

2010 Federal Legislative Matrix, 111th Congress, Second Session

Bill/Sponsor	Title	Description	Status	Potential Impacts to MWD	MWD Position/Action
H.R.644 Grijalva (D-AZ)	Grand Canyon Watersheds Protection Act of 2009	To withdraw the Tusayan Ranger District and Federal land managed by the Bureau of Land Management in the vicinity of Kanab Creek and in House Rock Valley from location, entry, and patent under the mining laws, and for other purposes.	7/21/09: Hearing held before the House Natural Resources Subcommittee on National Parks, Forests and Public Lands; died in the House.	The areas identified in the bill are tributary to and, in some areas, within a few miles of the Colorado River. This bill would withdraw certain lands managed by the Bureau of Land Management in the vicinity of Kanab Creek and House Rock Valley from further mineral leasing and mining activity.	Support, based on Board Policy Principles on Source Water Quality Protection and Watershed Management.
H.R.1145 Gordon (D-TN)	National Water Research and Development Initiative Act of 2009	Improves the Federal Government's role in designing and implementing Federal water research, development, demonstration, data collection and dissemination, education, and technology transfer activities to address changes in water use, supply, and demand in the United States, including providing additional support to increase water supply through greater efficiency and conservation.	4/23/09: Passed the House 413-10. (House Report 111-76). Sent to the Senate Committee on Environment and Public Works; died in the Senate.	This bill appears to have benefit to Metropolitan over the long run by promoting research & technology transfer, education & outreach to address changes in water use, supply, and demand in the U.S. including increase of water supply through greater efficiency and conservation. The bill should provide quality data to expand water conservation and efficiency.	Support, based on MWD Board Policy Principles on Water Conservation.
H.R. 2030 Blumenauer (D-OR)	Senator Paul Simon Water for the World Act of 2009	Provides 100,000,000 people with first-time access to safe drinking water and sanitation on a sustainable basis by 2015 by improving the capacity of the United States Government to fully implement the Senator Paul Simon Water for the Poor Act of 2005.	4/22/09: Introduced, referred to the House Committee on Foreign Affairs; died in the House.	While Passage of S. 624/H.R. 2030 would not pose any immediate or direct impacts on Metropolitan or its member agencies, support for this legislation would endorse the leadership shown by the late Senator Simon on the role played by global water and sanitation. Support for this effort may also enhance the water industry's ability to share information and technology in developing nations.	Support, based on Board Letter 8-9, June 2009.

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H.R. 2442 Miller, George (D-CA)	Bay Area Regional Water Recycling Program	Amends the Reclamation Wastewater and Groundwater Study and Facilities Act to expand the Bay Area Regional Water Recycling Program, and for other purposes.	9/27/10: Reported out of the Senate Committee on Energy and Natural Resources with amendments. Awaiting Full Senate Floor Action; died in the Senate.	Metropolitan supports expansion of the Bureau of Reclamation's Title XVI program as a means of increasing regional water supplies through increased reclamation and recycling. This bill would authorize a series of recycled water projects across that Bay Area, improving water supply reliability for that region and reducing the Bay Area's dependence on Delta supplies.	Support in concept, based on Board Letter 8-9, December 2008; Legislative Strategy for 2009 to expand the Bureau of Reclamation's Title XVI program.
H.R.2454 Waxman (D-CA)	The American Clean Energy and Security Act	A bill to create clean energy jobs, achieve energy independence, reduce global warming pollution and transition to a clean energy economy.	7/7/09: Placed on the Senate Legislative Calendar. Awaiting Full Senate Floor Action: died in the Senate.	<p>This bill seeks to reduce global warming by setting targets for the expansion of renewable energy in the nation's energy portfolio and through carbon sequestration. The bill also provides for energy reduction by creating incentives for water conservation through the WaterSense Program.</p> <p>Metropolitan should support the WaterSense component of the bill and continue to analyze the legislation for opportunities to pursue renewable credits for hydroelectricity and to ensure carbon sequestration projects are advanced in a manner that is protective of drinking water quality.</p>	<p>Support the WaterSense Title, based on MWD Board Policy Principles on Water Conservation.</p> <p>Companion measure: S.1733 (Kerry-Boxer)</p>

