MEETING OF THE BOARD OF DIRECTORS
WATER REPLENISHMENT DISTRICT OF SOUTHERN CALIFORNIA
12621 E. 166th Street, Cerritos, California 90703

1:30 P.M., WEDNESDAY, SEPTEMBER 1, 2004

AGENDA

Each item on the agenda, no matter how described, shall be deemed to include any appropriate motion, whether to adopt a minute motion, resolution, payment of any bill, approval of any matter or action, or any other action. Items listed as “For Information” or “For Discussion” may also be the subject of an “action” taken by the Board or a Committee at the same meeting.

I. DETERMINATION OF A QUORUM

II. PLEDGE OF ALLEGIANCE

III. INVOCATION

IV. PUBLIC COMMENT

V. ADDITIONAL ITEMS TO AGENDA
Determine the need to add items to the agenda. In order for the Board to add an item to the agenda it must make a determination that: (i). The item came to the attention of the Board after the posting of the agenda; (ii). That there is a need for immediate action to be taken by the Board. If these two tests are met, the Board may add the item in question to the agenda for consideration consistent with the provisions of the Brown Act.

VI. CONSENT CALENDAR
Consent Calendar items are considered routine by the Board of Directors and will be adopted by one motion. There will be no separate discussion of these items unless a Board Member so requests, in which event the item will be removed from the Consent Calendar and considered separately immediately following action on the remaining items.

A. MINUTES OF THE SPECIAL BOARD MEETING OF AUGUST 3, 2004
Staff Recommendation: That the Board approve the minutes as submitted.

B. MINUTES OF THE REGULAR BOARD MEETING OF AUGUST 4, 2004
Staff Recommendation: That the Board approve the minutes as submitted.

C. MINUTES OF THE REGULAR BOARD MEETING OF AUGUST 18, 2004
Staff Recommendation: That the Board approve the minutes as submitted.
D. SUPPORT LETTER FOR SOUTH MONTEBELLO IRRIGATION DISTRICT TO RELOCATE WATER WELLS

*Committee Recommendation:* The Water Resources Committee reviewed this item at its August 23, 2004 meeting and directed staff to draft a letter for the Board’s consideration.


*Committee Recommendation:* The Water Resources Committee recommends that the Board adopt Resolution No. 04-716.

F. REQUEST FROM CBMWD FOR EXTENSION OF NON-CONSUMPTIVE WATER USE PERMIT

*Committee Recommendation:* The Groundwater Quality Committee recommends that the Board extend the non-consumptive water use permit to Central Basin Municipal Water District (CBMWD) and the Southeast Water Coalition (SEWC) for a period of 1 year or when the project commences potable water delivery to the retail agencies, whichever occurs first.

VII. CONSIDERATION OF RESOLUTION NO. 04-710 - A RESOLUTION OF THE BOARD OF DIRECTORS OF THE WATER REPLENISHMENT DISTRICT OF SOUTHERN CALIFORNIA REGARDING AN ALTERNATIVE WATER SOURCE PLAN RELATED TO THE ALAMITOS BARRIER RECYCLED WATER PROJECT (LEO J. VANDER LANS WATER TREATMENT FACILITY)

*Committee Recommendation:* The Water Resources Committee recommends that the Board adopt Resolution No. 04-710.

VIII. TRAVEL REQUEST - WATER ENVIRONMENT FEDERATION 77TH ANNUAL TECHNICAL EXHIBITION AND CONFERENCE, OCTOBER 2-6, 2004, NEW ORLEANS, LA

*Committee Recommendation:* Due to a lack of a quorum, the External Affairs Committee did not review this item.

IX. LEGISLATIVE REPORT

*Committee Recommendation:* For information.

X. WRD TAC CHAIR REPORT
XI. GENERAL MANAGER’S REPORT

XII. DISTRICT COUNSEL REPORT

XIII. DIRECTORS’ REPORTS

XIV. WRD BOARD MEETING DATES
A. September 15, 2004 – 1:30 p.m. – Board of Directors Meeting
B. October 6, 2004 – 1:30 p.m. – Board of Directors Meeting
C. October 20, 2004 – 1:30 p.m. – Board of Directors Meeting
D. November 3, 2004 – 1:30 p.m. – Board of Directors Meeting

XV. CLOSED SESSION
A. Central and West Basin Water Replenishment District v. Charles Adams; L.A.S.C. Case No. 786,656
B. California Water Service Company, et al. v. City of Compton, et al., Case No. 506 806
C. Labor Negotiations per Government Code §54957.6
Negotiator: J. Arnoldo Beltrán
Bargaining Group: Management Unit
Discussion: Terms and conditions for Memorandum of Understanding for bargaining group
D. Consideration of appointment, employment, evaluation of performance, or dismissal of public employee per Government Code §54957
Position Title: General Manager

XVII. ADJOURNMENT

Agenda posted by Abigail C. Andom, Deputy Secretary, August 26, 2004. In compliance with ADA requirements, this document can be made available in alternative formats upon request.
A special meeting of the Board of Directors of the Water Replenishment District was held on August 3, 2004, at 9:08 a.m. in the District office at 12621 E.166th Street, Cerritos, California. President Willard Murray, Jr. called the meeting to order and presided. Deputy Secretary Abigail C. Andom recorded the minutes.

I. DETERMINATION OF A QUORUM

The President declared a quorum of Directors was present, which in addition to himself included Directors Pat Acosta, Robert W. Goldsworthy and Albert Robles. Director Norm Ryan arrived while the meeting was in progress. Also participating in the meeting were General Manager Robb Whitaker, Assistant General Manager/Chief Engineer Mario Garcia, District Counsels J. Arnoldo Beltrán and Edward Casey.

II. PLEDGE OF ALLEGIANCE

Ms. Chris Frahm of Hatch and Parent led the Pledge of Allegiance.

III. INVOCATION

Director Gary Morse of Central Basin Municipal Water District gave the Invocation.

IV. PUBLIC COMMENT

None.

V. CONJUNCTIVE USE

General Manager Robb Whitaker stated that the purpose of the workshop is to inform the Board of the progress made by the conjunctive use working group. Mr. Whitaker added that District Counsel Ed Casey and Bill Kruse have put in many hours of work on the process and have been
developing the draft rules and regulations. He asked Mr. Casey to begin the presentation.

Director Ryan arrived.

District Counsel Ed Casey began his presentation with a chronological review of events in the conjunctive use process beginning in July 1999 to the present. Mr. Casey also identified the members of the work group, discussed the key elements of the proposed rules and regulations, the application process, the program review committee, and criteria for the review process. He noted that the rules and regulations do not apply to the exercise of adjudicated water rights under the Judgment, or to WRD’s replenishment activities, and that there will be no ownership rights in storage space – the storage contract governs the rights.

Mr. Casey stated that the coming months will involve more meetings by the Institutional Committee to continue the review of the draft rules, review of proposals from the West and Central Basin Municipal Water Districts (C&WBMWD), approval from the boards, councils, and other decision makers, Court approvals of rules and modifications to the Judgments, and possible legislative changes.

President Murray asked General Manager Whitaker his definition of conjunctive use. Mr. Whitaker stated that his definition of conjunctive use was taking all available water resources, surface water, storm water, water from all other areas and using these resources to improve reliability, optimize costs, and protect groundwater quality.
Director Robles stated that Orange County Water District and Metropolitan Water District have finalized their conjunctive use and storage program and asked if their model was considered. Mr. Whitaker stated that it was considered but that the project represents a specific case of a conjunctive use project under MWD’s program. The work group has not fully developed the rules by which conjunctive use/storage programs will be dealt.

