate Appropriations Committee
HEARING: 05/31/2007 1:30 pm
SUMMARY:

Relates to the Trade Corridor Improvement Transportation Project. Requires inclusion in a regional transportation plan. Requires for funding emphasis to be on consideration of specified emissions associated with the construction and operation of the project and the project's potential to reduce emissions associated with trade activity. Requires inclusion of a plan to mitigate emissions associated with their projects. Provides funding for projects that support movement of freight with zero emissions.

VOTES:

04/17/2007 Senate Transportation and Housing P 7-3
Committee

Position: Watch

CA SB 19

AUTHOR: Lowenthal [D]
TITLE: Trade Corridor: Projects to Reduce Emissions:
Funding
INTRODUCED: 12/04/2006
LAST AMEND: 04/10/2007
DISPOSITION: Pending
COMMITTEE: Senate Appropriations Committee
HEARING: 05/31/2007 1:30 pm
SUMMARY:

Relates to the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006. Specifies a list of projects eligible for this funding. Require that the Air Resources Board ensure that these funds are supplemented and matched with funds from federal, state, local, and private sources to the maximum extent feasible. Requires applicants for this funding to include with their application for funding a plan to reduce emissions associated with goods movement activity.

VOTES:
04/17/2007 Senate Transportation and Housing Committee P 6-4
Position: Watch

CA SB 55 **AUTHOR:** Florez [D]
TITLE: Water Quality: Sewage Sludge
INTRODUCED: 01/10/2007
LAST AMEND: 04/30/2007
DISPOSITION: Pending
COMMITTEE: Senate Appropriations Committee
HEARING: 05/31/2007 1:30 pm
SUMMARY:
Relates to water quality and sewer sludge. Prohibits the treatment or land application of specified sewage sludge in violation of federal regulations. Requires a supplier of sludge to submit samples to a certified laboratory for testing. Relates to polluting chemicals including agricultural, industrial, personal care products and pharmaceuticals that may act as endocrine disrupters. Relates to pathogens.

VOTES:
04/24/2007 Senate Environmental Quality Committee P 6-1
Position: Watch, Watch

CA SB 210 **AUTHOR:** Kehoe [D]
TITLE: Greenhouse Gas Emissions: Fuel Standard
INTRODUCED: 02/08/2007
LAST AMEND: 04/30/2007
DISPOSITION: Pending
COMMITTEE: Senate Appropriations Committee
HEARING: 05/31/2007 1:30 pm
SUMMARY:
Requires the State Air Resources Board to adopt, implement, and enforce, a low-carbon fuel standard that achieves the maximum technologically feasible and cost-effective greenhouse emissions reductions, and at least a 10% reduction in greenhouse gas emissions.

VOTES:
03/27/2007 Senate Transportation and Housing Committee P 7-4
04/24/2007 Senate Environmental Quality Committee P 4-2
Position: Watch

CA SB 375 **AUTHOR:** Steinberg [D]
TITLE: Transportation Planning: Travel Models: Reviews
INTRODUCED: 02/21/2007
LAST AMEND: 05/02/2007
DISPOSITION: Pending
COMMITTEE: Senate Appropriations Committee
HEARING: 05/31/2007 1:30 pm
SUMMARY:
Relates to guidelines for travel demand guidelines used in regional transportation plans, the requirement a regional transportation plan include a preferred growth scenario designed to achieve goals for the reduction of vehicle miles in the region, an environmental document under the Environmental Quality Act that examines specific impacts of a transportation project located in a local jurisdiction that has amended its

general plan and the legislative body finds the project meets specified criteria.

VOTES:

04/24/2007 Senate Environmental Quality Committee P 5-2

04/26/2007 Senate Transportation and Housing Committee P 7-1

Position: Watch

CA SB 411

AUTHOR: Simitian [D]

TITLE: Energy; Renewable Energy Resources

INTRODUCED: 02/21/2007

LAST AMEND: 04/18/2007

DISPOSITION: Pending

LOCATION: Assembly Utilities and Commerce Committee

SUMMARY:

Requires a retail seller of electricity to increase its total procurement of eligible renewable resources so that at least 33% of its retail sales are procured from eligible renewable energy resources no later than specified date, in furtherance of achieving the greenhouse gas emissions limit adopted pursuant to the California Global Warming Solutions Act of 2006.

VOTES:

04/24/2007 Senate Energy, Utilities and Communications Committee P 5-3

04/26/2007 Senate Environmental Quality Committee P 5-1

Position: Watch

CA SB 494

AUTHOR: Kehoe [D]

TITLE: Vehicular Air Pollution Control: Clean Alternative

INTRODUCED: 02/22/2007

LAST AMEND: 04/30/2007

DISPOSITION: Pending

COMMITTEE: Senate Appropriations Committee

HEARING: 05/31/2007 1:30 pm

SUMMARY:

Relates to vehicular air pollution control. Requires the Air Resources Board to develop and adopt regulations that will ensure that an unspecified percentage of new passenger vehicles and light-duty trucks sold in the state each year are clean alternative vehicles, and that commencing by a specified date, a percentage of new passenger vehicles and light-duty trucks sold in the state each year are clean alternative vehicles.

VOTES:

03/27/2007 Senate Transportation and Housing Committee P 6-4

04/24/2007 Senate Environmental Quality Committee P 5-2

Position: Watch

CA SB 1001

AUTHOR: Perata [D]

TITLE: Regional Water Quality Control Boards

INTRODUCED: 02/23/2007

LAST AMEND: 04/17/2007

DISPOSITION: Pending

COMMITTEE: Senate Appropriations Committee

HEARING: 05/31/2007 1:30 pm

SUMMARY:

Relates to regional water boards and their responsibilities under the federal Clean Water Act and Porter-Cologne. Requires the State Water Resources Control Board, with the Department of Finance, to prepare a detailed report on the financial basis and programmatic effectiveness of its water quality programs. Requires the board to prepare and adopt regulations for each regional board to ensure compliance with water quality laws. Establishes procedures for the removal of a regional board from the programs.

VOTES:

04/24/2007 Senate Environmental Quality Committee P 5-2
Position: Watch

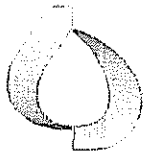
CA SB 1036

AUTHOR: Perata [D]
TITLE: Energy: Renewable Energy Resources
INTRODUCED: 02/23/2007
DISPOSITION: Pending
FILE: 23
LOCATION: Senate Third Reading File
SUMMARY:

Repeals provisions providing for the New Renewable Resources Account within the Renewable Resource Trust Fund. Deletes the requirement that the Energy Commission award the production incentives and allocate and award supplemental energy payments to eligible renewable energy resources to cover above-market costs of renewable energy. Requires the Commission to terminate production incentives unless the project began generating electricity by a certain date.