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H.R.2868 Thompson (D-MS)	Chemical and Water Security Act of 2009	Title II: Drinking Water Security - Drinking Water System Security Act of 2009 - Amends the Safe Drinking Water Act to revise and expand requirements for assessments by covered water systems of their vulnerability to intentional acts of sabotage. Defines "covered water system" as a public water system that is a community water system serving a population greater than 3,300 or that presents a security risk requiring the issuance of regulations.	12/10/10: Placed on Senate Legislative Calendar. Awaiting Full Senate Floor Action; died in the Senate.	As amended, on 7/28/10, the bill now extends the current regulatory requirements for chemical security, including the exemption for water and wastewater treatment, for three years.	Support if amended, based on Board Letter 8- 9, December 2008; 2009 Legislative Strategy.
H.R.3481 Grijalva (D-AZ)	Lower Colorado River Protection Act	A bill to provide for the protection of the quality of water in the Lower Colorado River and the development and implementation of a comprehensive plan for the prevention and elimination of pollution in the Lower Colorado River and the maintenance of a healthy Lower Colorado River ecosystem.	8/10/09: Referred to the House Natural Resources Subcommittee on Water and Power; died in the House.	This legislation authorizes a new program within EPA to develop and implement a pollution plan for the Lower Basin of the Colorado River and provides federal funding for municipal wastewater treatment facilities along the river. The bill should be amended to limit the pollution control plan to projects related to reducing the effects of municipal wastewater or septic systems being released into the river. Projects related to this specific issue should be federally funded through the existing Reclamation Wastewater and Groundwater Study and Facilities Act referenced in section 203.	Support, if amended to limit the funding to projects impacting the Colorado River, based on Board Policy Principles on Source Water Quality Protection and Watershed Management.

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HR 3598 Gordon (D-TN)	Energy and Water Research Integration Act	Requires the Secretary of Energy to seek to advance energy and energy efficiency technologies and practices that would minimize freshwater withdrawal and consumption, increase water use efficiency, utilize nontraditional water sources, consider the effects climate change may have on water supplies and quality for energy generation and fuel production and improve understanding of the relationship between water and energy supplies.	12/2/2009 Referred to Senate Committee on Energy and Natural Resources; died in the House.	This bill would require DOE to submit a Strategic Plan to Congress that identifies technologies for energy resource development that reduce impacts on water, and it appropriates \$240 million to DOE to carry out conservation-related research and development. This money would be a potential source of funds for Metropolitan and its member agencies.	Support, based on Board Letter 8-9, December 2008; 2009 Legislative Strategy and the Board Policy Principle on Conservation.
HR 3746 Berkley (D-NV)	Water Efficient Homes Credit	Creates the Water Efficiency and Conservation Investment Act of 2009; amends the Internal Revenue Code of 1986; provides tax incentives for making residential homes more water-efficient, for contractors building new water-efficient homes, for public water conservation; provides for water efficient landscaping irrigation, the WaterSense Program, water conservation bonds, prepaid electricity supply contracts and water or sewer utilities.	10/7/09: Introduced, referred to the House Committee on Ways and Means; died in the House.	A tax credit for water conservation programs would help encourage conservation by Metropolitan area residents and new construction by offsetting equipment and installation costs for water efficiency upgrades. This bill could also supplement or serve as an alternative for Metropolitan's conservation rebate programs.	Support based on Board Policy Principles on Water Conservation. Companion measure: S.1711 (Reid, D-NV)
HR 3747 Berkley (D-NV)	Water Efficiency, Conservation and Adaptation Act	Creates the Water Efficiency, Conservation, and Adaptation Act of 2009; promotes water efficiency, conservation, and adaptation; creates the WaterSense Program to identify and promote water efficient products, buildings, landscapes, facilities, processes, and services; provides for WaterSense labeling; creates a residential water efficiency and conservation incentives program; provides grants to water systems to address climate impacts.	10/7/09: Introduced and referred to the House Committees on Energy and Commerce, Transportation and Infrastructure and Natural Resources; died in the House.	Expansion of the WaterSense program could significantly help Metropolitan through expanded marketing, program funding, and technical evaluation of equipment or services. Metropolitan would benefit by increased water conservation programs and increased review of and labeling of water conservation equipment. Potential funding for residential water efficiency and water system mitigation and adaptation could help fund Metropolitan's conservation programs.	Support based on Board Policy Principles on Water Conservation and Global Climate Change and Water Resources Planning. Companion measure: S.1712 (Reid, D-NV)