Director Goldsworthy stated that he was impressed with how far the process had come, with concrete language almost identified in writing. He noted that he anticipates more changes but that he was looking forward to a healthier management concept.

Director Acosta stated that she shares Director Goldsworthy’s thoughts. She is looking forward to the working group’s final document which she felt could be used as a model for other states. Director Acosta explained that she was looking forward to working with everyone in sharing the same goal, finding a solution to a major water supply issue in California, and working out differences among various shareholders. She stated that she would like the process moved along and avail of the opportunities present.

Director Ryan asked if the work group had addressed the question of liability when stored water impacts contaminated water as a result of rising water levels. Mr. Casey stated that the rules and regulations as currently drafted, have the storing party (ies) assuming the liability. This, however, has not been fully resolved.

Director Robles stated that funding for the facilitator was running out and he would like to recommend that the District continue
funding the process for another 30, 60, 90 days or however long the process takes.

President Murray re-opened Public Comment.

Mr. Patrick Scanlon, Southern California Water Company (SCWC), stated that he would like to thank the Board for conducting this workshop and that there will be more work in the future but he expected a closure in two to three months. Mr. Scanlon stated that SCWC is regulated by the Public Utilities Commission (PUC) and should be considered, operationally, the same as a public utility. SCWC’s goal is to provide the best benefit to its ratepayers with a firm water supply at the least cost.

Mr. Jim Glancy, City of Lakewood and President of Central Basin Water Association, stated that there were a lot of people to thank whose efforts have been key to the work group. Mr. Glancy thanked Mr. Casey, Mr. Kruse, the members of the work group, and WRD staff for their work. He stated that extremely positive things are coming together and that the process allowed everyone the opportunity to be open. Mr. Glancy noted that the facilitator will be needed for a few more meetings and that funds for this purpose are indeed running low.

Mr. Art Aguilar, Interim General Manager of C&WBMWD, stated that their Boards are presently reviewing the conjunctive use process and that he would like to reserve his comments until after their staff has made their presentation at their joint meeting on August 10, 2004 at 1:00 p.m.
VI. ADJOURNMENT

President Murray asked if there was any further business to come before the Board and there being none, the meeting was adjourned upon a motion made by Director Goldsworthy and seconded by Director Ryan at 10:30 a.m.

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President

ATTEST:

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Secretary
MINUTES OF AUGUST 4, 2004
REGULAR MEETING OF THE BOARD OF DIRECTORS
WATER REPLENISHMENT DISTRICT OF SOUTHERN CALIFORNIA

A regular meeting of the Board of Directors of the Water Replenishment District was held on August 4, 2004 at 1:40 p.m. in the District office at 12621 E. 166th Street, Cerritos, California. President Willard H. Murray, Jr. called the meeting to order. Deputy Secretary Abigail C. Andom recorded the minutes.

I. DETERMINATION OF A QUORUM
The President declared a quorum of Directors was present, which in addition to himself included Directors Pat Acosta, Robert Goldsworthy and Norm Ryan. Director Robles arrived while the meeting was in progress. Also participating in the meeting were General Manager Robb Whitaker, District Counsels J. Arnoldo Beltrán and Edward Casey, External Affairs Representative Albert Frias, Senior External Affairs Representative Adeline Yoong, and WRD Technical Advisory Committee Chairperson Jim Glancy.

II. PLEDGE OF ALLEGIANCE
Mr. Diem Vuong of Long Beach Water Department led the Pledge of Allegiance.

III. INVOCATION
Director Ryan gave the Invocation.

IV. PUBLIC COMMENT
Mr. Bill Minasian, resident of the City of Downey, stated that he attended the special board meeting on conjunctive use, which he found interesting and informative. Mr. Minasian stated that he continues to follow and understand the functions of the WRD, with the intent of identifying ways to save the District money and meet its mission.

V. ADDITIONAL ITEMS TO AGENDA
None.
VI. CONSENT CALENDAR

A. MINUTES OF THE REGULAR MEETING OF JULY 21, 2004

Upon a motion duly made by Director Acosta, seconded by Director Goldsworthy, and unanimously approved, it was

RESOLVED: That the Board approves the minutes of July 21, 2004 as submitted.

VII. PRESENTATION FROM THE UNITED STATES DEPARTMENT OF INTERIOR – BUREAU OF RECLAMATION

Mr. Albert Frias, External Affairs Representative, introduced Mr. William Steele, Area Manager for the Southern California Area Office Lower Colorado Region of the U.S. Department of the Interior Bureau of Reclamation.

Mr. William Steele gave a presentation on water management issues faced by the Bureau in the Southern California area. Mr. Steele discussed Southern California challenges, future water supply choices, and how the water conservation field services program works. He noted that the Bureau has jurisdiction over 30 Native American tribes in Southern California.

Mr. Steele also briefly discussed the two current projects the Bureau has with the WRD: the Alamitos Barrier Recycled Water Project (Leo J. Vander Lans Water Treatment Facility) and the Shallow Passive Seawater Barrier Pilot Test. Phase I of the Alamitos Project has been funded through Title XVI in the amount of $4.6M and is waiting for the permit process to finalize to be completed. Phase II is scheduled to begin in 2007 with the Bureau funding $5.1M of the estimated cost.
Mr. Steele added that request for proposals for the Seawater Barrier Pilot Test were issued June 25, 2004 and are due August 3, 2004. A technical evaluation committee composed of Reclamation staff members, Dr. Paul Fu of WRD and Mr. Roy Herndon of the Orange County Water District will review the proposals and it is expected that the contract would be awarded in late August 2004. The project is estimated to cost $700,000.

Director Robles arrived.

The Board thanked Mr. Steele for his presentation and looks forward to continued financial assistance from the Bureau.

VIII. LEGISLATIVE REPORT
Senior External Affairs Manager Adeline Yoong provided an update on state and federal legislative matters. On the state side, Ms. Yoong briefly discussed AB 1647 (Horton), AB 1829 (Liu), AB2528 (Lowenthal), SB 1165 (Local Governments). She also added that the Governor signed the State’s $105 billion budget. On the federal side, Ms. Yoong stated that Congress is still in recess for the summer.

IX. TAC CHAIR REPORT
WRD Technical Advisory Committee (TAC) Chairperson Jim Glancy stated that there is nothing new to report but that the TAC will meet on August 5. Mr. Glancy also informed everyone that the Conjunctive Use Institutional Committee will meet on Monday, August 9, 2004.

X. GENERAL MANAGER’S REPORT
General Manager Whitaker stated that he has nothing to add to the written report that was provided to the Directors.

XI. DISTRICT COUNSEL REPORT
Deferred to closed session.
XII. DIRECTORS' REPORTS/COMMITTEE REPORTS

Director Acosta informed everyone that the California Contract Cities will have their Fall Conference in Oxnard in October 2004.

Director Ryan stated that Michael Levin, Administrator of the Environmental Protection Agency (EPA), will be in town the end of September and that he is looking forward to having another productive meeting with him.

President Murray stated that he attended the NWRA Conference in New Mexico last week where he found the discussion of water problems very interesting.

XIII. WRD BOARD MEETING DATES

A. August 18, 2004 – 1:30 p.m. – WRD Board of Directors Meeting
B. September 1, 2004 – 1:30 p.m. – WRD Board of Directors Meeting
C. September 15, 2004 – 1:30 p.m. – WRD Board of Directors Meeting
D. October 6, 2004 – 1:30 p.m. – WRD Board of Directors Meeting

XIV. CLOSED SESSION

A. Anticipated litigation per Government Code §54956.9 (b): One Case
B. West Basin Municipal Water District v. WRD, L.A.S.C. Case No. BC158740
C. Central and West Basin Water Replenishment District, etc. v. Charles E. Adams, et.al., L.A.S.C. Case No. C786656
D. Labor Negotiations per Government Code §54957.6
   Negotiator: J. Arnoldo Beltrán
   Bargaining Group: Management Unit
   Discussion: Terms and conditions for Memorandum of Understanding for bargaining group
E. Consideration of appointment, employment, evaluation of performance, or dismissal of public employee per Government Code §54957
   Position Title: General Manager

The Board went into closed session. The Board reconvened in open session.