VOTES:

04/24/2007 Senate Energy, Utilities and P 8-0
Communications Committee
05/07/2007 Senate Appropriations Committee P 17-0
Position: Watch



Inland Empire
UTILITIES AGENCY

Date: June 20, 2007
To: The Honorable Board of Directors
Through: Public, Legislative Affairs, and Water Resources Committee (06/13/07)
From: Richard W. Atwater *RWA*
Chief Executive Officer/General Manager
Submitted by: Martha Davis *MD*
Executive Manager of Policy Development
Subject: May Legislative Report from Agricultural Resources

RECOMMENDATION

This is an informational item for the Board of Directors to receive and file

BACKGROUND

Dave Weiman provides a monthly report on his federal activities on behalf of IEUA.

PRIOR BOARD ACTION

None.

IMPACT ON BUDGET

None.

RWA:MD:mef

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Agricultural Resources

635 Maryland Avenue, N.E.
Washington, D.C. 20002-5811
(202) 546-5115
(202) 546-4472-fax
agresources@erols.com

May 30, 2007

Legislative Report

To: Richard W. Atwater
General Manager, Inland Empire Utility Agency

From: David M. Weiman
Agricultural Resources
LEGISLATIVE REPRESENTATIVE, IEUA

Subject: Legislative Report, May 2007

Highlights:

- ! **Napolitano, House Members Urge Increased Funding for Title XVI**
- ! **House Water and Power – Move More Title XVI Bills, Interior Testifies in Opposition**
- ! **Appropriations – Title XVI**
- ! **Delta Pumps Shut Down, Delta Ecosystem Collapse, Title XVI Implication**
- ! **Senate Energy Likely to Consider Water Recycling Bills – Dreier-Feinstein Among them**
- ! **House-Senate Action on Farm Bill, House Releases Parts of Bills, Begins Markups**
- ! **Farm Bill Language – Third Party (IEUA) Eligibility**
- ! **News and Notes**
- ! **IEUA Working Partners**

Napolitano, House Members Urge Increased Funding for Title XVI. Rep. Napolitano, chair, Subcommittee on Water and Power, Natural Resources Committee Chairman Rahall and others met with, communicated to and briefed members of the Appropriations Subcommittee, including Chairman Peter Visclosky (D-IN), about the need to increase funding for Title XVI in the

fiscal year beginning next October 1. Unfolding developments – chronic under-funding in past years, climate change reports, levee risks in the Delta, and in recent days, the court-ruling that may shut down pumping from the Delta – all justify a significant jump in Title XVI. Napolitano and her subcommittee are working hard to put alternative supplies in the form of local water recycling projects in place and fully operational *before* a water crisis imposes itself. The Interior Department and Bureau of Reclamation do not support increased funding.

House Water and Power Holds Hearings on Additional Water Recycling Bills, Interior/BuRec Oppose (Again... Or Still). The Bureau testified before the Water and Power Subcommittee in opposition to water recycling bills in Arizona and California. In so doing, they maintained their unblemished record over the past four or five years – opposing every bill that would increase water supplies in arid areas. The Subcommittee was also keenly aware that the Department sent a “low-ranking” witness, interpreted by the Subcommittee as a sign of disinterest in the program and bills. Chairwoman Napolitano promptly completed hearings, reported the bills, moved them to the floor, passed them and sent them over to the Senate.

Appropriations – Title XVI. The Appropriations Committee finally got budget numbers and allocations enabling them to begin the process of moving annual funding bills. In late May, the Appropriations Subcommittee on Energy and Water marked up its bill (which contained funding for the Department of Energy, the Army Corps of Engineers and the Bureau of Reclamation). Because of continued conflicts over “earmarking” rules, the Committee did not specify the amount of funding for Title XVI and will not prior to conference (could be July – more likely September). Funds for the overall program – or for IEUA – will not be addressed until the end of the legislative process.

DWR Delta Pumps Shut Down – Resulting from Delta Ecosystem Collapse – Title XVI Implication. Late in the month, the anticipated DWR Delta pump shut down finally took place. Delta Smelt, an indicator species in the Delta, are becoming near-extinct (CALFED efforts notwithstanding). When, two years ago news accounts revealed a very serious situation, lawmakers in Sacramento and Washington were furious. None of the members or committees were told anything. That repeated itself in the past few weeks. None of the Federal or State agencies – the Bureau, DWR, Cal Fish and Game, FWS or CALFED – made any attempt to brief the members or committees – again. The result, a compounding set of issues – substantively and politically. Those agencies are fast facing a “crisis of trust” with federal legislators. Once again, if SWP water supplies to Southern California are threatened – as a result of one or more of the various risks (earthquakes harming canals, reservoirs or pumping plants, delta levees, or now, from eco-system collapse and resulting court order), then local projects – water recycling prominently among them, become more important (and more essential). Recycling projects develop new supplies, and do it without “taking the water” from some other user. As or more significantly, recycling projects help drought-proof an area, and at the same time, reduce risk and vulnerability to disruption or shortage. Given these developments and circumstances, the Bureau of Reclamation’s attitude towards Title XVI is even more inexplicable.

Title XVI Bills – Senate Hearings Anticipate in June. While not formally announced yet, the Senate Energy Committee indicated that they will begin to conduct hearings on pending water recycling bills, the Dreier-Feinstein bill included sometime next month.

Congressional Action on Farm Bill Initiated. In late May, the House Agriculture Committee Chair, Rep. Collin Peterson (D-MN) began releasing sections of his proposed bill and began marking it up. Markups will continue after the Memorial Day break. As previously reported, the current Farm Bill expires September. Several developments in the past month.

- * The bill advanced for markup is very controversial – and “may” not be in a form that it can pass the House floor.
- * The bill provides all sorts of policy and programmatic provisions without funding for them. Peterson is putting pressure on his own leadership to lift budget caps and waive the budget rules. Peterson’s own leadership is not happy. Those with policy or regional marker bills are largely “frozen” out of the bill. Peterson has signaled that these issues can only be addressed in conference, but that doesn’t satisfy other members. While this is unfolding, Peterson protected “Title I” – the traditional farm program subsidies.
- * Rep. Ron Kind (D-WI) introduced a bill with a significant “renewable energy” provision and a provision making non-farmers eligible (like IEUA) for funding digesters and manure management. California’s Dennis Cardoza and Maryland’s Chris Van Hollen have also introduced what are being called “marker bills.” Between the three bills, they have some 200 co-sponsors.
- * AWWA, ACWA, AMWA and others submitted a letter to the Committee supporting the Regional Water Enhancement Program (RWEP), a proposed new provision in the conservation title. IEUA and Cucamonga Valley Water District signed the letter.

By September 30, there will be a farm bill. What kind of bill? Completely unknown. The fate of a Peterson farm bill is, at best, uncertain. As of right now, it’s not clear that Peterson can move a bill through the House. It’s possible that the program will get an “extension.”