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HR 3748 Berkley (D-NV)	Water Efficiency via Carbon Harvesting and Restoration	Creates the Water Efficiency via Carbon Harvesting and Restoration Act of 2009; establishes loan guarantee programs to develop biochar technology using excess invasive plant biomass that can be used for feedstock, to establish biochar demonstration projects on public land, and the potential water savings resulting from removal of such excess biomass by watershed.	6/15/10: Referred to the House Agriculture Subcommittee on Conservation, Credit, Energy and Research; died in the House.	The Colorado River and other water supplies would potentially benefit by removal of water intensive plants like salt cedar from public lands.	Support based on Board Policy Principles on Global Climate Change and Water Resources Planning. Companion measure: S.1713 (Reid, D-NV)
HR 3750 Costa (D-CA)	Water Transfer Facilitation Act	Creates the Water Transfer Facilitation Act of 2009; authorizes certain transfers of irrigation water in the Central Valley Project; provides for the programmatic development of environmental documentation to facilitate voluntary water transfers within the Central Valley Project.	10/9/09: Introduced , referred to the House Committee on Natural Resources, Subcommittee on Water and Power; died in the House.	This bill would facilitate paper water transfers for CVPIA contractors who have experienced significant reductions in water deliveries due to current drought and ongoing regulatory conditions. Metropolitan should support this legislation and seek amendments to clarify that the transfers would still be subject to State Water Resources Control Board approval.	Support based on Board Policy Principles on Water Marketing and Transfers. Companion measure: S.1759 (Feinstein, D-CA)
HR 3999 Cardoza (D-CA)	Commissioner of the Bureau of Reclamation	Directs the Commissioner of the Bureau of Reclamation to initiate consultations under the Endangered Species Act of 1973 on the Central Valley Project and the California State Water Project.	11/5/09: Introduced, referred to House Subcommittee on Insular Affairs, Oceans and Wildlife; died in the House.	This bill requires re-consultation and issuance of new Biological Opinions and Take Authorizations that identify all factors impacting listed Delta species, including discharges, runoff, local Delta diversions, CVP and SWP project operations and predation by invasive species. The consultations must quantify and rank the relative effect of each of these factors in relation to CVP/SWP operations on the survival and recovery of listed species. Interior and Commerce shall identify actions necessary to address the factors that are jeopardizing the listed species or adversely modifying their critical habitat.	Watch.

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HR 4132 Becerra (D-CA)	Clean Renewable Water Supply Act	Creates the Renewable Water Supply Act of 2009; amends the Internal Revenue Code of 1986 to provide for clean renewable water supply bonds.	11/19/09: Introduced, referred to the House Committee on Ways and Means; died in the House.	This bill would authorize the issuance by governmental agencies or local water retailers of “Clean Renewable Water Supply Bonds” to provide capital financing for qualified desalination (seawater or groundwater), recycling or groundwater remediation facilities, beginning with \$100 million in 2010 and up to \$1.75 billion in 2018.	Support ,based on Board Letter 8-9, December 2008, Legislative Strategy for 2009 for Tax Credit Bond Financing. Companion measure: S.1371 (Nelson, Bi., D-FL)
H.R.4225 Costa (D-CA)	Drought Assistance	To authorize drought assistance adjustments to provide immediate funding for projects and activities that will help alleviate record unemployment and diminished agricultural production related to the drought in California.	2/4/2010: Hearing held before the House Natural Resources Subcommittee on Water and Power; died in the House.	H.R. 4225 would authorize the Secretary of the Interior to use American Recovery and Reinvestment Act (ARRA) funds or appropriation measures for non-Federal cost share of projects located in a designated California disaster area or severe drought, area, provided the projects help meet co-equal goals for the Bay-Delta ecosystem; increase flexibility or reduce environmental impacts of projects operated by DWR, DFG, USBR, USFWS; and help restore agriculture production or employment.	Support based on the Delta Action Plan.
HR 4349 Napolitano (D-CA)	Hoover Power Allocation Act of 2009	A bill to further allocate and expand the availability of hydroelectric power generated at Hoover Dam.	9/27/10: Placed on Senate Legislative Calendar. Awaiting Full Senate Floor Action; died in the Senate.	The Hoover Power Allocation Act of 2009 would extend Metropolitan's contract for Hoover Power supplies, scheduled to sunset in 2017, for an additional 50 years. Originally approved for a 50-year term and extended again in 1987 for a 30-year term when the power facility was expanded, the Hoover Power Allocation Act of 2009 provides 5% of the energy and capacity from Hoover to be made available to new parties, including tribal interests, starting in 2017.	Support, based on Board Policy Principles on Energy. Companion Measure: S.2891 (Reid, D-NV)

