



Meeting Minutes, May 18, 2011

Bonderson Building, Hearing Room
901 P Street, First Floor
Sacramento, CA 95814
1:00 p.m. to 5:00 p.m.

1. Welcome and Introductions

Chair Anthony Saracino called to order the meeting of the California Water Commission at 1:00 p.m.

2. Roll Call

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

3. Approval of minutes

A motion was made and seconded to approve the minutes from the April 20, 2011 meeting.

8. Update on the Delta Plan by the Delta Stewardship Council

Item 8 was heard out of order. Phil Isenberg, Chairman of the Delta Stewardship Council (DSC), provided a status report on the Delta Plan process and timeline. The third draft will be released on June 13 and the DSC will adopt a final plan in November. Mr. Isenberg noted that storage is an essential component of comprehensive water planning in California and the Water Commission can play an important role in the public discussion on storage. Mr. Isenberg encouraged the Commission to remain engaged in reviewing the Delta Plan.

Mr. Saracino asked for input from the Delta Stewardship Council on the Commission's activities as the Commission moves forward with planning water storage hearings.

4. Executive Officer's Update

Interim Executive Officer Sue Sims announced that since the last meeting, DWR held a Public Benefits Kick-Off meeting with staff from the Department of Fish and Game and the State Water Resources Control Board including discussion of roles and responsibilities, deliverables, and defining resources. A multi-agency economics

workgroup and an advisory panel will be created to provide additional input on this process.

Ms. Sims reported that she and DWR Legislative Director Kasey Schimke met with the California Transportation Committee, in order to get a better sense of how Senator Wolk's SB 571 could impact the Commission's operations.

Ms. Sims also met with Heather Fargo, former mayor of Sacramento and Executive Policy Officer of the Strategic Growth Council.

Ms. Sims and Legislative Analyst's Office staff participated in a meeting with the Water Plan's Finance Caucus to discuss public benefits financing.

She also noted that committee workplans were developed and sent to the chair of each Committee last month.

5. Rules and Regulations Committee Report

Mr. Curtin provided a summary of the May 11 Rules and Regulations Committee meeting. He reported that the two main bills of concern to the Commission (SB 571, Wolk and SB 34, Simitian) will be two-year bills and do not require immediate attention from the Commission. The Committee reviewed the Final Industrial Process Water Regulations and recommended Commission approval. The Committee also reviewed the Agricultural Water Measurement Regulations. It identified two main issues: 1) whether certain federal water suppliers are considered in compliance with the regulation and, 2) whether measurement at the lateral should be allowed in some instances. The Committee did not make a recommendation on the Agricultural Water Measurement Regulations.

7. Action Item: Approval of Agricultural Water Measurement Regulations developed under SBX7-7, Water Conservation Bill of 2009 (including Public Comment)

Item 7 was heard out of order. Manucher Alemi, Chief of DWR's Water Use and Efficiency Branch, presented an overview of the proposed Agricultural Water Measurement Regulations including applicability, the range of options, certification and performance requirements, and fiscal impacts.

Ed Osann, Senior Policy Analyst with the Natural Resource Defense Council, referenced a joint letter to the Commission, written in conjunction with the Sierra Club and the Pacific Institute, recommending changes to the regulations.

Jim Metropolis, of the Sierra Club, supported Mr. Osann's comments. He discussed the importance of accurate measurement of the volume of water delivered.

Gail Delihant, of the Western Growers Association, discussed the cost of implementing the regulation.

Bob Reeb, of Central Valley Ag Water Coalition, presented a memo to the Commission which outlined the Coalition's proposed changes to the regulation. He was joined by Mike Wade and Brandon Souza of the Agricultural Water Management Council. He discussed the requirements for field-testing measurement devices.

Chris Kapheim, of Alta Irrigation District, discussed water measurement devices and frequency of inspection.

Thad Bettner, General Manager of Glenn-Colusa Irrigation District, discussed the implementation timeline for the regulation.

Mario Santoyo, of Friant Water Authority and also representing San Luis/Delta Mendota Water Authority, shared the development of water measurement requirements for Central Valley Project (CVP) contractors beginning in the 1980s. He discussed the language specifying an exemption from the State's regulation for any supplier who meets the Bureau of Reclamation Conservation and Efficiency Criteria Standards of 2008 or future amendments. He expressed support of the Central Valley Ag Coalition's recommendations.

David Bolland, of the Association of California Water Agencies, expressed concerns about the regulation and supported the Central Valley Ag Coalition's recommendations.

Mr. Saracino suggested that in light of the new information presented at this meeting, and the absence of two members, including the chair of the Rules and Regulations Committee, the Commission postpone a decision until the June. Members of the Commission directed staff to address a number of outstanding issues.

6. Action Item: Approval of Final Industrial Process Water Regulations developed under SBX7-7, Water Conservation Bill of 2009 (including Public Comment)

Manucher Alemi provided an overview of the final Industrial Process Water Regulation, which were initially approved by the Water Commission in February 2011. He summarized the three letters that were sent during the 45-day comment period and explained why the regulations were not modified.

Mr. Curtin recommended approval on behalf of the Rules and Regulations Committee.

Mr. David Bolland, of the Association of California Water Agencies, supported the regulation, saying ACWA believes it is fair, clear, and implementable.

A motion to approve the regulation was made and seconded. A voice vote was taken and the motion passed unanimously. The regulation will now be filed with the Office of Administrative Law.

9. Action Item: Water Storage Hearings

Mr. Saracino stated that he talked to staff regarding Water Storage Workshops, which were initially proposed in April, and the plan is to present a formal proposal to the Commission in June. The framework includes three different hearings which will be formulated more like workshops including; the status or storage in California, the proposed storage projects, and financing/ public benefits quantification/how we pay for these types of projects.

Mr. Curtin suggested staff consider the Commission's legislative deadlines when planning of these hearings. Mr. Kelley suggested staff consider holding these hearings in locations other than Sacramento.

10. Consideration of Items for next California Water Commission meeting

Chair Saracino asked for a briefing on the other duties of the Commission including eminent domain, naming of State Water Project facilities, and holding hearings on new facilities.

11. Public Comments

There were no further public comments.

12. Adjourn

Mr. Saracino adjourned the meeting at 5:00 p.m.

Further information regarding this meeting is available at www.cwc.ca.gov. Due to the change in meeting location, this meeting was not webcast live. A video of this meeting is available on-demand at the Commission's website.