Farm Bill Language – Third Party Eligibility. The new Farm Bill language advanced by the House Ag Committee provides for third-party eligibility. That means, that IEUA is eligible to apply for projects and programs (if funded) which would allow IEUA to design, build and construct a digester that serves more than one farmer. As previously reported, this has not been the case in the past, notwithstanding special language in the 2002 farm bill for IEUA AND notwithstanding generic “cooperative conservation” language in the same bill. USDA rejected IEUA’s program on the grounds that the NRCS only gives benefits to individual farmers. In 2003, a group from IEUA and the MPC met with the head of NRCS, but he was adamant. Benefits only go to individual farmers. Providing benefits to a third party (a co-op, group of farmers, a public utility) who might

own and operate a digester was not within USDA's thinking at the time.

News and Notes. Texas Interest in Water Recycling Emerges. Members from Texas have begun a serious review of Title XVI. Meetings, briefings and requests for information are now occurring on a very regular basis. ***Drought in West.*** Other western states, up and down the Rocky Mountains, experiencing drought. Some 13 of the 17 Western states are indicating some level of drought. Coincidentally, two other regions of the Nation are experiencing drought – the entire South (some very seriously) and portions of Minnesota and Wisconsin, including portions of Chairman Peterson's district. ***Drought Relief Bill Attached to Iraq Funding Bill – Finally Signed Into Law.*** As a result of the drought – a multi-billion drought relief bill was reluctantly accepted by the Administration. It was part of the Supplemental funding bill that provided additional funds for the Iraq war. ***Friant (San Joaquin Valley) Settlement Proposal.*** Major issues remain unresolved. ***Westlands Proposal on Valley Ag Drainage Prompts Senator Feinstein to Announce "All Hands" Meeting June Meeting.*** The Westlands Water District is promoting a proposal to retire lands, obtain water rights and control of the San Luis Reservoir (a regulating reservoir that serves Southern California as well). DWR, MWD and others are expressing concerns. It's a multi-billion dollar proposal. Some members believe available funds should be first targeted to/at resolving the Delta issues. ***Rep. Ken Calvert Joins House Appropriations Committee Replacing Rep. John Doolittle, now on Temporary Leave.*** The House GOP leadership selected Riverside County's Rep. Ken Calvert to serve on the House Appropriations Committee. This is, for now, a temporary assignment. In light of various issues, Rep. Doolittle has requested a temporary leave from the Committee. ***Senator Tim Johnson, Chair, Subcommittee on Water and Power Continues Making Progress.*** Chairwoman Grace Napolitano's Senate counter-part is South Dakota Senator, Tim Johnson. He had a stroke-like attack early this year, but while he has yet to return to the Senate, his recovery is "on time" and appears to be making significant progress. His illness has slowed some of the Subcommittee's work, but that is expected to change shortly. ***Senate Energy – Water and Power Subcommittee to Hold Hearing on "Climate" Impacts on the Southwest.*** This is but another opportunity for Title XVI to be "part of a solution."

IEUA Continues to Work With Various Partners. On an on-going basis in Washington, IEUA continues to work with:

- a. Metropolitan Water District of Southern California (MWD)
- b. Milk Producer's Council (MPC)
- c. Santa Ana Watershed Project Authority (SAWPA)
- d. Water Environment Federation (WEF)
- e. Association of California Water Agencies (ACWA)
- f. WaterReuse Association
- g. CALStart
- h. Orange County Water District (OCWD)
- i. Cucamonga Valley Water District (CVWD)
- j. Western Municipal Water District
- k. Chino Basin Watermaster



Date: June 20, 2007

To: The Honorable Board of Directors

Through: Public, Legislative Affairs, and Water Resources Committee 06/13/07)

From: Richard W. Atwater
Chief Executive Officer/General Manager

Submitted by: Sondra Elrod
Public Information Officer

Subject: Public Outreach and Communications

RECOMMENDATION

This is an informational item for the Board of Directors to receive and file.

Outreach/Tours

- Tour of Chino Basin I Desalter for Monte Vista Water District Board of Directors

Calendar of Upcoming Events

- June 13, 2007, Buena Vista Elementary, Montclair, 1:00 p.m. **(CATLIN)**
- June 23, 2007, Chino Creek Wetlands and Educational Park dedication, 9:00 a.m. **(Board)**
- July 10, 2007, RAND workshop, IEUA event center, 8:00 a.m. to noon.
- October 20, 2007, annual regional Water Fair, Montclair Plaza, 10:00 a.m. to 2:00 p.m.

OUTREACH/EDUCATIONAL INLAND VALLEY DAILY BULLETIN NEWSPAPER CAMPAIGN

- Water Awareness ad ran May 29, 2007 (attached)
- IEUA Annual Report to run June 25, 2007.

PRIOR BOARD ACTION

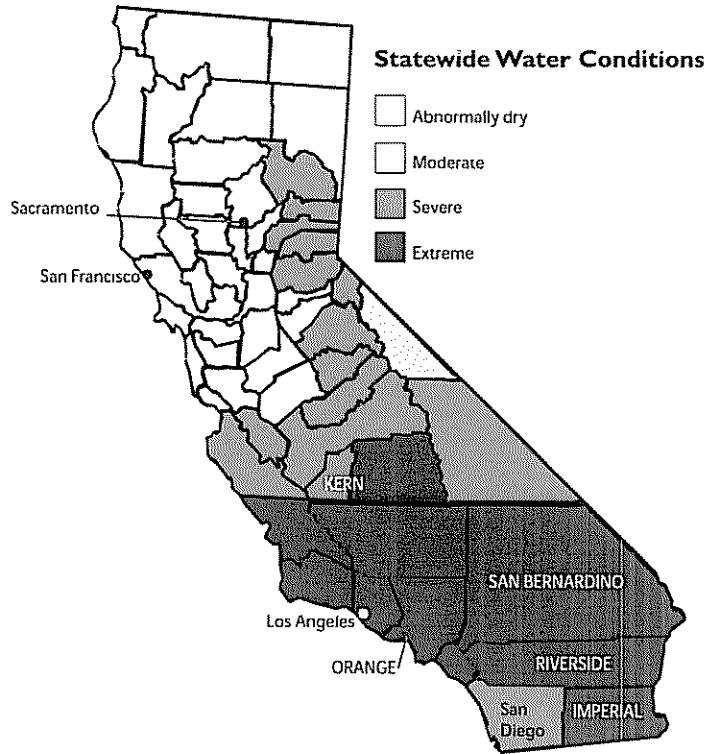
None.

IMPACT ON BUDGET

None.

Water Smart in the Chino Basin

As summer approaches and the temperatures begin to rise, we will be facing the driest year on record. Normal annual rainfall for Los Angeles is 14.84 inches and as of April we have only received 3.21 inches and our Sierra Nevada snow pack is the lowest it has been in 20 years (about one-third of normal).