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H.R. 4782 Young (R-AK)	Invasive Species Emergency Response Fund Act	This legislation creates a fund in the federal Treasury that would be available to the Secretary of the Interior to provide loans for projects to remediate invasive species.	3/4/10: Referred to the House Committee on Natural Resources, Subcommittee on Insular Affairs, Oceans and Wildlife; died in the House.	Metropolitan would be eligible to apply for loans under this bill through a State Revolving Fund to address the effects of quagga mussels, tamarisk, and other invasive species that adversely affect the Colorado River system; as well as invasive species creating problems for the State Water Project.	Support and amend, based on Board Letter 8-9, December 2008; 2009 Legislative Strategy. Companion Measure: S.3063 (Reid, D-NV)
HR 5088 Oberstar (D-MN)	Americas Commitment to Clean Water Act	Seeks to amend the Federal Water Pollution Control Act, commonly known as the Clean Water Act ("CWA"), by expanding the current jurisdiction of the Act, by legislatively reversing two Supreme Court decisions that the bill asserts have limited federal jurisdiction under the Act, and by removing the term "navigable waters" from the Act and substituting in its place, the phrase "waters of the United States."	4/22/10: Referred to the House Committee on Transportation and Infrastructure, Subcommittee on Water Resources and Environment; died in the House.	The bill would expand current federal jurisdiction to include some areas that are not presently covered by the CWA. Metropolitan would likely be required to obtain additional CWA Section 404 permits for maintenance and construction projects within its service area. This would result in additional time and expense for some projects and the potential delay of critical maintenance work. Metropolitan should oppose the measure unless amended to include an exclusion for certain water conveyance facilities, similar to those provided in the bill for waste treatment systems and prior converted cropland, and seek to clarify that Congress did not intend to require the "significant nexus" test set forth in the <i>Rapanos</i> decisions as a limitation for wetlands jurisdiction under the CWA.	Oppose based on Board Letter 8-7, June 2010.
HR 5101 Holt (D-NJ)	Wildlife Corridors Conservation Act of 2010	Expands the science and stewardship of America's most important wildlife corridors.	6/18/10: Referred to the Subcommittees on: Conservation, Credit, Energy, and Research; Department Operations, Oversight, Nutrition and Forestry; and Horticulture and Organic Agriculture; died in the House.	If enacted this bill could be beneficial to the extent the GIS information developed and funds spent to protect fish habitat improve the Bay-Delta watershed.	Support, based on Board Policy Principles on GIS and the Delta Action Plan.

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HR 5320 Waxman (D-CA)	Assistance Quality and Affordability Act of 2010	Amends the Safe Drinking Water Act; relates to the Assistance, Quality, and Affordability Act of 2010; reduces lead in drinking water; strengthens the endocrine disruptor screening program.	8/5/10: Referred to the Senate Committee on Environment and Public Works; died in the Senate.	Funding authorized through this legislation would be distributed to individual states based on a allotment formula. California's share would go into its Drinking Water State Revolving Loan Fund where eligible utilities can apply. Metropolitan and its member agencies are eligible to apply for these funds. The lead drinking water protections in the bill are already in effect in California.	Support based on Board Policy Principles on Drinking Water Quality and State Revolving Fund Programs.
H.R. 5766 Thompson, M (D-CA)	Property Assessed Clean Energy Programs	Relates to the underwriting standards of Fannie Mae and Freddie Mac and the use of property assessed clean energy programs; provides that liens or other obligations that secure property taxes or assessments under such programs shall not constitute a default on an existing mortgage or trigger the exercise of lender's remedies for a property with such a lien; provides that a program tax or assessment repayment shall not be required in order for an owner to finance, refinance or transfer property.	7/15/2010: Introduced, referred to the House Committee on Financial Services; died in the House.	H.R. 5766 seeks to ensure that the underwriting standards of Fannie Mae and Freddie Mac facilitate the use of PACE to finance the installation of renewable energy and energy efficiency improvements. The bill directs federal regulators to develop regulations that allow PACE programs and prohibit discrimination against PACE. The bill currently focuses solely on energy improvements and is silent as to water use efficiency improvements Metropolitan should seek amendments to the bill that would include water use efficiency improvements within the scope of the legislation.	Support and amend, based on the board's support for AB 474 and the recently adopted Energy Management Plan. Companion Measure: S. 3642 (Boxer, D-CA)
H.R.5892 Oberstar (D-MN)	Water Resources Development Act of 2010	To provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States.	9/29/10: Placed on House Floor Calendar, awaiting final action; died in the House.	Authorizes the Secretary of the Army to construct various projects for improvements to rivers and harbors of the U.S. The bill includes authorizations of over 300 water related projects including navigation, flood control reduction, shoreline protection, and environmental restoration projects. Approval of this bill is anticipated to help water agencies study flood control, navigation, and ecosystem restoration projects.	Watch.

