



Meeting Minutes

Wednesday, April 20, 2011

1:00p.m. to 5:00 p.m.

State of California, Resources Building
1416 Ninth Street, First Floor Auditorium
Sacramento, CA 95814

1. Welcome and Introductions

Chair Anthony Saracino called to order the meeting of the California Water Commission at 1:05 p.m.

2. Roll Call

Interim Executive Officer Sue Sims called roll. The following members were present: Andrew Ball, Joe Byrne, Dave Cogdill, Joe Del Bosque, Chair Anthony Saracino, and Vice-Chair Paul Kelley. Daniel Curtin, Kim Delfino, and Luther Hintz were absent.

3. Approval of minutes

A motion was made and seconded to approve the minutes from the March 16 meeting. The motion passed unanimously.

4. Interim Executive Officer's update

Sue Sims, Interim Executive Officer, advised the Commission that the task order to develop information for the regulations to quantify public benefits for water storage projects had been drafted and should be approved by DWR's contract office within the next two weeks. Staff is also creating a workplan for the various activities associated with this project.

A copy of the final letter from the Commission to Secretary Laird and DPA Director Ronald Yank regarding State Water Project recruitment and retention issues was provided to the members and posted on the website. DWR is having continuing conversations on this topic with the Administration.

Sims represented the Commission before the Delta Vision Foundation on April 8, 2011.

Staff is drafting 2011 workplans for the committees and they will be distributed to the committee chairs the following week. Ms. Sims also announced that the Commission's May 18, 2011 meeting will take place in the Bonderson Building Hearing Room across the street from the Resources Building.

5. Report on Delta Stewardship Council meeting

Vice-Chair Paul Kelley reported on a presentation he made to the Delta Stewardship Council (DSC) at their meeting on March 24, 2011. Mr. Kelley spoke to the DSC regarding the role of the Commission, their historical activities, and the synergies between the Commission and the Stewardship Council. Mr. Kelley committed to keep the lines of communication open between the Commission and the Council. Ms. Sims suggested that the Commission may wish to invite DSC Executive Officer Joe Grindstaff to speak at the May or June Commission meeting after the May 2011 Draft of the Delta Plan has been released.

6. Legislative Update

Kasey Schimke, DWR Assistant Director for Legislative Affairs, provided updated information on the status of proposed bills affecting water resources and the Commission. He reviewed the language in Senator Lois Wolk's SB 571 which establishes new requirements for water resources investment planning and creates an independent California Water Commission with new responsibilities. SB 34, which would create a fee structure for water resources, was heard in committee at the same time. CWC Staff Counsel Spencer Kenner clarified that SB 571 as written, does not change the Commission's responsibilities outlined in the proposed bond measure, The Safe, Clean, and Reliable Drinking Water Act of 2012. Mr. Kenner also noted that SB 34 includes a discussion of public benefits related to water storage. Commissioner Cogdill asked about additional information on how these bills impact the Commission, and Mr. Schimke stated that DWR is currently preparing an analysis. Ms. Sims informed the Commission that she and Mr. Schimke are meeting with the California Transportation Committee staff next week to better understand how that organization performs its duties.

7. Action Item: Update on federal appropriations for flood control projects and consideration of letter from CWC in support of appropriations

Lani Arena, FloodSAFE Federal Liaison, provided an overview of Fiscal Year 2011 and 2012 Federal Flood Appropriations requests and her recent advocacy trip to Washington D.C during which she and DWR staff met with Congress members and officials from federal agencies. Ward Tabor, DWR Assistant Chief Counsel gave an overview of the U.S. Army Corps of Engineers' Levee Vegetation Policy, which disallows vegetation on levees. DWR disagrees with this policy and has provided written justification in a March 2011 paper, *The Corps' Vegetation Removal Policy: Jeopardizing Public Safety*. Federal funding for fiscal year 2012, will not be directed to specific projects but instead will be

appropriated to the Army Corps of Engineers and allocated to specific projects at their discretion, which means it could be used to implement the vegetation policy.

Mr. Kelley noted that Ms. Sims is preparing a workplan for the Federal Flood Appropriations Committee but due to the time sensitive nature of this item, Mr. Kelley suggested the Commission support DWR's federal appropriations requests for FY 2012 and made a motion to approve and send the draft letter. The motion was seconded. A voice-vote was taken and the motion was approved unanimously.

8. Briefing on Association of California Water Agency (ACWA) Policy Framework for Groundwater Management

ACWA Executive Director, Tim Quinn, provided an overview of the new report *Sustainability From the Ground Up: A Framework for Groundwater Management in California*. He asserted that California is managing its groundwater at the local level and that many areas are balanced.

Chair Saracino said that this is a great step forward and asked Mr. Quinn how he proposed to get areas where groundwater management is not happening to manage groundwater sustainably without regulations. Mr. Quinn responded ACWA will use this paper as a teaching tool, and that locals are aware of the importance of groundwater sustainability to the long term sustainability of the local economy. He recommended regulation for spot problems, not for the entire industry.

Mr. Kelley pointed out that in Sonoma Valley, all five groundwater basins needed different management tools. Mr. Cogdill noted that groundwater will be impacted greatly by infrastructure improvement; storage is a part of groundwater management.

Mr. Quinn also mentioned an ACWA study currently in progress that would be of interest to the Commission. The study asks how best to model the system as a whole, how systems operated this year, and what changes might have been realized with additional storage opportunities.

Mr. Saracino suggested that the Commission hold public hearings on water storage; a public forum for this topic does not yet exist and the Commission could be the appropriate venue for that discussion. It was decided to put the discussion of a storage forum on next month's agenda.

9. Briefing on Water Plan Update 2013, Finance Plan

Paul Massera, DWR Program Manager, presented an overview of the Water Plan Update 2013 process and the Finance Plan. He briefly discussed some of the similarities between this Finance Plan and a proposed California Water Investment Plan in SB 571.

10. Update on status of DWR's Agricultural Water Measurement Regulations developed under SBX7-7, Water Conservation Bill of 2009

Manucher Alemi, Chief of DWR's Water Use and Efficiency Branch, presented an overview of the Agricultural Water Measurement Regulations. He reviewed key points of the regulations including the range of options for compliance with the regulation. He also noted the regulations would be difficult for suppliers to implement by the statutory deadline of 2012. However, agencies not in compliance by the deadline can still be eligible for state funding by submitting plans that detail the steps they are taking towards compliance. Dr. Alemi also briefly described the fiscal analysis of the regulation that has been prepared.

At the request of Commissioner Del Bosque, Dr. Alemi will advise the members of upcoming agricultural stakeholder committee meetings.

11. Update on status of DWR's Industrial Process Water Regulations developed under SBX7-7, Water Conservation Bill of 2009

Dr. Alemi presented an overview of the Industrial Process Water Regulations which the Commission preliminarily approved in February 2011. A 45-day public comment period and two hearings were held and there were minimal public comments. The regulation will come before the Commission in May 2011 for final adoption.

12. Consideration of Items for next California Water Commission meeting

Ms. Sims listed items to be heard at the May Commission meeting: Approval of Agricultural Water Measurement Regulations, Approval of Industrial Process Water Regulations, Proposal for Water Storage Hearings, Committee meeting reports, and a review of the Delta Plan.

13. Public Comments

There were no public comments.

14. Adjourn

Meeting was adjourned by Chair Saracino at 3:45 p.m.

Further information regarding this meeting will be available at www.cwc.ca.gov. This meeting will also be available for public viewing through a recorded webcast. The webcast is available at the following URL:

<http://cawater.rmxpres.com/webcast/data/dwr04202011/msh.htm>