What does this mean?

First, the agencies that serve drinking water to the 800,000 residents within the Chino Basin are prepared. Hundreds of millions of dollars have been invested over the past ten years in the development of local water supplies – recycling, groundwater and conservation – to make sure that everyone in the Chino Basin would be ready for the next drought.

Second, everyone needs to do their part to make sure that we are using drinking water as efficiently as possible and helping to stretch our existing water supplies by using high quality recycled water supplies where appropriate, for outdoor irrigation and industrial processes water.

Come Rain or Come Shine

What you can do.

First, get your yard ready for a really dry summer. Remember, 60% of all residential water use is for watering the yard – only 40% is for drinking, bathing and other in-home uses.

Here's a test – do your sidewalks and streets look like this when you or your neighbors turn on your sprinklers? If so, your sprinklers are out of alignment or you are running your irrigation system too long and the water is just running off into the gutter. This is a big waste of your dollars as well as water. What should you do:

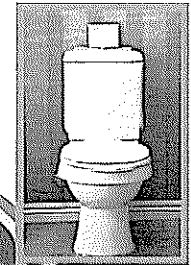
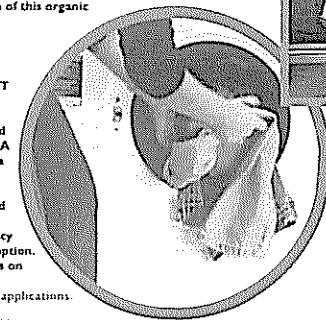


Does your yard look like this?

- CALL your irrigation system repair person and ask to have your system "tuned up" so that it operates properly.
- WATCH how your yard responds to the irrigation. If the water starts to runoff quickly, ADJUST your irrigation run time for a series of shorter increments that provide time for the water to infiltrate down to the roots.
- WATER your lawn only when it needs it. LAWNS use the most water so consider watering "hot spots" by hand rather than over watering the entire yard just to cover one or two dry areas.
- RECEIVE a \$4 REBATE when you purchase rotating nozzles for Pop-Up Spray Heads. Rotating Nozzles can save up to 6,600 gallons per nozzle over a five-year period.
- RECEIVE up to a \$240 REBATE when you purchase a SmartTimer controller (that automatically adjusts irrigation run times in response to seasonal changes). SmartTimers have shown an average of about 20% savings and in some cases even up to 50% water savings.
- SAVE as much as 1,000 to 1,800 gallons of water a month when you replace a portion of your lawn with California friendly™ plants. Remember new plants need more water to get established so you will want to complete your planting by the end of May or wait until the fall to put in new plants.
- USE compost around trees and plants. The addition of this organic material helps the soil to retain moisture.

Second, get your house ready too.

- Saving water in the home:
- CHECK pipes, faucets, and toilets for leaks AND GET THEM FIXED AS SOON AS POSSIBLE. One small drip can waste over 1,500 gallons of water a month.
- RECEIVE a \$100 REBATE when you replace your old washing machine with a new high-efficiency model. A family of four can save up to 8,000 gallons of water a year by replacing their old washer with a High-Efficiency Clothes Washer.
- RECEIVE a \$150 REBATE when you replace your old toilet with a new high efficiency toilet. When you replace your conventional toilet with a High Efficiency Toilet you will save 40% on household water consumption.
- Install a new water-efficient showerhead, which saves on water and hot water energy costs.
- Go to www.ieua.org or call 909-993-1749 for rebate applications.



"With careful management and efficient use of local resources, there will be enough water for all to use in the Chino Basin," states Inland Empire Utilities Agency Board President Wyatt Troxel. "As we go through the summer months let's keep this in mind. The water saved this year is the water we may need next year."

Being water smart in the Chino Basin means planning for our future.

WANT MORE INFORMATION! Please visit these websites:
www.ieua.org – water conservation rebate information, conservation tips
www.waterrecycling.com – California friendly landscaping, conservation tips
www.waterconservation.com – Conservation tips

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Stop flushing your money along with water down the drain!

COME TO THE WATER FAIR 2007

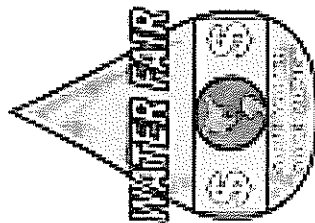
WHEN: Saturday, Oct. 20, 2007
10:00 a.m. - 2:00 p.m.

WHERE: Montclair Plaza

Inside Lower Level Main Entrance

The Water Fair 2007 is an event to promote water conservation and to educate on what rebates and programs exist in your service area to help you save water and money. You will also have the opportunity to meet your water provider. In addition to demonstrations and water saving devices, there will also be a water show and activities for kids. For more information call (909) 993-1634.

* Free prizes will be raffled off throughout the day on 10/20/07. Must be present to win. Giveaways while supplies last.



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CHINO BASIN WATERMASTER

IV. INFORMATION

1. Newspaper Articles



Fontana Water stands up to mayor's barbs

Michael L. Whitehead
San Bernardino County Sun

Article Launched:06/01/2007 12:00:00 AM PDT

In local communities throughout California, safe drinking water consistently tops the list of people's concerns in public-opinion surveys. This is no surprise: A reliable supply of safe drinking water is essential for the public health and safety of a community, the human potential of its citizens, and the forward progress of both.

Rapid growth of the city's population has necessitated that Fontana Water Co. design and construct new infrastructure to make sure that every one of the thousands of new homes and businesses gets hooked up and starts receiving safe and reliable water service to keep pace with the City Council's aggressive growth plans. Fontana Water Co. has responded to this growth in a way that facilitates economic development in this community.

This is the true state of affairs in Fontana, and it's curious that the leading contrarian to this optimistic (though quite realistic) point of view would be the mayor of Fontana himself. Ostensibly, he should be the city's leading civic booster.

Contrary to the angry and temperamental assertions of Mayor Mark Nuaimi (re: "How Fontana Water ratepayers got robbed," Point of View, May 3), Fontana Water Co., in operation since the 1920s, has grown up right alongside the city.

Importantly, our dedicated employees are from this community and of this community, and we are not going to stand by and be accused falsely of bad conduct by a public official who should know better.

A recent California Public Utilities Commission proceeding highlighted and supported Fontana Water Co.'s significant private investment in new and existing infrastructure to serve local residents and to meet the high cost of local, state and federal government mandates. The costs of providing water service have been rising for years. The issue is not unique to Fontana.

Every day, we work alongside the region's lawmakers at every level of government to support legislation, to design new regulations and to enforce those strict standards already in place to accelerate groundwater cleanup and make polluters pick up the tab for their fair share of the groundwater pollution cleanup. Still, the annual cost to monitor and treat water continues to increase each year.