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H.R. 6107 Hastings (R-WA)	American Taxpayer and Government Accountability Act	Creates the American Taxpayer and Western Area Power Administration Firm Power Customer Protection and Government Accountability Act; amends the Hoover Power Plant Act of 1984 to provide for notice regarding certification of certain projects, and for other purposes.	9/16/10: Hearing held before the House Natural Resources Subcommittee on Water and Power; died in the House.	Provide protections to prevent the Western Area Power Administration from shifting costs for new power supply projects with private parties to existing power supply projects, such as Hoover hydropower operations.	Support, based on Board Policy Principles on Energy.
H.R. 6184 Larsen (D-WA)	Extend the Water Resources Development Act of 2000	Amends the Water Resources Development Act of 2000 to extend and modify the program allowing the Secretary of the Army to accept and expend funds contributed by non-Federal public entities to expedite the evaluation of permits; requires all final permit decisions carried out using funds authorized under this section are made available to the public, including the Internet.	12/18/10: Signed into law, PL 111-315.	The legislation extends section 214 of WRDA 2000, which is set to expire on December 31st. Section 214 has enabled local governments nationwide to move forward in a timely manner with vital infrastructure and ecosystem restoration projects that are essential for economic development and environmental protection. Approval of this bill is anticipated to help Metropolitan member agencies and other California public agencies expedite USACE permits for flood control, navigation, and ecosystem restoration projects. Flood control and ecosystem restoration projects in the Bay/Delta could be processed faster by allowing the use of non-federal funding.	Support, based on historical practice.
H.R. 6281 Hastings (R-WA)	Integrated Regional Water Conservation Plans	Amends the Omnibus Public Land Management Act of 2009 to authorize the Secretary of the Interior to provide grants and enter into cooperative agreements for integrated regional water conservation plans, and for other purposes.	10/13/10: Referred to the House Natural Resources Subcommittee on Water and Power; died in the House.	Grants up to \$15 million from this program would be made available to assist in planning, designing, or constructing any improvements as part of a multiyear (\geq 5years) regional, integrated, and coordinated water conservation and management plan. Integrated regional water conservation plans are only loosely defined and appear to include integrated regional water management plans (IRWMP) or other regional plans. Total funding available is not specified.	Support, based on Board Policy Principles on Water Conservation.

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H.R. 6329 Garamendi (D-CA)	Sacramento - San Joaquin Delta National Heritage Area	This legislation establishes the Sacramento-San Joaquin Delta National Heritage Area.	10/14/10: Referred to the House Natural Resources Subcommittee on National Parks, Forests and Lands; died in the House.	This bill establishes the "Sacramento-San Joaquin Delta Heritage Area" and designates the Delta Protection Commission (DPC) as the management entity for the Heritage Area. The bill also authorizes \$20 million for the DPC to develop a management plan for the Heritage Area that must be consistent with the Delta Plan adopted by the Delta Stewardship Council.	Support, based on Board Policy Principles on Delta Visioning and historic practice. Companion Measure: S.3927 (Feinstein, D-CA)
S.624 Durbin (D-IL)	Senator Paul Simon Water for the World Act of 2009	Provides 100,000,000 people with first-time access to safe drinking water and sanitation on a sustainable basis by 2015 by improving the capacity of the United States Government to fully implement the Senator Paul Simon Water for the Poor Act of 2005.	9/20/10: Referred to the House Committee on Foreign Affairs; died in the House.	While Passage of S. 624/H.R. 2030 would not pose any immediate or direct impacts on Metropolitan or its member agencies, support for this legislation would endorse the leadership shown by the late Senator Simon on the role played by global water and sanitation. Metropolitan's support for this effort may also enhance the water industry's ability to share information and technology in developing nations.	Support, based on Board Letter 8-9, June 2009.
S.787 Feingold (D-WI)	The Clean Water Restoration Act	This bill sets forth two purposes: to reaffirm the original intent of Congress in enacting the Federal Water Pollution Control Act Amendments of 1972 (Clean Water Act or CWA) to restore and maintain the chemical, physical, and biological integrity of the waters of the United States, and, to clearly define the waters of the United States that are subject to CWA jurisdiction.	12/10/10: Passed out of the Senate Committee on Environment and Public Works, placed on the Senate Legislative Calander. Awaiting Full Senate Floor Action; died in the Senate.	This bill would expand federal CWA jurisdiction to include isolated intrastate waters that are not hydrologically connected to other waterways, This would result in additional time and expense related to permitting Metropolitan's maintenance and construction projects. Metropolitan should seek amendments to expand the current proposed list of exempt projects to include man-made conveyance facilities.	Watch.