Agenda Item XIV.A was not addressed. For Agenda Item XIV.B, status reports were provided, further instructions were given to District Counsel, and consensus was reached. For Agenda Item XIV.C, a status report was provided and no
action was taken. For Agenda Item XIV.D, a status report was provided and further instructions were given to District Counsel.

Director Acosta noted that, for the record, in the Board minutes of July 21, 2004 under Directors Report, she addressed Mr. Bill Minasian’s concerns about the District’s lobbying firms and that the External Affairs Committee will be reviewing and developing a process of evaluation for legislative advocates and other consulting groups.

President Murray stated that since the minutes were already approved earlier in the meeting, Director Acosta may ask that they be revised to reflect this change. Upon a motion duly made by Director Acosta, seconded by Director Ryan, and unanimously approved, it was

RESOLVED: That the Board approves the minutes of July 21, 2004 as amended.

XV. ADJOURNMENT

President Murray asked if there was any further business to come before the Board and there being none, the meeting was adjourned upon a motion by Director Ryan and seconded by Director Goldsworthy at 5:27 p.m.

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President

ATTEST:

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Secretary
A regular meeting of the Board of Directors of the Water Replenishment District was held on August 18, 2004 at 1:39 p.m. in the District office at 12621 E. 166th Street, Cerritos, California. President Willard H. Murray, Jr. called the meeting to order. Deputy Secretary Abigail C. Andom recorded the minutes.

I. DETERMINATION OF A QUORUM
The President declared a quorum of Directors was present, which in addition to himself included Directors Pat Acosta, Robert Goldsworthy, Albert Robles, and Norm Ryan. Also participating in the meeting were General Manager Robb Whitaker, District Counsels J. Arnoldo Beltrán and Edward Casey, External Affairs Manager Evelyn Fierro, Chief Financial Officer Scott Ota, and Technical Advisory Committee (TAC) Chairman Jim Glancy.

II. PLEDGE OF ALLEGIANCE
Ms. Donna Varner of West Basin Water Association led the Pledge of Allegiance.

III. INVOCATION
Director Ryan gave the Invocation.

IV. PUBLIC COMMENT
None.

V. PRESENTATION FROM THE GREATER LOS ANGELES COUNTY VECTOR CONTROL DISTRICT
Ms. Evelyn Fierro introduced Stephanie Miladin, Public Information Officer with the Greater Los Angeles County Vector Control District (GLACVCD). Ms. Fierro stated that the GLACVCD is one of five mosquito and vector control districts in the Los Angeles County. The agency, an independent
special district, serves 4.5 million residents and serves 27 of the 43 cities in the WRD’s service area.

Ms. Miladin gave an overview of the GLACVCD, the status of the West Nile Virus and the agency’s efforts to combat the problem.

VI. ADDITIONAL ITEMS TO AGENDA

There were no additional items to the agenda.

Director Ryan stated that he would like to remove Agenda Item VIII – Election of Secretary from the agenda. Upon a motion duly made by Director Ryan, seconded by Director Robles, and unanimously approved, it was

RESOLVED: That the Board removes Agenda Item VIII – Election of Secretary from the agenda.

VII. ELECTION OF TREASURER

Director Goldsworthy asked if the item was properly agendized. He explained that discussion was held about this item at the Groundwater Quality Committee meeting and a recommendation was made at that meeting to have this item agendized for Board action. Director Goldsworthy noted that the Committee agenda did not include this item.

Director Ryan stated that discussion was held under Members Privilege – Directors Reports, Inquiries, and Direction to Staff.

Director Acosta stated that she was concerned that the District may have committed a Brown Act violation in the past with agendas that were very vague. As an example, she explained that the Administrative Committee has a regular standing item called Administrative Code Revisions. Director Acosta stated that
the agenda item does not have a staff report that identifies the items for discussion, which she felt was a violation of the Brown Act. She also stated that when Director Ryan was the Chairman of the Finance Committee, the Committee also had the standing agenda item of Members Privilege. She felt that it was fine to have an agenda item to provide an opportunity to give direction to staff for upcoming meetings and other requests, but not for the Committee to take action on items that have not been properly identified. Director Acosta asked District Counsel Beltrán to provide clarification on this item.

District Counsel Beltrán stated that the District’s Administrative Code provides for the Board President to approve the Board agenda, and in this case, the Board President did approve the agenda. President Murray concurred.

Director Acosta stated that she was concerned that standing committees may make recommendations that are beyond the committee’s jurisdiction and that items are being discussed without being properly agendized. She asked District Counsel to give an opinion.

District Counsel Beltrán stated that committees may make recommendations but he cautioned the Board that he will not provide legal opinion in public if it will potentially expose the District.

President Murray stated that it will be inappropriate to discuss this item in open session.

Director Robles stated that he would like to nominate Director Ryan for the position of Treasurer. He explained that the bond issuance is approaching a critical stage and that Director Ryan has the knowledge and experience to see
the District through the bond process. He added that he had requested information from the Finance Committee and was misinformed.

Director Acosta stated that, as a member of the Finance Committee, she would like to clarify that no misinformation was given to Director Robles. She noted that progress has been made with the bond process and she attributed the progress to the change in the makeup of the Finance Committee. She stated that information was provided to the Board and the public, and staff has been pleased with the process. Director Acosta stated that she was disappointed that she and the public were denied the opportunity to hear District Counsel’s opinion on committee agendas.

Director Ryan moved that the nominations for Treasurer be closed.

By roll call vote, it was

RESOLVED: That the Board elects Norm Ryan as Treasurer.
AYES: Directors Murray, Robles, Ryan
NOES: Directors Acosta, Goldsworthy

President Murray stated that the District’s Administrative Code provides that the Treasurer serve on the Finance Committee. He appointed Director Ryan as the Chairman of the Finance Committee and Director Goldsworthy as the Chairman of the Groundwater Quality Committee.

IX. CONSENT CALENDAR
A. DEMANDS AND CONTRACTS
B. FINANCIAL STATEMENTS FOR THE PERIOD ENDED JUNE 30, 2004
C. INVESTMENT REPORT FOR THE PERIOD ENDED JUNE 30, 2004
D. CONSIDERATION OF RESOLUTION NO. 04-714 – A JOINT RESOLUTION

Upon a motion duly made by Director Ryan, seconded by Director Robles, and unanimously approved, it was

RESOLVED: That the Board approves the Consent Calendar of the meeting of August 18, 2004, as submitted.

X. DEBT FINANCING UPDATE

Mr. Jim Glancy, City of Lakewood and Chairman of the WRD Technical Advisory Committee (TAC), stated that debt financing is critical and that a more thorough review and identification of the projects that would need financing is necessary.

Chief Financial Officer Scott Ota introduced the District’s financial advisors, Fieldman, Rolapp and Associates, who provided the Board with a comprehensive update on how the debt financing process was proceeding.

Mr. Tom de Mars of Fieldman, Rolapp and Associates, stated that everything has been proceeding well. Mr. de Mars discussed the financing steps, the role and responsibilities of the financing team, the structure of the certificates of participation (COP), the documents that will be needed to complete the transaction, and a timeline of events.
Director Acosta stated that she agreed with Mr. Glancy that other considerations should be looked at while proceeding with the bond financing. As an example, she noted interest rates, tax implications, review of projects, etc.