For example, it can cost more than \$500,000 a year to treat each well contaminated with perchlorate, a rocket fuel additive. Fontana Water Co.'s water system includes more than 35 wells and 16 water storage reservoirs. Even while Nuaimi called for a lobbying campaign to get state officials to roll back safe drinking-water standards for perchlorate and other pollutants and told the PUC not to approve treatment, the PUC endorsed our plans for more investment in state-of-the-art water treatment infrastructure to remove perchlorate and other contamination from our local water supplies.

Unlike publicly owned municipal water companies, Fontana Water Co. does not enjoy taxpayer subsidies and is required by law to publicly disclose all of our expenses and provide detailed accounting for any rate adjustment. We have complied with every regulatory request by all governmental officials. So, contrary to Nuaimi's claim, there is no cost shifting from one bank account to another in order to balance the books. That is pure nonsense.

To this day, I do not know why the mayor makes this assertion, and we have stood ready to answer any questions he or others had to set this matter straight. That's exactly what happened in the recently concluded PUC proceedings. Following months of fact-gathering, sworn testimony during formal public hearings and careful scrutiny, the PUC issued its decision, which found the company's records to be complete and accurate.

The PUC decision addressed all of the issues and reached a balanced result, which serves the public interest. The fact is, our customers see the true cost of providing water service. In return, Fontana Water Co., like any other regulated public utility, is limited in its "profit."

That is why we view with particular concern the mayor's harsh criticism of the PUC, as well as his suggestion that taxpayers would benefit by the use of eminent domain to take over Fontana Water Co.'s longstanding company operations and rights without the exercise of due process.

A city-led hostile takeover of the water company by eminent domain is ill conceived. It would be risky, very costly and would imperil economic growth. The city learned the hard way when it tried this in the 1990s - it had no reliable water supply, and its water rates were more than 25 percent higher than Fontana Water Co.'s. To make matters worse, it would inevitably siphon money away from providing essential city services such as public safety, road repair and much needed relief from heavy traffic congestion.

A city-owned and operated water company would encourage the sort of empire building, cronyism and political manipulation that we have seen recently in neighboring communities.

We can't help but wonder why the mayor is waging his lonely vendetta against our company over imagined grievances, when there is so much left to do together. I am very proud of our longstanding success in working cooperatively with all of the other 17 cities and two counties we serve. But Nuaimi's heated rhetoric, wild exaggerations, outright inaccuracies and accusations of willful wrongdoing drown out the voices of reason calling for continuation of the mutually beneficial relationship between Fontana Water Co. and the citizens of Fontana.

Michael L. Whitehead is president of Fontana Water Co., a division of San Gabriel Valley Water Co

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From the Los Angeles Times

THE STATE

L.A. urges conserving water in dry spell

By Hector Becerra and David Pierson
Times Staff Writers

June 7, 2007

Los Angeles officials urged residents Wednesday to reduce water consumption by 10% as weather forecasters predicted the region's historic dry spell will combine with a summer of record-setting temperatures

Mayor Antonio Villaraigosa's call for conservation — the first water-reduction goal the city has issued in more than a decade — comes as water agencies across Southern California are trying to deal with the driest season on record

The Metropolitan Water District of Southern California, which supplies water to communities across the region, immediately backed the mayor's conservation push, and officials said they hope residents in the rest of Southern California will follow suit

The agency has embarked on a large water conservation campaign inspired not only by little rainfall but also by unusually small snowpack in the eastern Sierra Nevada and continued drought along the Colorado River basin, which are two key sources of water

Adding to the uncertainty is the state's decision last week to temporarily halt water pumping to the Southland from the Sacramento-San Joaquin Delta in an effort to protect an endangered fish

Jeffrey Kightlinger, the water district's general manager, said that if dry conditions continue, the agency may consider steps such as greatly reducing the amount of water delivered to agricultural businesses and increasing their rates next year

"We have unprecedented dry conditions," Kightlinger said. "We know the Colorado River is going to be dry next year. And we have the problems with this [Delta fish] species. So we could be losing water from both the Colorado River and the State Water Project going into next year."

That could mean more aggressive conservation efforts, including mandatory rationing — something that hasn't occurred in Southern California since 1991

The region imports about half of its water. The rest comes from local underground aquifers, which are still in reasonably good shape thanks to the 2005 rainy season, which was the second-wettest on record

Those reserves are giving Southern California some wiggle room this summer, officials said. But if the dry conditions continue, the future is expected to be uglier.

"If we have another dry year next year, and even the year after, we'll really feel the impact as far as the water supply," said Jayme Laber, a hydrologist for the National Weather Service in Oxnard.

Forecasters offer no reassurance. A so-called La Niña condition is forming in the Pacific Ocean, suggesting dry, warm conditions could continue into next year, they said.

"With this late developing La Niña, that's not good for Southern California or the Colorado River Basin," said Bill Patzert, a climatologist for the Jet Propulsion Laboratory in La Cañada-Flintridge. "It could be dry next winter as well."

(Since July 1 of last year, downtown L.A. has recorded less than 4 inches of rain.)

Patzert and others also said this summer is expected to be as hot, if not hotter, than last summer, during which several record-breaking heat waves were blamed for the deaths of more than 100 people across the state.

Even if the dry spell continues, water officials said, Southern California is in better shape now than during the drought of the late 1980s and early 1990s.

Back then, officials ordered mandatory conservation, requiring a 15% cut in water use.

The L.A. City Council, for example, passed an ordinance that prohibited lawn watering during the middle of the day, automatic serving of water in restaurants and hosing down sidewalks.

A crew called the "drought busters" went around the city issuing citations to water customers who violated the ordinance.

Since that drought, water agencies have worked to improve reserves and better tap groundwater supplies. In addition, many residents have taken steps to conserve, including purchasing more water-efficient toilets and washing machines.

"Hopefully if we're all doing our job right, we've planned for this. We won't go under in one dry year," said Gina DePinto, a spokeswoman for the Orange County Water District.

Water officials have been saying for months that the region could face several years of drought conditions.

The mountain snowpack vital to water imports from Northern California is at its lowest level in nearly two decades. Several big reservoirs in the Colorado system are half-empty.

L.A. officials didn't suggest to residents specific ways to reduce water consumption.

But in general, water agencies recommend taking shorter showers, fixing leaking faucets, using a broom rather than a hose to clean driveways and installing water-conserving sprinklers.

"Los Angeles needs to change course and conserve water to steer clear of this perfect storm," Villaraigosa said. "The combination of record-low rainfall, the second-lowest snowpack ever recorded and a potentially very hot summer is a perfect storm that could put Los Angeles into a drought."

L.A. resident Henrietta Renaux said she heard the mayor's call to conserve water early Wednesday on television and felt compelled to contribute in a small way by sparingly watering her plants outside her Echo Park apartment.