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S.1005 Cardin (D-MD)	Water Pollution Control and Safe Drinking Water	Amends the Federal Water Pollution Control Act and the Safe Drinking Water Act to improve water and wastewater infrastructure in the United States.	7/15/09: Reported out of the Senate Committee on Environment and Public Works and placed on the Senate Legislative Calendar. Awaiting Full Senate Floor Action; died in the Senate.	Amendments proposed to the Federal Water Pollution Control Act and Safe Drinking Water Act would expand funding available through the State Revolving Fund programs for Clean Water Act and Safe Drinking Water Act to include new water use efficiency, conservation, and water reuse projects and would authorize the EPA WaterSense program.	Support, based on Board Policy Principles on Water Conservation.
S.1371 Nelson, Bi. (D-FL)	Clean Renewable Water Supply Bond Act of 2009	Amends the Internal Revenue Code of 1986 to provide for clean renewable water supply bonds.	6/25/09: Introduced, referred to the Senate Committee on Finance; died in the Senate.	This bill would authorize the issuance by governmental agencies or local water retailers of “Clean Renewable Water Supply Bonds” to provide capital financing for qualified desalination (seawater or groundwater), recycling or groundwater remediation facilities, beginning with \$100 million in 2010 and up to \$1.75 billion in 2018.	Support, based on Board Letter 8-9, December 2008, Legislative Strategy for 2009 for Tax Credit Bond Financing. Companion Measure: HR 4132 (Becerra, D-CA)
S.1711 Reid (D-NV)	Tax Incentives for Water Efficient Homes	Amends the Internal Revenue Code of 1986 to provide tax incentives for making homes more water-efficient, for building new water-efficient homes, for public water conservation.	9/24/09: Introduced, referred to the Senate Finance Committee; died in the Senate.	A tax credit for water conservation programs would help Metropolitan area residents and new construction by offsetting equipment and installation costs for water efficiency upgrades. This bill could also supplement or serve as an alternative to Metropolitan's conservation rebate program.	Support, based on Board Policy Principles on Conservation. Companion measure HR 3746 (Berkley, D-NV)
S.1712 Reid (D-NV)	Creates the Water Efficiency and Conservation Act	Creates the Water Efficiency, Conservation, and Adaptation Act of 2009; establishes the WaterSense Program to identify and promote water efficiency products, buildings, landscapes, facilities, processes, and services to reduce water use, to reduce the strain in on water, wastewater, and stormwater infrastructure, to conserve energy used to pump, heat, transport, and treat water, and to preserve water resources to meet the highest water efficiency and performance criteria.	9/24/09: Introduced, referred to the Senate Committee on Environment and Public Works; died in the Senate.	Expansion of the WaterSense program could significantly help Metropolitan through expanded marketing, program funding, and technical evaluation of equipment or services. Metropolitan would benefit by increased water conservation programs and increased review of and labeling of water conservation equipment. Potential funding for residential water efficiency and water system mitigation and adaptation could help fund Metropolitan's conservation programs.	Support, based on Board Policy Principles on Water Conservation and Global Climate Change and Water Resources Planning. Companion measure: HR 3747 (Berkley, D-NV)