XI. CONSIDERATION OF RESOLUTION NO. 04-715 – A RESOLUTION OF THE BOARD OF DIRECTORS OF THE WATER REPLENISHMENT DISTRICT OF SOUTHERN CALIFORNIA SUPPORTING THE CANDIDACY OF JERRY GLADBACH FOR ELECTION TO THE BOARD OF DIRECTORS OF THE CALIFORNIA ASSOCIATION OF LOCAL AGENCY FORMATION COMMISSIONS

Director Goldsworthy stated that Jerry Gladbach, President of the Association of California Water Agencies (ACWA), is running for the Board of Directors of the California Association of Local Agency Formation Commissions. Resolution No. 04-715 will endorse Mr. Gladbach’s candidacy.

Upon a motion duly made by Director Goldsworthy, seconded by President Murray, and unanimously approved, Resolution No. 04-715 was adopted.

RESOLUTION NO. 04-715

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE WATER REPLENISHMENT DISTRICT OF SOUTHERN CALIFORNIA SUPPORTING THE CANDIDACY OF JERRY GLADBACH FOR ELECTION TO THE BOARD OF DIRECTORS OF THE CALIFORNIA ASSOCIATION OF LOCAL AGENCY FORMATION COMMISSIONS

(Reference is hereby made to Resolution No. 04 - 715 in the Draft Resolution file and by this reference is incorporated herein and included a part hereof as though fully set forth at length.)

XII. WRD TAC CHAIR REPORT

WRD Technical Advisory Committee (TAC) Chairman Jim Glancy stated that there was nothing new to report. He thanked the Board for the debt
financing update provided today but expressed concern that there may be a rush to issue bonds.

XIII. GENERAL MANAGER’S REPORT
In addition to the written report, General Manager Robb Whitaker also noted that Directors and staff attended the Central Basin and West Basin Water Associations’ annual barbecue on August 11, that the Finance Department is currently working on the independent financial audit of the District’s accounting records, and that as a result of discussions at the Conjunctive Use Working Group Technical Committee, staff is preparing an issues paper that will present the various components associated with developing a “line” that separates replenishment activities from storage accounts.

XIV. DISTRICT COUNSEL REPORT
Deferred to closed session.

XV. DIRECTORS’ REPORTS/COMMITTEE REPORTS
Director Robles stated that the Water Resources Committee will be meeting on Monday, August 23.

Director Ryan stated that on a recent day trip to Heritage Park in Cerritos, his wife noticed that a child had jumped in the pond. Mrs. Ryan went in and saved the child from drowning.

President Murray stated that the Administrative Committee will be reviewing the Conflict of Interest and Disclosure Code at its next meeting.

XVI. WRD BOARD MEETING DATES
A. September 1, 2004 – 1:30 P.M.– WRD Board of Directors Meeting
B. September 15, 2004 – 1:30 P.M. – WRD Board of Directors Meeting
C. October 6, 2004 – 1:30 P.M. – WRD Board of Directors Meeting
D. October 20, 2004 – 1:30 P.M. – WRD Board of Directors Meeting
XVII. CLOSED SESSION

A. Anticipated litigation per Government Code §54956.9 (b): One Case

B. Central and West Basin Water Replenishment District v. Charles Adams; L.A.S.C. Case No. 786,656

C. California Water Service Company, et al. v. City of Compton, et al., Case No. 506 806

D. Labor Negotiations per Government Code §54957.6
   Negotiator: J. Arnoldo Beltrán
   Bargaining Group: Management Unit
   Discussion: Terms and conditions for Memorandum of Understanding for bargaining group

E. Consideration of appointment, employment, evaluation of performance, or dismissal of public employee per Government Code §54957
   Position Title: General Manager

The Board went into closed session. The Board reconvened in open session.

For Agenda Item XVII.A, a consensus was reached and Director Ryan did not participate in the discussions.

For Agenda Items XVII.B, C, D, and E, no action was taken.

XVIII. ADJOURNMENT

President Murray asked if there was any further business to come before the Board and there being none, the meeting was adjourned upon a motion duly made by Director Robles and seconded by Director Goldsworthy at 4:40 p.m.

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President

ATTEST:

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Secretary
DATE: SEPTEMBER 1, 2004
TO: BOARD OF DIRECTORS
FROM: ROBB WHITAKER, GENERAL MANAGER
SUBJECT: SUPPORT LETTER FOR SOUTH MONTEBELLO IRRIGATION DISTRICT TO RECEIVE GRANT FUNDS TO DRILL NEW WATER WELLS

SUMMARY
The South Montebello Irrigation District (SMID) has requested a letter from WRD to support its efforts to obtain Proposition 50 grant funds to drill two new water wells. WRD Staff supports SMID’s efforts and those of any water supplier in the basins to maintain or increase their groundwater production capabilities to take advantage of and fully utilize the local groundwater resources. Therefore, Staff has drafted the attached support letter for the Board’s review and approval.

FISCAL IMPACT
None.

COMMITTEE RECOMMENDATION
The Water Resources Committee reviewed this item at its August 23, 2004 meeting and directed staff to draft a letter for the Board’s consideration.
September 1, 2004

D R A F T

Mr. Brian Sinclair  
General Manager  
South Montebello Irrigation District  
864 East Washington Blvd.  
Montebello, CA 90640

Subject: Support for Grant Funds for New Groundwater Production Wells

Dear Mr. Sinclair:

This letter is in support of your efforts to secure grant funding to drill and install two new groundwater production wells in the Central Basin of southern Los Angeles County. As you know, the Water Replenishment District of Southern California (WRD) manages the groundwater supplies for over 3.5 million people in the 43 cities that overlie both the Central and West Coast basins.

The continued use of local groundwater by the residents and businesses of these basins is the mission of the WRD. The drilling of new production wells by water suppliers such as the South Montebello Irrigation District (SMID) is a vital and necessary action to maintain the use of the local groundwater supplies in an efficient manner, and helps reduce the area’s reliance on expensive imported water from the Colorado River or northern California. Furthermore, SMID’s location within the Montebello Forebay region of the Central Basin puts it in an excellent situation to utilize the groundwater resources close to the area of the basin that receives the most direct replenishment.

Therefore, the WRD supports SMID’s efforts to secure grant funding to drill and install new wells to benefit the water users within their jurisdiction. If we can be of any further assistance or if you have any questions, please contact me at (562) 921-5521.

Sincerely,

Robb Whitaker, P.E.  
General Manager
MEMORANDUM

ITEM NO. VI.E

DATE: SEPTEMBER 1, 2004
TO: BOARD OF DIRECTORS
FROM: ROBB WHITAKER, GENERAL MANAGER

SUMMARY
A request has been received from the County of Los Angeles Department of Public Works regarding participation in the exchange of ad valorem property tax. If a taxing agency involved in the negotiation does not adopt a resolution providing for the exchange of property tax, the Board of Supervisors can determine the exchange of property tax revenue for that taxing agency.

FISCAL IMPACT
None.

