

Los Angeles



Department of Water & Power

ERIC GARCETTI
Mayor

Commission
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WILLIAM W. FUNDERBURK JR., *Vice President*
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CHRISTINA E. NOONAN
AURA VASQUEZ
BARBARA E. MOSCHOS, *Secretary*

DAVID H. WRIGHT
General Manager

August 24, 2017

The Honorable City Council
City of Los Angeles
Room 395, City Hall
Los Angeles, California 90012

Honorable Members:

Subject: Recommends City Council's Adoption of City Council Resolution (CF-17-0002-S104) in Support of Assembly Bill 1000 (Friedman)

At its meeting held August 15, 2017, the Board of Water and Power Commissioners adopted one resolution in connection with the following:

Resolution 018 040, as amended, Recommends City Council's Adoption of City Council Resolution (CF-17-0002-S104) in Support of Assembly Bill 1000 (Friedman).

If additional information is required, please contact Ms. Winifred Yancy, Manager of Intergovernmental Affairs and Community Relations, at (213) 367-0025.

Sincerely,

Barbara E. Moschos
Board Secretary

BEM:ylf

Enclosures: LADWP Resolution
Board Letter

Los Angeles Aqueduct Centennial Celebrating 100 Years of Water 1913-2013

111 N. Hope Street, Los Angeles, California 90012-2607 Mailing address: Box 51111, Los Angeles, CA 90051-5700
Telephone: (213) 367-4211 www.LADWP.com

The Honorable City Council

Page 2

August 24, 2017

c/enc: Mayor Eric Garcetti

Councilmember Nury Martinez, Chair, Energy, Climate Change, and Environment Justice
Committee

Sharon Tso, Chief Legislative Analyst

Richard H. Llewellyn, City Administrative Officer

Rafael Prieto, Legislative Analyst, CLA

Sarai Bhaga, Chief Administrative Analyst, CAO

Winifred Yancy, Manager of Intergovernmental Affairs and Community Relations



Los Angeles
Department of
Water & Power

BOARD LETTER APPROVAL

32
RESOLUTION NO. 018040

AUG 15 2017

☐ POWER SYSTEM ☒ WATER SYSTEM ☐ CHIEF SUSTAINABILITY

☒ COO

☐ CFO

☐ LEGAL

☐

RELEASE DATE

AUG 25 2017

RICHARD F. HARASICK
Senior Assistant General Manager
Water System

MARTIN L. ADAMS
Chief Operating Officer

DAVID H. WRIGHT
General Manager

DATE: August 11, 2017

SUBJECT: Communication to the City on Legislation – Assembly Bill 1000
by Assembly Member Laura Friedman

SUMMARY

This resolution recommends the City Council adopt the resolution introduced by Councilmembers David E. Ryu and Paul Koretz (CF17-0002-S104) supporting AB 1000 by Assembly Member Laura Friedman, and that the Mayor concur with the adoption of the City Council resolution.

RECOMMENDATION

It is recommended that the LADWP Board of Water and Power Commissioners (Board) adopt the attached Resolution.

ALTERNATIVES CONSIDERED

LADWP is committed to providing water in a safe, environmentally and economically responsible manner. If proposed legislation is not in place to protect the environment without further review, certain infrastructure project(s) may result in adverse impacts on the environment, and potentially put LADWP ratepayers and City's investments at risk.

FINANCIAL INFORMATION

There is no cost to approve the Resolution. LADWP does not currently receive groundwater supplies from desert lands defined in proposed AB 1000 (Friedman). However, if legislation is not in place to protect these desert lands, LADWP ratepayers and City's investments could be put at risk if adverse impacts result.

BACKGROUND

The California desert is home to national parks, preserves, monuments, and wilderness areas that preserve unique values and history. These unique lands which include, but are not limited to the Mojave National Preserve, Mojave Trails National Monument, Joshua Tree National Park, support wildlife, sustain tourism economies, face increasing threats to their existence from ongoing development and the effects of climate change.

Proposed AB 1000 (Friedman) legislation creates a state review process that protects California's fragile desert lands and groundwater basins. In the vicinity of the defined desert lands, is the Metropolitan Water District of Southern California's (MWD) Colorado River Aqueduct system that conveys Colorado River supplies to the southern California region, including the City through its supplemental water purchases.

The City was a founding member agency of MWD back in 1928, and paid for more than 70 percent of the costs to build the Colorado River Aqueduct system. Today, the City has about a 20 percent equity share at MWD, the largest of all 26 agencies. As a member agency of MWD, the City through LADWP purchases supplemental water supplies from MWD's Colorado River Aqueduct (CRA) system to help make up the deficit between City's demands and supplies.

While LADWP does not currently receive groundwater supplies from desert lands defined in proposed AB 1000 (Friedman), potential groundwater supplies, if legislation is not in place, could enter into MWD's CRA system, and ultimately be delivered to the City. Should there be any future adverse impacts, such as land subsidence, dust and air quality issues, stream flows, and groundwater basin levels and water quality, as a result of the export of groundwater, absent AB 1000 (Friedman), the City's investments at MWD could be put at risk, and a significant portion of any mitigation costs could be borne by LADWP ratepayers.