"We can all try, I mean, we really need to in this weather," said Renaux, 79, holding the end of her green garden hose. "Everyone in L.A. needs to get behind this."

But it won't be easy. She has a soft spot for the yellow roses in her courtyard, which were brown and shriveled and looked as if they were begging for regular watering.

"I guess I could take a shower every other day instead," Renaux said.

Jewel Thais-Williams said she is already conserving water but hopes the new conservation effort will prompt others to follow suit.

The 68-year-old Mid-Wilshire resident said she takes short showers, brushes her teeth with the faucet off and draws water in the sink to rinse her dishes.

She also does her laundry in one large load rather than smaller loads and waters her plants with a smaller spout to prevent wasting water around the edges.

"We have to protect our city," she said.

--

hector.becerra@latimes.com

david.pier@latimes.com

Times staff writer Duke Helfand contributed to this report.

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Begin text of infobox

Saving water

Here are some water-savings tips from bewaterwise.com, a website created by Southern California water agencies:

- **Fix leaky faucets, plumbing joints and the sprinkler system.** *Saves 20 gallons per day for every leak stopped.*
- **Install a "smart" sprinkler controller that figures out the right amount of water for the landscape based on information about the plants and garden environment.** *In one study, these new controllers saved 40 gallons per day.*
- **Replace part of the lawn with native and Southland-friendly plants.** *Saves 1,000 to 1,800 gallons per month, depending on the climate.*
- **Replace an old washing machine with a high-efficiency model.** *Saves 20 to 30 gallons per load.*
- **Run only full loads in the washing machine and dishwasher.** *Saves 300 to 800 gallons per month.*

- Use a broom instead of a hose to clean driveways and sidewalks. *Saves 150 gallons or more each time*
- Shorten showers. *Even a one- or two-minute reduction can save up to 700 gallons per month*
- Don't water the sidewalks, driveway or gutter. Adjust sprinklers so that water lands on the lawn or garden where it belongs — and only there. *Saves 500 gallons per month*
- Don't use the toilet as a wastebasket. *Saves 400 to 600 gallons per month*

~

Source: Bewaterwise.com<252>

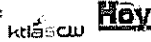
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PARTNERS:



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Farmers, vintners cool to prospect of recycled water for irrigation

By BLEYS W. ROSE
THE PRESS DEMOCRAT

Farmers, vintners, environmentalists and north Sonoma County residents told supervisors Tuesday that they have little use for a \$385 million recycled water project that would provide highly treated wastewater for agriculture.

During a 90-minute public hearing on the north county water recycling project, supervisors heard vineyard operators say they are firmly opposed to putting recycled water on their grapes and farmers say they feared it would damage groundwater quality.

Environmental group leaders said they welcome the idea of recycled wastewater, but fear that technology isn't good enough to assure the public on water quality.

Katie Murphy, vice-president of the Alexander Valley Association, said any hint of tainted wastewater being spread on the county's foremost cash crop would send the local economy into a tailspin.

"I am worried that there is a huge backlash on recycled water on our grapes," Murphy said. "I fear negative publicity and that could linger over our wine industry for a long time."

Murphy's comments reflected opinions of many farmers, ranchers and vintners at the public hearing, although Clos du Bois executive Keith Horn said he represented 20 grape growers in the Coalition for Sustainable Agriculture who would welcome recycled, highly treated wastewater.

"The water quality issues can be overcome," Horn said.

The public hearing was one of the last opportunities for comment on the North Sonoma County Agricultural Reuse Project that would create 19 reservoirs and 112 miles of pipeline through the Dry Creek, Alexander and Russian River valleys. Water Agency officials say primary customers are the vineyard operators of some of the county's premier grape growers that comprise almost half the 47,000 acres covered under the project.

Treated wastewater would come from Santa Rosa's pipeline to The Geysers geothermal fields. The city has plans to use much of that water in southeast and southwest Santa Rosa, which led some critics to point out the project may lack supply and demand.

"Santa Rosa wants to get rid of its wastewater for its uncontrolled growth," said Alexander Valley farmer David Fanucchi. "The Water Agency's long-term program is to get water away from the farmers and sell it to the highest bidders."

The water reuse project is part of the Water Agency's effort to convince state regulators that the county is making best use of current supply and, therefore, should gain approval for more water from Lake Sonoma and Lake Mendocino reservoirs. The Water Agency proposed a smaller-scale recycled water project for Sonoma Valley last year, but its water was aimed more at lawns, fields and open space than agriculture.

Water Agency officials say the massive water project would ensure long-term supplies for agriculture, reduce reliance on groundwater, reduce water drawn out of Dry Creek and leave water in reservoirs for management of endangered fish.

David Cuneo, the project environmental review specialist, said state water quality and health

standards allow use of highly treated wastewater on crops, adding "but we do recognize it is an ongoing debate."

Leaders of environmental groups such as Russian River Keeper, the Sierra Club and the Russian River Watershed Protection Committee said using recycled wastewater is a laudable goal, but they could not support the project because there's not enough evidence that treatment plants filter out chemical compounds that could appear in crops and groundwater.

"It is not a high enough quality to pursue this project," said Don McEnhill of Russian River Keeper.

However, Cynthia Murray, president of the North Bay Leadership Council, a business group, said agriculture elsewhere in California is making use of recycled water with no problem.

"We are way behind the curve on use of recycled water," Murray said. "I am very confident that we can provide a level of protection, but we may need to have more public education."

The Water Agency is accepting written comment on the draft environmental review until Friday. The full 603-page report is available at www.sonomacountywater.org. Supervisors expect to get the final environmental review document back for review this summer along with a financial analysis of the project costs.

You can reach Staff Writer Bleys W. Rose at 521-5431 or bleys.rose@pressdemocrat.com.

Colton leaders seek big bucks in Washington

Stephen Wall, Staff Writer
San Bernardino County Sun

Article Launched: 05/01/2007 12:00:00 AM PDT

COLTON - City leaders have descended on the nation's capital this week.

They aren't there to go sightseeing, although they might visit a few monuments and museums in their spare time.

Council members and other city officials have made their annual trek to Washington, D.C., to make their best sales pitch for federal funds for local projects.

Mayor Kelly Chastain and Councilmen David Toro and John Mitchell are making the five-day trip, along with City Manager Daryl Parrish, assistant to the city manager Amanda Rhinehart and Public Works Director Amer Jakher.

Colton leaders hope to persuade lawmakers and other federal officials to dole out millions of dollars for transportation improvements, infrastructure projects, recreation programs, library services and other priorities.

Parrish said Colton has brought back at least \$15 million in federal money since beginning its lobbying trips five years ago.

"This is not a junket," Parrish said. "We've brought home results. This has definitely been a worthwhile endeavor for the city. If you don't go, you don't get anything."