COMMITTEE RECOMMENDATION
The Water Resources Committee recommends that the Board adopt Resolution No. 04-716.
RESOLUTION NO. 04- 716

JOINT RESOLUTION OF
THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES,
THE BOARD OF DIRECTORS OF THE GREATER LOS ANGELES
COUNTY VECTOR CONTROL DISTRICT, THE BOARD OF DIRECTORS OF
THE COUNTY SANITATION DISTRICT NO. 8 OF LOS ANGELES COUNTY
(COUNTY SANITATION DISTRICT NO. 8), AND THE BOARD OF DIRECTORS
OF THE WATER REPLENISHMENT DISTRICT OF SOUTHERN CALIFORNIA
APPROVING AND ACCEPTING THE NEGOTIATED EXCHANGE OF
PROPERTY TAX REVENUES RESULTING FROM ANNEXATION OF
PROJECT NO. 20-204 (L 112-2002) TO COUNTY LIGHTING MAINTENANCE
DISTRICT 1687

WHEREAS, pursuant to Section 99.01 of the Revenue and Taxation
Code, prior to the effective date of any jurisdictional change that will result in a
special district providing one or more services to an area where those services
have not previously been provided by any local agency, the special district and
each local agency that receives an apportionment of property tax revenue from
the area must negotiate an exchange of property tax increment generated in the
area subject to the jurisdictional change and attributable to those local agencies; and

WHEREAS, the Board of Supervisors of the County of Los Angeles, acting
on behalf of the County of Los Angeles, the Los Angeles County Library, the Los
Angeles County Road Maintenance District No. 2, the Consolidated Fire
Protection District of Los Angeles County, the Los Angeles County Flood Control
Drainage Improvement District, and the Los Angeles County Flood Control
District; the Board of Directors of the Greater Los Angeles County Vector Control
District, the Board of Directors of the County Sanitation District No. 8 of Los
Angeles County (County Sanitation District No. 8), and the Board of Directors of
the Water Replenishment District of Southern California have determined that the
amount of property tax revenue to be exchanged between their respective
agencies as a result of the annexation proposal identified as Project No. 20-204
(L 112-2002) to County Lighting Maintenance District 1687 is as set forth below:

NOW, THEREFORE, BE IT RESOLVED AS follows:

1. The negotiated exchange of property tax revenues between the
County of Los Angeles, the Los Angeles County Library, the Los
Angeles County Road Maintenance District No. 2, the Consolidated
Fire Protection District of Los Angeles County, the County Flood
Control Drainage Improvement District, and Los Angeles County
Flood Control District; the Board of Directors of the Greater Los
Angeles County Vector Control District, the Board of Directors of
County Sanitation District No. 8; and the Water Replenishment
District of Southern California have determined that the amount of
property tax revenue to be exchanged between their respective
agencies as a result of the annexation proposal identified as Project
No. 20-204 (L 112-2002) to County Lighting Maintenance District 1687 is approved and accepted.

2. For fiscal years commencing on or after July 1, 2005, or the July 1 after the effective date of this jurisdictional change, whichever is later, the property tax revenue increment generated from the area within Project No. 20-204 (L 112-2002) shall be allocated to the affected agencies as indicated in the enclosed worksheet.

3. No transfer of property tax revenues other than those specified in Paragraph 2 shall be made as a result of annexation of Project No. 20-204 (L 112-2002).

4. If at any time after the effective date of this resolution, the calculations used herein to determine initial property tax transfers or the data used to perform those calculations are found to be incorrect, thus producing an improper or inaccurate property tax transfer, the property tax transfer shall be recalculated and the corrected transfer shall be implemented for the next fiscal year, and any amounts of property tax received in excess of that which is proper shall be refunded to the appropriate agency.

PASSED, APPROVED AND ADOPTED THIS _______________ day of ________________, 2004 by the following vote:

AYES: 
NOES: 
ABSENT: 
ABSTAIN: 

WATER REPLENISHMENT DISTRICT OF SOUTHERN CALIFORNIA

____________________________
Willard H. Murray, Jr., President

ATTEST:

____________________________
Secretary

____________________________
Date
The Central Basin Water Quality Protection Plan (WQPP) is a project managed by CBMWD and is designed to intercept a groundwater contamination plume passing through the Whittier Narrows and into the northeast portion of the Central Groundwater Basin. This project utilizes two production wells to extract groundwater for treatment and delivery for potable purposes.

In July 2002, CBMWD applied for a non-consumptive water use permit partnering with the Southeast Water Coalition (SEWC) as a consortium of parties to the Judgment. In August 2002, the WRD Board of Directors granted the permit request for a duration of 6 months and a total flow of 3,250 acre-feet. On July 2, 2003, WRD authorized an extension of the permit for a period of one year while the project completes its start-up phase.

CBMWD completed construction of the project earlier this year and has been pumping and treating groundwater since March 11, 2004. The total amount of water pumped by the WQPP through July 3, 2004 is 117.6 acre-feet. This treated water has been returned to the groundwater basin via discharge to the San Gabriel River and the Montebello Forebay.

Due to delays in obtaining the final Drinking Water Supply Permit from the State Department of Health Services, CBMWD has not yet been able to deliver this water to the participating retail agencies as planned. CBMWD is therefore requesting that the non-consumptive water use permit be extended another six months. Staff and the Groundwater Quality Committee suggest that the extension be for a period of one year (or whenever the project goes on-line) so as to try to avoid having to repeat this process. SEWC has also reviewed this request and is in concurrence with the recommendations.

**FISCAL IMPACT**
No net financial impact.

**COMMITTEE RECOMMENDATION**
The Groundwater Quality Committee recommends that the Board extend the non-consumptive water use permit to Central Basin Municipal Water District (CBMWD) and the Southeast Water Coalition (SEWC) for a period of 1 year or when the project commences potable water delivery to the retail agencies, whichever occurs first.
DATE: SEPTEMBER 1, 2004
TO: BOARD OF DIRECTORS
FROM: ROBB WHITAKER, GENERAL MANAGER
SUBJECT: CONSIDERATION OF RESOLUTION NO. 04–710 – A RESOLUTION OF THE BOARD OF DIRECTORS OF THE WATER REPLENISHMENT DISTRICT OF SOUTHERN CALIFORNIA REGARDING AN ALTERNATIVE WATER SOURCE PLAN RELATED TO THE ALAMITOS BARRIER RECYCLED WATER PROJECT (LEO J. VANDER LANS WATER TREATMENT FACILITY)

SUMMARY
The District has been engaged in discussions with the State Department of Health Services (DHS) and the Regional Water Quality Control Board (RWQCB) since 1999 to obtain a permit for the Alamitos Barrier Recycled Water Project (Leo J. Vander Lans Water Treatment Facility), which will replace half of the imported water used in the Alamitos Seawater Barrier Project with recycled water. On July 8, 2004, the DHS recommended approval of the project to the RWQCB, subject to conditions.

One of their conditions requires that prior to the start of operations, the District must adopt a resolution to develop a plan for providing an alternative source of water supply or treatment of any downgradient drinking water wells that becomes contaminated as a direct result of the project. DHS would need to conduct a separate investigation, and subsequently establish a finding that a downgradient well became contaminated as a direct result of the project before such a plan is implemented.

The attached resolution is intended to fulfill this requirement.

The Water Resources Committee reviewed this item on August 23, 2004 and is recommending that the Board adopt it.

FISCAL IMPACT
None.