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S.1713 Reid (D-NV)	Water Efficiency via Carbon Harvesting and Restoration	Creates the Water Efficiency via Carbon Harvesting and Restoration Act of 2009; establishes loan guarantee programs to develop biochar technology using excess plant biomass; provides for the restoration of the natural hydrology of western landscapes by removing water-intensive invasive plant species; reduces dangerous forest and rangeland fuel loads; provides for the conversion of such plant species to useful materials and develops markets for such materials.	9/24/09: Introduced, referred to the Senate Committee on Energy and Natural Resources.; died on the Senate.	The Colorado River and other water supplies would potentially benefit by removal of water intensive plants like salt cedar from public lands.	Support, based on Board Policy Principles on Global Climate Change and Water Resources Planning. Companion measure: HR 3748 (Berkley, D-NV)
S.1733 Kerry (D-MA) and Boxer (D-CA)	Transition to Clean Energy Economy	Creates clean energy jobs, promote energy independence, reduce global warming pollution, and transition to a clean energy economy.	2/2/2010: Placed on Senate Legislative Calendar. Awaiting Full Senate Floor Action; died in the Senate.	This bill seeks to reduce global warming by setting targets for the expansion of renewable energy in the nation's energy portfolio and through carbon sequestration. The bill also provides for energy reduction by creating incentives for water conservation through the WaterSense Program. Metropolitan should support the WaterSense component of the bill and continue to analyze the legislation for opportunities to pursue renewable credits for hydroelectricity and to ensure carbon sequestration projects are advanced in a manner that is protective of drinking water quality.	Support the WaterSense Title, based on MWD Board Policy Principles on Water Conservation, and continue to review. Companion measure: H.R.2454 (Waxman, D-CA)

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S.1759 Feinstein (D-CA)	Water Transfer Facilitation Act	Creates the Water Transfer Facilitation Act of 2009; authorizes the transfer of water in the Central Valley Project; authorizes voluntary water transfers of irrigation water among project contractors from specified divisions, a transfer of water among current or prior temporary or long-term water service, repayment, water rights settlement, or exchange contractors within a division of the project; requires the completion of related environmental documentation to facilitate such transfers.	3/2/10: Placed on Senate Legislative Calendar. Awaiting Full Senate Floor Action; died in the Senate.	This bill would facilitate paper water transfers for CVPIA contractors who have experienced significant reductions in water deliveries due to current drought and ongoing regulatory conditions. Metropolitan should support this legislation and seek amendments to clarify that the transfers would still be subject to State Water Resources Control Board approval.	Support March 2, 2010 amendments, based on Board Policy Principles on Water Marketing and Transfers. Companion measure: H.R. 3750 (Costa, D-CA)
S 2891 Reid (R-NV)	Hoover Power Allocation Act of 2009	To further allocate and expand the availability of hydroelectric power generated at Hoover Dam, and for other purposes.	7/21/10: HR. 4349, the House version of this bill was reported out of the Senate Energy and Natural Resources favorably and now awaits Full Senate Floor Action. S. 2891 is identical in language to HR.4349; died in the Senate.	The Hoover Power Allocation Act of 2009 would extend Metropolitan's contract for Hoover Power supplies, scheduled to sunset in 2017, for an additional 50 years. Originally approved for a 50-year term and extended again in 1987 for a 30-year term when the power facility was expanded, the Hoover Power Allocation Act of 2009 provides 5% of the energy and capacity from Hoover to be made available to new parties, including tribal interests, starting in 2017.	Support, based on Board Policy Principles on Energy. Companion Measure: H.R.4349 (Napolitano, D-CA)

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2010 Federal Legislative Matrix, 111th Congress, Second Session

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S 2921 Feinstein (D-CA)	California Desert Protection Act of 2010	To provide for conservation, enhanced recreation opportunities, and development of renewable energy in the California Desert Conservation Area, to require the Secretary of the Interior to designate certain offices to serve as Renewable Energy Coordination Offices for coordination of Federal permits for renewable energy projects and transmission lines to integrate renewable energy development, and for other purposes.	5/20/10: Hearing held before the Senate Committee on Energy and Natural Resources; died in the Senate.	<p>This bill would revise and expand the boundaries of the Joshua Tree and Death Valley National Parks and Mojave National Preserve, and designate new wilderness and special management areas and wild and scenic rivers.</p> <p>The bill would also create new law to facilitate and expedite development of renewable energy projects on federal desert lands. The Act would require DOI to create renewable energy coordination offices, housed within BLM, in each of the western states, including California, to improve federal permit coordination for renewable energy and transmission lines.</p> <p>Where the proposed federally-protected areas are adjacent to or include CRA facilities, Metropolitan should ensure that its existing rights to future use, operation, and maintenance are expressly protected, including access across or through the conservation areas.</p>	Support if Amended, consistent with the language incorporated by Metropolitan into the Desert Protection Act of 1994, 16 U.S.C. §§ 410aaa-26.
S.3063 Reid (D-NV)	Habitats and Ecosystems	This legislation directs the Secretary of the Interior to provide loans to certain organizations in certain States to address habitats and ecosystems and to address and prevent invasive species.	3/3/10: Introduced, referred to the Committee on Energy and Natural Resources; died in the Senate.	Metropolitan would be eligible to apply for loans under this bill through a State Revolving Fund to address the effects of quagga mussels, tamarisk, and other invasive species that adversely affect the Colorado River system; as well as invasive species creating problems for the State Water Project.	Support and amend, based on Board Letter 8-9, December 2008; 2009 Legislative Strategy. Companion Measure: H.R. 4782 (Young, R-AK)

This matrix contains bills of interest to Metropolitan for which we may not yet have an official position.