In past years, Parrish said the city has secured money to build a massive storm drain to alleviate flooding near Arrowhead Regional Medical Center and improve traffic flow on Mount Vernon Avenue.

Colton also has received federal dollars to provide afterschool programs for at-risk children through the city's Police Activities League.

Parrish said lobbying efforts have helped the city bring home millions of dollars to clean up drinking water wells contaminated by perchlorate.

On Monday, city officials met with representatives of Sen. Barbara Boxer, D-Calif., and Rep. Jerry Lewis, R-Redlands, to discuss additional money for the storm drain, Interstate 10 improvements and habitat acquisition for the endangered Delhi Sands flower-loving fly.

They also received an update about perchlorate issues from a Defense Department official.

City leaders plan to raise the same issues at a meeting Wednesday with Rep. Joe Baca, D-Rialto.

This is the first year the city has sought money to acquire land to be set aside for fly conservation. In exchange for protecting habitat south of I-10, the city wants to be able to develop land north of the freeway into a large retail center near Arrowhead Regional.

Additional money is being requested to widen the Pepper Avenue bridge over I-10 and expand and realign on- and off- ramps.

The city also is seeking federal dollars for Police Activities League programs, literacy projects for children and computer labs for senior citizens.

Chastain said the fierce competition for limited federal dollars makes the lobbying trips a necessity.

"We have so many issues right now on our docket," she said. "We need to continually be in front of (federal officials) to let them know how important these projects are. We don't want them to forget about us."

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Inland agencies eye water

Runoff, wastewater sought; environmentalists object

By Joe Nelson, Staff Writer
Inland Valley Daily Bulletin

Article Launched:05/07/2007 12:00:00 AM PDT

Inland water agencies asking for rights to billions of gallons of future water expected to collect in the Santa Ana River and Seven Oaks Dam near Highland have been testifying before a state board

Closing arguments are set for Tuesday in Sacramento before the state Water Resources Control Board, which will ultimately decide how the water is allocated, said Randy Van Gelder, general manager for the San Bernardino Municipal Water District.

It's expected that as the Inland Empire continues to grow in population, so will the amount of storm runoff and wastewater from home and business development. Various water agencies are hoping to access that water to diminish the amount they would need to import from the Colorado River. Some want the water for agricultural use, others to replenish groundwater and drinking water supplies

San Bernardino Municipal Water District and Western Municipal Water District of Riverside, for example, are hoping to divert water from the Seven Oaks Dam and Santa Ana River to store in groundwater basins to serve customers in San Bernardino and Riverside counties, Van Gelder said.

Representatives from the San Bernardino Valley Municipal Water District, the Western Municipal Water District of Riverside County, the Chino Basin Watermaster and the Orange County Water District were among the agencies that submitted testimony last week.

Environmentalists also testified. They are concerned about the impact such water diversion would have on the various plant and wildlife species that thrive in the watershed that flows from Highland to the Orange County coastline.

"One of the things we're concerned about is every endangered species along that river is in a state of collapse or is imperiled," said Adam Keats, an attorney for the Center for Biological Diversity in San Francisco

An increase in diversions of water from the Santa Ana River would be detrimental to at least 10 federally and state-licensed threatened and endangered species, including the Santa Ana sucker fish, the San Bernardino kangaroo rat and migratory songbirds such as the western yellow-billed cuckoo, the southwestern willow flycatcher, and the Least Bell's vireo, according to testimony presented by Ileene Anderson, an ecologist with the Center for Biological Diversity

To address the threat to the kangaroo rat and two plant species - the Santa Ana River woollystar and the slender-horned spineflower - the Army Corps of Engineers is putting together a multiple-species habitat management plan, said Jay Field, spokesman for the Army Corps of Engineers in Los Angeles.

That plan, he said, is still in the early stages. Options include directing and spreading the water into overbank areas that would provide the necessary hydrology for the plants and wildlife, much like controlled flooding.

In a policy statement submitted to the state board, Ontario Public Works Director Kenneth Jeske voiced his support for the Chino Basin Watermaster's plan to divert a portion of storm water out of concrete channels and back into recharge basins, which would increase the yield of the basin and improve groundwater quality.

Testimony began Wednesday before a hearing officer. The five-member state board should make a decision as to how the water is allocated by the end of the year.

Contact writer Joe Nelson at (909) 386-3874 or via e-mail at joe.nelson@sbsun.com

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Water officials bracing for dry weather

By Sahra Susman, Staff Writer
Inland Valley Daily Bulletin

Article Launched:04/30/2007 11:13:10 PM PDT

JURUPA - Tired of constantly replanting the grass in her backyard, Eastvale resident Kathy Bogart decided to tear out her lackluster lawn and replace it with artificial turf.

"The backyard sprinkler system didn't seem efficient and we were constantly replacing the grass," Bogart said.

Strategies like Bogart's are applauded by water officials who are concerned about conservation, not backyard aesthetics. As temperatures rise, Southern California remains on track to have one of the driest years on record.

"We are facing a rather interesting situation in Southern California because all of the supply sources the region calls upon are having extremely dry years," said Bob Muir, spokesman for the Metropolitan Water District of Southern California.

Muir said in addition to Southern California's drought, statewide the snow pack is the lowest in 20 years and the Colorado River - a major source of California's imported water - is in its eighth year of drought.

Jurupa Community Services District General Manager Eldon Horst said his agency is gearing up to promote water conservation as summer approaches.

"What we want to do is be a good citizen in the state and ask our customers to conserve water and...to use water as wisely as possible," Horst said.

The district is completing three major projects to help meet increasing demand on the water supply this summer. In the summer of 2005 the district ran out of water and had to import its supply from Ontario.

The added capacity of the Roger D. Teagarden Ion Exchange plant, a new water well and wellhead treatment for two additional wells will allow the agency to meet the demand and "assures clean, safe and reliable water supplies," Horst said.

In addition to the increased capacity of the agency's own wells, the district has made provisions to buy water from other agencies if necessary. Currently it has an agreement to buy water from the Rubidoux Community Services District, is renewing past agreements with the city of Norco and is working toward an agreement with Chino Hills.

"We also have water agreements with Ontario to allow us to utilize some of their Chino Desalter II water," Horst said.

Horst said the agency's improvements would allow the agency to use water more wisely and put less pressure on imported water supplies. With the addition of the Chino II Desalter Project coming online last week, a larger amount of groundwater treated for salt and nitrate impurities will be available.

Aside from additional water sourcing the agency is also encouraging water conservation. Since May is Water Awareness Month, water agencies across the region will promote conservation by participating in the Splash Festival. The family fun event promoting water conservation takes place May 12.

The Jurupa district offers financial incentives on low water-usage appliances and technical and financial assistance for landscape irrigation systems.

"We're very happy that residents are taking seriously the rebate issues," Horst said. "However, the biggest savings is in the management of landscape irrigation."