COMMITTEE RECOMMENDATION
The Water Resources Committee recommends that the Board adopt Resolution No. 04-710.
RESOLUTION NO. 04-710

RESOLUTION OF THE BOARD OF DIRECTORS
OF THE WATER REPLENISHMENT DISTRICT OF SOUTHERN CALIFORNIA
REGARDING AN ALTERNATIVE WATER SOURCE PLAN RELATING TO THE ALAMITOS BARRIER RECYCLED WATER PROJECT
(LEO J. VANDER LANS WATER TREATMENT FACILITY)

WHEREAS, the Water Replenishment District of Southern California (“WRD”) is organized and operates pursuant to Water Code Section 60000 et seq. (the “Enabling Act”) and is authorized by the Enabling Act to carry out various activities to replenish the Central Basin Groundwater Basin (Basin) and to preserve and protect the groundwater quality in said Basin; and

WHEREAS, the Alamitos Seawater Barrier (Barrier) presently injects imported water into the Central Groundwater Basin and the Orange County Groundwater Basin to serve as a barrier against seawater intruding into these basins;

WHEREAS, this Barrier serves to protect water quality in the basins that provide groundwater supplies to local residents and businesses in Los Angeles and Orange County;

WHEREAS, the WRD and the Orange County Water District ensure that adequate water is provided to the Barrier to prevent saltwater intrusion;

WHEREAS, the County of Los Angeles Department of Public Works is responsible for the operation of Barrier facilities;

WHEREAS, this Barrier currently utilizes about 6,000 acre feet per year of imported water for such purposes;

WHEREAS, using recycled water for injection will conserve the use of the valuable imported water resources and improve the reliability of supply to the Barrier;

WHEREAS, the WRD has completed construction of the Alamitos Barrier Recycled Water Project, which will deliver recycled water from its Leo J. Vander Lans Water Treatment Facility (Facility) to the Barrier and replace half of the supply of imported water that serves the Barrier with recycled water;

WHEREAS, no existing domestic production wells are within 4800 feet of any existing injection well at the Barrier;

WHEREAS, the State Department of Health Services (“DHS”) on July 8, 2004 recommended approval of the use of recycled water for this project to the Regional Water Quality Control Board, Los Angeles Office, with conditions;

WHEREAS, one of DHS’ conditions of approval is that the WRD provides assurance via this resolution that WRD shall develop an alternative water supply plan for the contingency that any downgradient domestic water wells are determined by DHS to be unsuitable for domestic use as a direct result of the recycled water Facility;
NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Water Replenishment District of Southern California hereby:

Determines to develop a plan for providing an alternative source of domestic water supply, or a DHS approved treatment mechanism, to any user whose domestic water well is found by DHS to violate California drinking water quality regulations as a direct result of the Alamitos Barrier Recycled Water Project or when DHS makes an analysis and finding that the domestic water well is unsuitable for human consumption as a direct result of the Alamitos Barrier Recycled Water Project.

Passed, approved, and adopted at the regular meeting of the Board of Directors of the Board of Water Replenishment District of Southern California on this __________ day of __________, 2004.

By:

Willard H. Murray, Jr., President

ATTEST:

____________________________________

Albert Robles, Secretary
DATE:       SEPTEMBER 1, 2004
TO:         BOARD OF DIRECTORS
FROM:       ROBB WHITAKER, GENERAL MANAGER
SUBJECT:    TRAVEL REQUEST – WATER ENVIRONMENT FEDERATION 77TH ANNUAL
TECHNICAL EXHIBITION AND CONFERENCE, OCTOBER 2-6, 2004,
NEW ORLEANS, LA

SUMMARY
The Water Environment Federation 77th Annual Technical Exhibition and Conference will be
held in October 2-6, 2004 in New Orleans, Louisiana. The conference brings together the
most comprehensive technical education and the largest water quality exhibition in North
America, with over 800 exhibiting companies.

WEFTEC’04 is designed to address issues in water and wastewater, including, membrane
technologies, plant operations and treatment, regulations, research, and water quality and
watershed management, among others.

FISCAL IMPACT
Full conference registration fee is $895. The headquarter hotel is the Hilton New Orleans
Riverside at $229.00 single, per room, per night. Air fare is additional.

STAFF RECOMMENDATION
Due to a lack of a quorum, the External Affairs Committee did not review this item.
WEFTEC History

The Water Environment Federation has been holding annual meetings since 1928. These meetings originally consisted of the Board of Control. In 1940, the Annual Conferences of Members began, with the exception of 1945. The location of the conference was determined by choosing from Individual Member Association's invitations, which were issued on behalf of their cities and geographical region, for the hosting privilege of the Annual Conferences.

In 1941 the Annual Conference consisted of 5 sessions and 13 technical papers, with an attendance of 556. By 1976, the Annual Conference attendance had grown to 8,716 and featured 37 sessions and 146 technical papers.

In 1994, the 67th Annual Conference and Exposition, held in Chicago, Illinois, was re-named WEFTEC (Water Environment Federation's Technical Exhibition and Conference) in an effort to bring more instant recognition in both domestic and international markets. The Annual Conference and Exposition had become the leading gathering on water quality and pollution control technology and issues, and the new identity of WEFTEC only aided the event's increasing popularity within the water quality community.

Throughout the years, WEFTEC has not only grown in the size of exhibits and technical sessions, but has become the world's premiere water quality technical exhibition and conference. In 2002, WEFTEC set an all-time attendance record with over 18,000 attendees. The show hosted 793 exhibiting companies and the exhibition floor was more than 200,000 net square feet. WEFTEC.03, in Los Angeles, surpassed the previous year, with over 800 exhibiting companies!

WEFTEC.04, in New Orleans, promises to be the best event to-date. WEFTEC is the best source of insights into developments, regulations, and research, as well as into both emerging technologies and proven approaches to your everyday water quality challenges. WEFTEC features the most comprehensive technical education, as well as the access to the world's most powerful water quality exhibition.
Attendee Benefits

Join thousands of water and wastewater professionals at the world's most powerful water quality event.

**WEFTEC** offers an unparalleled educational and training experience to anyone committed to water quality, and brings you the largest and most comprehensive Water Quality Exhibition in North America, with over 800 exhibiting companies.

**Network** with fellow water and wastewater professionals from around the world who share your commitment to the environment. Each year, thousands of attendees chose WEFTEC as the event to learn the latest in water quality, exchange ideas, and form quality business relationships.

**Design** your own learning experience by choosing from the most comprehensive offering of technical sessions and workshops available today. Experts in the field present the latest information on every critical water quality topic, with over 80 technical sessions and 25 conference workshops.

**Make important contacts** and gain additional knowledge by interacting with the leading manufacturers and representatives in the water and wastewater profession. Over 800 exhibiting companies will be on-hand to answer questions and demonstrate cutting-edge technologies and services at the WEFTEC Exhibition - the world's most powerful water quality exhibition!

Earn up to 35 CEUs and PHD hours by participating in the technical sessions, workshops, and for time spent in the WEFTEC exhibition.

**WEFTEC.04 is designed to address the most timely issues in water and wastewater, including:**

- **Collection Systems** - Management, operations & maintenance, infrastructure, overflow reduction, wet weather planning, watershed approaches, and regulations
- **Membrane Technologies** - Application in wastewater and water reuse, innovations, enhanced performance, regulatory compliance
- **Plant Operations and Treatment** - Innovations, technologies, processes, and proven solutions in water and wastewater treatment
- **Regulations** - CMOM/SSO Rules, TMDL/Watershed Rules, and NPDES Phase II
- **Research** - New process applications in water and wastewater treatment and recent developments
- **Residuals & Biosolids** - Incineration, disposal, reuse through land application, research, regulations, politics, and public perception

- **Utility Management** - Asset Management and financial planning for infrastructure, technology, regulatory compliance, and security

- **Water Reuse/Recycling** - Research, regulations, emerging technologies, proven processes

- **Water Quality & Watershed Management** - Stormwater, wet weather, and watershed issues

And more!

