

Agenda Item: 9-5

Meeting Dates: February 9 and 10, 2005

JOINT MEETING WITH BAY-DELTA PUBLIC ADVISORY COMMITTEE

PROPOSED STATE LEGISLATION

Summary: This item provides members of the California Bay-Delta Authority with information on three potential legislative proposals that may be sponsored by the California Bay-Delta Authority in the 2005 legislative year, including legislation pertaining to:

- Federal Conformity
- Water Use Measurement and Reporting
- Finance Plan Implementation

Recommended Action: This is an information item only. No action will be taken.

Background

Consistent with California Bay-Delta Authority actions and direction, Authority staff was requested to assist with developing legislative proposals for introduction this year, including:

- Federal conformity – With the adoption of House Resolution 2828, which provides authority for Federal agencies to participate in the California Bay-Delta Authority and in various CALFED programs, there is a need to conform State authorizing statutes (SB 1652, Costa, Chap. 812, Stats. Of 2002) with the new Federal law. For example, the “sunset provision” found in Water Code Section 79475, which makes the Authority’s continued existence contingent upon adoption of Federal authorization should be repealed. Other code cleanup provisions necessary to make State law consistent with Federal authorization and to clarify the operating authority will be included. Finally, staff will seek to make the Independent Science Board operations consistent with the provisions of the Federal Advisory Committee Act applicable to science panels convened by the National Academy of Sciences.
- Water Use Measurement and Reporting – Pursuant to the Authority’s April 2, 2004 directive to staff, this proposal will culminate the nearly three years’ work of the Authority to fulfill the provisions of the Record of Decision with respect to

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development of improved water use measurement. Specifically, the proposal seeks to: 1) create a water use reporting database; 2) require reporting of aggregate farm-gate delivery data; 3) require measurement and reporting of agricultural diversions; and 4) require measurement of urban service water deliveries.

- Finance Plan Implementation – Pursuant to the Governor’s directive in the Budget Summary, which cites the Authority’s Finance Plan and its ongoing efforts to work with stakeholders to develop a plan for financing the CALFED Bay Delta Program. Financing proposals will be incorporated into the revised May Budget proposal. Additional information is provided in the Finance Plan Implementation Staff Report, Agenda Item 10-5.

Fiscal Information

Funding Source: Not applicable

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