The Board received briefings from staff that included these potential adverse impacts at the July 18, and August 1 meetings. The Board received numerous public comments at these meetings, including the need for the City to protect the desert environment, risks to ratepayers, support of AB 1000 (Friedman), and a letter from Senator Dianne Feinstein.

The Board carefully considered the input from staff, the public comments received, and desires to have this Resolution adopted, and to recommend that the Mayor and City Council support AB 1000.

On August 4, 2017, Councilmembers David E. Ryu and Paul Koretz introduced a resolution to support AB 1000 (Friedman), which will strengthen protections for the ecologically fragile Mojave Desert by ensuring any water transfers from its groundwater basins do not adversely affect the region's natural and cultural resources.

The attached Board Resolution recommends to the City Council that it adopt the referenced City Council Resolution (CF17-0002-S104) and that the Mayor concur with the adoption of the City Council Resolution.

ENVIRONMENTAL DETERMINATION

Determine item is exempt pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15060 (c)(3). In accordance with this section, an activity is not subject to CEQA if it does not meet the definition of a project. Section 15378 (b)(5) states that organizational or administrative activities that will not result in direct or indirect physical changes in the environment do not meet that definition. Since this resolution involves a communication to support a piece of legislation, it is not a project subject to CEQA.

CITY ATTORNEY

The Office of the City Attorney reviewed and approved the Resolution as to form and legality.

ATTACHMENTS

- Resolution

**ADOPTED AS AMENDED 8/15/17 BOARD MEETING
SEE ATTACHED AMENDED MOTION**

Resolution No. 018040

WHEREAS, the California desert is home to national parks, preserves, monuments and wilderness areas that preserve the unique values and history of the California desert, including but not limited to: Mojave National Preserve, Mojave Trails National Monument, Joshua Tree National Park, Sheephole Valley Wilderness, and Clipper Mountains Wilderness; and

WHEREAS, the Metropolitan Water District of Southern California (MWD) is the largest water wholesaler in California, and owns and operates the Colorado River Aqueduct, which is in close proximity to protected desert lands; and

WHEREAS, the City of Los Angeles (City) was a founding member agency of MWD, the largest of all 26 member agencies at MWD, having a 20 percent equity share, and through the Los Angeles Department of Water and Power (LADWP) purchases supplemental water supplies from the Colorado River Aqueduct system to help make up the deficit between City's demands and supplies; and

WHEREAS, proposed Assembly Bill (AB) 1000 by Assembly Member Laura Friedman (Friedman) creates a state review process that protects California's fragile desert lands and groundwater basins; and

WHEREAS, the Board of Water and Power Commissioners (Board) received briefings from staff and received numerous public comments at its July 18, 2017 and August 1, 2017 meetings, including the need for the City to protect the desert environment, risks to ratepayers, support of AB 1000, and a letter from Senator Dianne Feinstein, and the Board has carefully considered input from staff and the public comments received; and

WHEREAS, on August 4, 2017, the City of Los Angeles Councilmembers David E. Ryu and Paul Koretz introduced a resolution (CF17-0002-S104) to support AB 1000 (Friedman), which would strengthen protections for the ecologically fragile Mojave Desert by ensuring any water transfers from its groundwater basins do not adversely affect the region's natural and cultural resources.

NOW, THEREFORE BE IT RESOLVED that LADWP is committed to providing water to the City in a safe, environmentally, and economically responsible manner and recommends to the City Council to adopt the referenced City Council Resolution (CF17-0002-S104) and that the Mayor concur with the adoption of the City Council Resolution.

BE IT FURTHER RESOLVED, that this Board's recommendation is based on AB 1000 as presently written and presented.

I HEREBY CERTIFY that the foregoing is a full, true, and correct copy of the Resolution adopted by the Board of Water and Power Commissioners of the City of Los Angeles at its meeting held

AUG 15 2017

APPROVED AS TO FORM AND LEGALITY
MICHAEL N. FEUER, CITY ATTORNEY

Barbara E. Moschos

Secretary

AUG 15 2017
BY *Julie C. Riley*
JULIE C. RILEY
DEPUTY CITY ATTORNEY

VERBAL MOTION

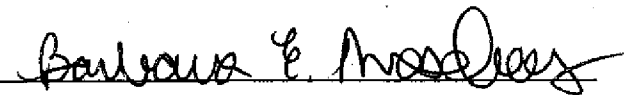
I MOVE that Item No. 32 on the August 15, 2017, Commission Agenda relative to a resolution recommending City Council's Adoption of City Council Resolution (CF-17-0002-S104) in Support of Assembly Bill 1000 (Friedman), **BE AMENDED**, to add the following to the resolution:

"BE IT FURTHER RESOLVED, that this Board's recommendation is based on AB1000 as presently written and presented."

Moved by: Jill Banks Barad

Seconded by: Aura Vasquez

Approved by the Board of Water and Power Commissioners at its Regular Meeting on August 15, 2017: Ayes: 4; Absent: 1 - Noonan.

By: 

Barbara E. Moschos, Board Secretary