WEFTEC.04 brings the world of water and wastewater to you - join us and become a part of the most powerful water quality show of the year!
Week-At-A-Glance

- Click here to view WEFTEC.04 Workshops and Technical Sessions by Track
- Click here to view WEFTEC.04 Workshops and Technical Sessions Chronologically

Saturday, October 2
8:30 a.m. - 5:00 p.m. Conference Workshops

Sunday, October 3
8:30 a.m. - 5:00 p.m. Conference Workshops
1:00 p.m. - 5:00 p.m. Exhibit Hours
   Click here for a list of WEFTEC 2004 exhibitors
5:00 p.m. - 6:00 p.m. Exhibit Private Demo Hours

Monday, October 4
9:00 a.m. - 5:00 p.m. Exhibit Hours
   Click here for a list of WEFTEC 2004 exhibitors
9:30 a.m. - 11:00 a.m. Opening General Session
1:30 p.m. - 5:00 p.m. Technical Sessions
5:00 p.m. - 6:00 p.m. Exhibit Private Demo Hours

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http://www.weftec.org/program/weekataglance.htm 8/20/2004
### Tuesday, October 5

<table>
<thead>
<tr>
<th>Time</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>7:30 a.m. - 3:30 p.m.</td>
<td>WEFTeach - intensive water quality training for New Orleans area high school teachers - registration required.</td>
</tr>
<tr>
<td>9:00 a.m. - 5:00 p.m.</td>
<td>Exhibit Hours</td>
</tr>
<tr>
<td>9:00 a.m. - 5:00 p.m.</td>
<td>Technical Sessions</td>
</tr>
<tr>
<td>9:15 a.m. - 5:00 p.m.</td>
<td>Operations Challenge</td>
</tr>
<tr>
<td>5:00 p.m. - 6:00 p.m.</td>
<td>Exhibit Private Demo Hours</td>
</tr>
<tr>
<td>5:15 p.m. - 6:00 p.m.</td>
<td>WEF Celebration of Excellence and Passing of the Gavel</td>
</tr>
</tbody>
</table>

### Wednesday, October 6

<table>
<thead>
<tr>
<th>Time</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>8:30 a.m. - 3:30 p.m.</td>
<td>Technical Sessions</td>
</tr>
<tr>
<td>8:30 a.m. - 3:30 p.m.</td>
<td>Workshops</td>
</tr>
<tr>
<td>9:00 a.m. - 2:00 p.m.</td>
<td>Exhibit Hours</td>
</tr>
</tbody>
</table>

**Click here** for a list of WEFTEC 2004 exhibitors

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DATE: SEPTEMBER 1, 2004
TO: BOARD OF DIRECTORS
FROM: ROBB WHITAKER, GENERAL MANAGER
SUBJECT: LEGISLATIVE REPORT

SUMMARY

Legislative Calendar

State Legislature
August 13 – Last day for Fiscal Committees to meet and report bills to Floor.
August 16-31 – Floor session only.
August 31 – Last day for each house to pass bills.
September 30 – Last day for Governor to sign or veto bills passed by the Legislature.
November 30 – Legislature adjourns.
December 6 – 2005-06 Regular Session convenes for organizational session.

Congress
July 26 – September 7 - Congressional summer recess.
September 7 – Congress reconvenes.
October 1 – Target date for Congressional adjournment.

Update
A verbal update on federal and state matters will be provided.

FISCAL IMPACT
None.

COMMITTEE RECOMMENDATION
For information.
<table>
<thead>
<tr>
<th>Bill No./Author</th>
<th>Title/Content</th>
<th>Status</th>
<th>Position</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>AB 83 Corbett</td>
<td>Bottled water. Transfers regulations and licensure of bottled water from the Sherman Food, Drug and Cosmetic Law to the California Safe Drinking Water Law. Requires bottled water licensees to comply with provisions similar to those imposed on public water systems regarding emergency notification plans, consumer confidence reports, and annual inspections. Also requires the labeling on bottled water sold at retail or wholesale in a plastic beverage container to include specified information. Creates the Safe Bottled and Vended Water Account.</td>
<td>Int. 01/06/103&lt;br&gt;Location: Sen Approp&lt;br&gt;Status: Inactive</td>
<td>Staff Rec: Support&lt;br&gt;ACWA: Favor&lt;br&gt;CMUA: Support&lt;br&gt;WRD Board: Support (04/02/03)</td>
<td>Supported by NRDC, East Bay MUD, and Clean Water Action. Would require bottled water companies, like Coca Cola and Pepsi who market their own branded water, to comply with more stringent requirements listed in Consumer Confidence Reports.</td>
</tr>
<tr>
<td>AB 1522 Parra</td>
<td>Water rights: permits. Expands the authority of the Regional Water Quality Control Board’s executive officers to include the ability to issue National Pollutant Discharge Elimination Systems (NPDES) permits without regional board action, and makes technical corrections to and deletes obsolete provisions of the Water Code.</td>
<td>Int. 02/21/03&lt;br&gt;Location: Sen. Ag &amp; Water Resources&lt;br&gt;Status: Inactive</td>
<td>Staff Rec: Oppose&lt;br&gt;ACWA: Oppose</td>
<td>ACWA’s Comments: Existing law provides that state laws that address the loss of water rights by nonuse, abandonment, prescription, and lack of diligence shall not apply to water rights appurtenant to, or for use on, any trust land under certain conditions. This bill would delete all of the above provisions. Allows a regional water quality control board’s executive officer to issue, without a specific board action, National Pollutant Discharge Elimination System (NPDES) permits and make several technical and corrective changes to statutes governing water rights and waste discharge violations.</td>
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<tr>
<td>AB 1647 Horton</td>
<td>Public water systems: mutual water companies: grant funds. Allows investor-owned utilities eligibility for grant funding of state bonds.</td>
<td>Int. 02/21/04&lt;br&gt;Location: Senate Energy, Utilities &amp; Communications&lt;br&gt;Status: Hearing in August</td>
<td>ACWA: Oppose&lt;br&gt;WRD Board: Board voted to send a letter to the Governor supporting the proposal to allow private water companies access</td>
<td>Assemblymember Horton “gutted and amended” AB 1647, formerly relating to livestock stockpools, to include language expanding state funding eligibility to investor-owned utilities. The language is the same as that contained in SB 909 (Machado) which has been held in the Assembly Water,</td>
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<tr>
<td>Bill No.</td>
<td>Author</td>
<td>Bill Title</td>
<td>Bill Description</td>
<td>Action Date</td>
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<tr>
<td>AB 1829</td>
<td>Liu</td>
<td>Public contracts: services: domestic workers</td>
<td>Bill essentially bans offshoring public contracts by prohibiting state agencies and local governments from using state funds to contract for services unless the contractor or subcontractor certifies under penalty of perjury that any work done under the contract will be performed solely by workers within the United States.</td>
<td>Int. 01/20/04 Location: Assembly Concurrence Status: Placed on Appropriations suspense file (08/04/04); Amended (08/09/04); Passed Sen Approps (08/12/04); Passed Senate (08/23/04); Concurrence in Senate amendments pending, may be considered on or after 8/25</td>
</tr>
<tr>
<td>AB 2528</td>
<td>Lowenthal</td>
<td>Public water systems</td>
<td>This bill would replace the term “action level” with the terms “notification level” and “response level.” It would also require the operator of wholesale or retail public water systems, as defined, to provide notice relating to contamination of any drinking water source, as defined, that exceeds the maximum containment level, a response level, or a notification level, as defined.</td>
<td>Int. 02/20/04 Location: Enrolled (8/19/04) Status: Amended (08/12/04); Passed Senate (08/17/04); Senate amendments concurred (08/19/04)</td>
</tr>
<tr>
<td>AB 2603</td>
<td>Calderon</td>
<td>Urban water management plans</td>
<td>Makes technical, nonsubstantive change requiring urban water supplier to prepare and adopt an urban water management plan.</td>
<td>Int. 02/20/04 Status: Inactive</td>
</tr>
<tr>
<td>AB 2605</td>
<td>Calderon</td>
<td>Water storage districts</td>
<td>Makes technical, nonsubstantive change authorizing the board of a California Water Storage District to acquire property.</td>
<td>Int. 02/20/04 Status: Inactive</td>
</tr>
<tr>
<td>SB 117</td>
<td>Machado</td>
<td>Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002</td>
<td>Modifies the implementation guidelines of Prop. 50 to exclude reference to provisions relating to the use of a matching fun requirement, the use of existing guidelines, and the provision of technical assistance. Requires the responsible agencies, to the maximum extent feasible, to provide outreach to disadvantaged communities</td>
<td>Int. 02/03/03 Location: Enrolled (08/23/04) Status: Passed Assembly Water, Parks &amp; Wildlife (06/15/04); Passed Assembly</td>
</tr>
<tr>
<td>Bill</td>
<td>Title</td>
<td>Summary</td>
<td>Action History</td>
<td>Staff Recommendations</td>
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<tr>
<td>SB 318</td>
<td>Urban water suppliers: desalinated water</td>
<td>Requires a plan to describe the opportunities for development of desalinated water, including but not limited to ocean water, brackish water, and groundwater, as a long-term supply.</td>
<td>Appropriations (08/05/04); Passed Assembly (08/16/04); Senate concurs in Assembly amendments (08/23/04)</td>
<td>Watch</td>
</tr>
<tr>
<td>SB 543</td>
<td>Water rights: groundwater cleanup operations</td>
<td>With certain exceptions, this bill prohibits the water produced from a groundwater cleanup operation from being used by the operator of a groundwater cleanup operation or from being transferred, assigned, or conveyed to a third party for use, until a replacement water supply has been provided to every public water system injured by the contamination. Provides that no right shall vest in the operator of a groundwater cleanup operation solely by virtue of its extraction, treatment, and discharge of water from that operation. Exempts discharges from groundwater cleanup operation that is under 25 acre-feet in the counties of Riverside, San Bernardino, Los Angeles, and Ventura or under 50 gallons per minute in an other county, if the discharge is not for recharge.</td>
<td>Int. 02/19/03 Location: Enrolled (08/18/04) Status: Passed Asm Approps (08/21/03); Placed on inactive file (09/08/03); Removed from inactive file (08/16/04); Passed Assembly (0818/04)</td>
<td>Support</td>
</tr>
<tr>
<td>SB 909</td>
<td>Public water systems: mutual water companies</td>
<td>Allows grants of state bond funds to be made to public water utilities and mutual water companies.</td>
<td>Int. 02/21/03 Location: Asm Environmental Safety and Toxic Materials Status: Inactive</td>
<td>Oppose</td>
</tr>
<tr>
<td>SB 922</td>
<td>Cleanup or abatement orders: contaminated drinking water supplies</td>
<td>Clarifies existing law by explicitly authorizing the State Water Resources Control Board or a regional board to require the provision of, or payment for, uninterrupted replacement water service, which may include wellhead treatment, to affected public water suppliers or private well owners. Authorizes the regional board or state</td>
<td>Int. 02/21/03 Location: Enrolled (08/23/04) Status: Amended (06/14/04); Passed Assembly Water, Parks &amp; Wildlife (06/23/04)</td>
<td>Support</td>
</tr>
</tbody>
</table>
board to request a water replacement plan from the discharger prior to the provision of the replacement water. The bill would provide for mediation of replacement water claims.