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Bill/Sponsor	Title	Description	Status	Potential Impacts to MWD	MWD Position/Action
S. 3642 Boxer (D-CA)	Underwriting Standards for Fannie Mae and Freddie Mac	Relates to the underwriting standards of Fannie Mae and Freddie Mac and the use of property assessed clean energy programs; provides that liens or other obligations that secure property taxes or assessments under such programs shall not constitute a default on an existing mortgage or trigger the exercise of lender's remedies for a property with such a lien; provides that a program tax or assessment repayment shall not be required in order for an owner to finance, refinance or transfer property.	07/22/2010: Introduced, referred to Senate Committee on Banking, Housing and Urban Affairs; died in the Senate.	H.R. 5766 seeks to ensure that the underwriting standards of Fannie Mae and Freddie Mac facilitate the use of PACE to finance the installation of renewable energy and energy efficiency improvements. The bill directs federal regulators to develop regulations that allow PACE programs and prohibit discrimination against PACE. The bill currently focuses solely on energy improvements and is silent as to water use efficiency improvements Metropolitan should seek amendments to the bill that would include water use efficiency improvements within the scope of the legislation.	Support and amend, based on the board's support for AB 474 and the recently adopted Energy Management Plan. Companion Measure: H.R. 5766 (Thompson, M .D-CA)
S. 3874 Boxer (D-CA)	Reduce Lead in Drinking Water	Amends the Safe Drinking Act to reduce lead in drinking water.	1/4/10: Signed into law, public law number pending.	This bill would adopt as a national standard the existing lead requirement for domestic plumbing currently in effect in California. Specifically, the bill seeks to redefine the term lead-free by adopting the California standard of not containing more than 0.2 percent lead when used with respect to solder and flux; and not more than a weighted average of 0.25 percent lead when used with respect to the wetted surfaces of pipes, pipe fittings, plumbing fittings, and fixtures.	Support; based on Board Policy Principles on Drinking Water Quality.
S. 3927 Feinstein (D-CA)	Sacramento - San Joaquin Delta National Heritage Area	This legislation establishes the Sacramento-San Joaquin Delta National Heritage Area.	9/29/2010: Introduced, referred to the Senate Committee on Energy and Natural Resources; died in the Senate.	This bill establishes the "Sacramento-San Joaquin Delta Heritage Area", and designates the Delta Protection Commission (DPC) as the management entity, authorizing \$20 million for the DPC to develop a management plan for the Heritage Area that is consistent with the Delta Plan adopted by the Delta Stewardship Council.	Support, based on Board Policy Principles on Delta Visioning and historic practice. Companion Measure: H.R. 6329 (Garamendi, D-CA)

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Metropolitan continues to monitor the following bills:HR 21 (Farr, D-CA) Ocean Conservation, Education, and National Strategy for the 21st Century Act
HR 135 (Linder, D-GA) Twenty-First Century Water Commission
HR 469 (R. Hall, D-TX) Produced Water Utilization Act of 2009
HR 631 (Matheson, D-UT) Water Use Efficiency and Conservation Research Act
HR 856 (Radanovich, R-CA) California Drought Alleviation Act of 2009
HR 1908 (Coffman, R-CO) Water Accountability Tax Efficiency Reinvestment Act of 2009 or WATER Act of 2009
HR 2368 (Holt, D-NJ) The Water Advanced Technologies for Efficient Resource Use Act of 2009
HR 2969 (Capps, D-CA) Water System Adaptation Partnerships Act of 2009
HR 2977 (Costa, D-CA) Sustainable Water in Sacramento-San Joaquin Delta Study
HR 3206 (Speier, D-CA) Safe Drinking Water
S. 116 (Feinstein, D-CA) TARP Assistance for Local Governments Act of 2009
S. 531 (Bingaman, D-NM) Energy and Water Integration Act of 2009
S. 1933 (Bingaman, D-NM) Natural Resources Climate Adaptation Act
S. 2899 (Feinstein, D-CA) Renewable Energy Incentive Act
***All of the above bills failed passage in the House or Senate.**

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