Muir said water conservation is paramount to our future.

"The next era in water conservation will be in the outdoors, where up to 70 percent of water is used," Muir said.

His agency has worked on pilot projects with developers in the Inland Valley to feature California-friendly landscaping, which feature native and drought-tolerant plants, in both model homes or housing tracts.

"It can be quite expensive to replace your turf with synthetic turf, so in Southern California we have other water-saving options including the California-friendly plants," he said.

Staff writer *Sahra Susman* can be reached at sahra.susman@dailybulletin.com or by phone at (909) 483-9356.

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Fifth-graders participate in environmental festival

By Canan Tasci, Staff Writer
Inland Valley Daily Bulletin

Article Launched:04/26/2007 11:00:00 PM PDT

The Cucamonga Valley Water District is working to create a new generation of conservationists.

"Recognition of environmental education is so critical to young people because it is giving them the foundation on how to protect the environment and that will help them become good stewards as they grow into adults," said Kristeen Buxton, public affairs officer at CVWD. "These are the future water users in our community and leaders, so it is important that they are aware of recycling, pollutants and water conservation and what else might be going on."

On April 13, 700 fifth-grade students from the Etiwanda School District participated in the CVWD fourth annual Kids Environmental Festival. Students spent one day, outdoors, at the CVWD offices in Rancho Cucamonga engaged in six hands-on learning stations all geared to teach them about water and environmental issues.

"Some people don't know how to help and so now they know," said Nicole Babich, 11, of Windrows Elementary School. "This place tells kids how to control and conserve water and how water is important because really, some people don't know how to save water."

Austin Young, 10, educated his fellow classmates on how to conserve water.

"Make sure you shut the sink handles tight," Austin said. "And you don't need to take a 30-minute shower because no one is that dirty."

Although the students participated in six stations as a class, there were 16 all together.

"It helps a lot for kids that are kinetic and visual learners because they enjoy being able to create things, like the earth stress ball," said Petrea Perey, fifth-grade teacher at East Heritage Elementary School. "For a lot of kids it really drives the lesson home and puts it in their brain and it helps with retention."

While the stations were educational, they also provided entertainment.

"The water cannon using the soda bottle really motivated the kids to want to know more about water pressure," Perey said. "They were very impressed."

The stations were taught by volunteers from the city, other water agencies, the gas company and employees of CVWD.

"It was very well organized and thought out so that each child was actively allowed to either touch, work or see something new," said Megan Gardner, fifth-grade teacher at West Heritage Elementary School.

Like Perey, Gardner said the visuals helped her students absorb the material they were given.

"Some students may not have any idea of the actual effects of recycling and water conservations, so this opened my students eyes to it first hand," Gardner said. "It wasn't your typical lecture format and then expecting them to understand the material, because it was interactive they visualized it and now they can remember what they were taught."

While the students learned throughout the day, they received a T-shirt to wear and back pack to keep their lunches in.

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Plant lovers find Harmony in the Garden

Article Launched:05/31/2007 11:00:00 PM PDT

Chino Basin Water Conservation District in Montclair partnered with the University of California Cooperative Extension to provide a workshop full of helpful gardening tips for residents.

On May 19, the two agencies hosted Harmony in the Garden, a daylong event for garden lovers. There were presentations about garden design and care, the master gardener program and composting.

Janet Hartin, a horticulturist at the University of California Cooperative Extension, said the goal of the workshop was to demonstrate and promote water efficient landscaping, the re-use of green waste, and how to minimize the use of pesticides. The free workshop will become an annual event.

Staff Writer L. Alexis Young can be reached by email at alexis.young@dailybulletin.com, or by phone at (909) 483-9365.

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Dan Walters: Disputed canal back on agenda

By Dan Walters - Bee Columnist

Published 12:00 am PDT Tuesday, June 19, 2007

A few months after he assumed the governorship in 1999, Gray Davis put forth an oh-so-cautious "preferred alternative" for dealing with the complex problems of the Sacramento-San Joaquin Delta. His incremental steps were aimed, in effect, at delaying major decisions on the troubled estuary until Davis was out of office.

It was characteristic of the risk-averse Davis -- a quality that led to his governorship being terminated three years prematurely by the state's voters and the election of action movie star Arnold Schwarzenegger as his successor.

Ideologically, you couldn't slip a piece of tissue paper between Democrat Davis and Republican Schwarzenegger, but in stylistic terms, the two couldn't be more different. While Davis assiduously avoided conflict whenever he could, Schwarzenegger dives into thorny issues that, as he has said, "have been pushed under the rug for decades."

"I love tackling big problems," Schwarzenegger told a gathering in Chico recently, adding, "I feel strongly that the people of California have sent me to Sacramento to tackle those big problems. They have seen me on the screen to be the big action hero, so they know that I can be the big action hero also in Sacramento."

Not the least of those long-ignored issues is the plight of the Delta that predecessor Davis so assiduously shunned eight years ago. Last week, without prompting, Schwarzenegger, during another "town hall" event in Bakersfield, endorsed the single most controversial approach to the Delta, a peripheral canal. Declaring that "we have studied this subject to death," he demanded action on the state's knottiest water issues, saying he wants to "build more conveyance and ... more water storage."

Schwarzenegger's aides quickly confirmed that by "conveyance," he meant a highly controversial peripheral canal, which would carry Sacramento River water around the Delta to the head of the California Aqueduct, thereby eliminating direct pumping out of the Delta that has reversed natural water flows and degraded the estuary's wildlife habitat and fish population.

A few days later, Lester Snow, director of the Department of Water Resources, posted a rationale for a peripheral canal on the governor's Web site. He said it would "help take the burden off our overtaxed Delta which, as evidenced by the tiny smelt, is facing an ecological crisis."

Therefore, the canal, is officially back on the water agenda -- and it's high time. It was approved by the Legislature more than a quarter-century ago (and partially excavated along Interstate 5) but blocked by a statewide referendum in 1982.

Controversial though the canal and building more water storage may be, both are legitimate pieces of any rational plan to deal with not only the degradation of the Delta, but the long-term water needs of a state that has 12 million more people than it did in 1982.

While environmental groups continue their knee-jerk opposition to both, they haven't offered any workable alternatives. Their implacability has -- ironically enough -- exacerbated the Delta's

environmental degradation. Had the canal been in place, the state would not have had to turn off its pumps to save the few remaining Delta smelt, for example.

We may be seeing something of a change in the political weather over the long-stalled canal. Legislators who once would have automatically opposed it are now willing to consider it. They are also paying attention because, if ill effects of global warming come to pass, the Delta could see more saltwater intrusion and the state would need more storage to offset a smaller winter snowpack.

Schwarzenegger doesn't always succeed on the big issues he tackles. But at least he's trying, which is more than one could say about Davis.

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Phone: (916) 321-1000

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