**Perchlorate: information.** Makes a technical correction to the provision that defines “perchlorate storage facility” and revises the definition of the term “perchlorate” to mean all perchlorate-containing compounds including ammonium, potassium, magnesium, and sodium perchlorate but not perchlorate or perchlorate compounds located in unused military munitions and stored on or after January 1, 2004.

**SB 1165**  
Local Government Omnibus Act of 2004. This bill contains provisions applying to a variety of non-controversial local governance issues.

<table>
<thead>
<tr>
<th>Status</th>
<th>Int. 02/02/04</th>
<th>Location: Sen Environmental Quality</th>
<th>Staff Rec: Support</th>
</tr>
</thead>
<tbody>
<tr>
<td>Staff Rec: Support ACWA: Support</td>
<td></td>
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</table>

**SB 1251**  
Diamond Valley Reservoir: recreational use. Allows recreational use activity in Diamond Valley Reservoir and establishes standards including water treatment, monitoring, and reporting requirements.

<table>
<thead>
<tr>
<th>Status</th>
<th>Int. 02/12/04</th>
<th>Location: Sen Approp Status: Inactive</th>
<th>Staff Rec: Support if Amended ACWA: Support if Amended WRD Board: Oppose (05/03/04);</th>
</tr>
</thead>
</table>

**SB 1272**  
Special districts. This bill would require annual audits of special districts to be performed in accordance with General Accounting Office standards for financial and compliance audits and would impose various other requirements on these audits. The bill would require the Controller to review the audits under specified procedures. This bill also criminalizes violations of conflicts of interest and incompatible positions.

<table>
<thead>
<tr>
<th>Status</th>
<th>Int. 02/18/04</th>
<th>Location: Sen Approp Status: Inactive</th>
<th>Staff Rec: Support if Amended ACWA: Support if Amended WRD Board: Oppose (05/03/04);</th>
</tr>
</thead>
</table>

This is the special district reform legislation. This bill failed to pass the Senate committee on Appropriations. The Senator has made it very clear that this is not the last of this type of language in a bill. She has vowed to bring...
activities provisions by making them a misdemeanor. It requires annual legal and ethical orientation sessions that governing board members would be required to attend. It establishes whistle-blower protections and limits director compensations to $100 per day for no more than 6 meetings or days per month for small districts and no more than 10 meetings or days per month for large districts. It sets the travel and per diem expenses to that authorized for state employees and restricts retirement benefits to directors who take office on or after January 1, 2005. These directors are allowed to participate in life insurance and health and welfare benefits on a self-pay basis.

opposition letter forwarded on 05/06/04 this back next session. ACWA is seeking an author to sponsor a version of this bill at the next session.

| SB 1374 Machado | **Water transfers: third-party impacts.** This bill would require that the State Water Resources Control Board also consider third-party impacts in its consideration of a water transfer petition. With regard to that determination, and subject to a certain exception, the bill would prohibit the board from approving the petition unless it finds that the petitioners have met prescribed conditions relating to potential third-party impacts. The bill would require the board to accept and consider evidence that the proposed transfer neither avoids nor mitigates all likely significant negative third-party impacts. The bill would authorize the board to develop and adopt an abbreviated process to approve long-term transfers that it determines are least likely to negatively affect third parties. | Int. 02/13/04 Location: Assembly Water, Parks & Wildlife (06/01/04) Status: Held in committee without recommendation (author could not get a second to a motion to bring the bill to a vote.) | Staff Rec: Watch ACWA: Oppose | The bill takes the California Environmental Quality Act (CEQA) model for identifying, evaluating and mitigation potential significant effects on the environment and would apply it to the analysis of the potential third-party impacts that could result from a long-term water transfer. ACWA believes that the bill potentially opens a Pandora’s box by creating a new litigation tool to be used against water transfers. |

| SB 1479 Sher | **California regional water quality control boards: membership.** This bill would reduce the membership of a regional board to from 9 to 5 by combining the representations of irrigated agriculture and industrial water use into one seat and eliminating the requirement for 3 persons not specifically associated with prescribed categories. | Int. 02/19/04 Status: At Governor’s desk (08/19/04) | Staff Rec: Watch ACWA: Favor | Combining the representations of irrigated agriculture and industrial water use into one seat on the board could decrease the representation from the water industry. No direct impact on WRD. |