

2009 Legislative Package at a Glance

The Legislature passed a far-reaching legislative package on water November 4. The package includes four policy bills and an \$11.14 billion water bond measure targeted for the November 2010 ballot.

Gov. Arnold Schwarzenegger signed the water bond bill at an event November 9 at Friant Dam. Other elements of the package were signed at separate events November 6 in Los Angeles and November 10 in San Jose. The final bill is expected to be signed November 12.

The comprehensive water package includes the following bills:

SB 7X 1 – Delta Governance / Delta Plan

SB 7X 1 establishes a framework to achieve the co-equal goals of providing a more reliable water supply to California and restoring the Delta ecosystem. The co-equal goals will be achieved in a manner that protects the unique cultural, recreational, natural resource, and agricultural values of the Delta. Specifically, this bill:

- Creates the Delta Stewardship Council, which is tasked with developing a Delta Plan to guide state and local actions in the Delta in a manner that furthers the co-equal goals.
- Ensures that the Department of Fish and Game and the State Water Resources Control Board identify the water supply needs of the Delta estuary for use in determining the appropriate water diversion amounts associated with BDCP
- Establishes the Sacramento-San Joaquin Delta Conservancy to implement ecosystem restoration activities within the Delta.
- Restructures the current Delta Protection Commission (DPC), reducing the membership from 23 to 15 members.
- Appropriates funding from Proposition 84 to fund the Two-Gates Fish Protection Demonstration Program, a project in the central Delta which will utilize operable gates for protection of sensitive species and management of water supply.

SB 7X 6 – Groundwater Monitoring

SB 7X 6 requires local agencies to monitor the elevation of their groundwater basins to help better manage the resource during both normal water years and drought conditions. Specifically, this bill:

- Requires the Department of Water Resources (DWR) to establish a schedule for the monitoring of groundwater basins and the review of groundwater elevation reports, and to make recommendations to local entities to improve the monitoring programs.

- Requires DWR to assist local monitoring entities with compliance with this statute.
- Allows local entities to determine regionally how best to set up their groundwater monitoring program, crafting the program to meet their local circumstances.
- Provides landowners with protections from trespass by state or local entities.
- Provides that if the local agencies fail to implement a monitoring program and/or fail to provide the required reports, DWR may implement the groundwater monitoring program for that region.
- Provides that failure to implement a monitoring program will result in the loss of eligibility for state grant funds by the county and the agencies responsible for performing the monitoring duties.

SB 7X 7 – Statewide Water Conservation

SB 7X 7 creates a framework for future planning and actions by urban and agricultural water suppliers to reduce water use. The bill requires development of agricultural water management plans and requires urban water agencies to reduce statewide per capita water consumption 20% by 2020. Specifically, this bill:

- Establishes multiple pathways for urban water suppliers to achieve the statewide goal, including:
 - Setting a conservation target of 80% of their baseline daily per-capita water use;
 - Utilizing performance standards for water use that are specific to indoor, landscape, and commercial, industrial and institutional uses;
 - Meeting the per-capita water use goal for their specific hydrologic region as identified by DWR and other state agencies in the 20X2020 Water Conservation Plan; or
 - Using an alternate method to be developed by DWR before Dec. 31, 2010.
- Requires urban water suppliers to set an interim urban water use target and meet that target by Dec. 31, 2015.
- Requires DWR to work with the California Urban Water Conservation Council to establish a task force to identify best management practices to assist the commercial, industrial and institutional sector in meeting the water conservation goal.
- Requires agricultural water suppliers to measure water deliveries and adopt a pricing structure based at least in part on quantity delivered, and, where technically and economically feasible, implement additional measures to improve efficiency.
- Requires agricultural water suppliers to submit Agricultural Water Management Plans beginning Dec. 31, 2012. The plans should include information relating to the water efficiency measures they have undertaken and are planning to undertake.
- Makes ineligible for state grant funding any urban or agricultural water supplier who is not in compliance with the requirements of this bill.

- Requires DWR to, in 2013, 2016 and 2021, report to the Legislature on agricultural efficient water management practices being undertaken and reported in agricultural water management plans.
- Requires DWR, the State Water Resources Control Board, and other state agencies to develop a standardized water information reporting system to streamline water reporting required under the law.

SB 7X 8 – Water Diversion and Use / Funding

SB 7X 8 recasts and revises exemptions from the water diversion reporting requirements under current law. It also appropriates existing bond funds for various activities to benefit the Delta ecosystem and secure the reliability of the state’s water supply, and to increase staffing at SWRCB to manage the duties of this statute. Specifically, this bill:

- Provides a stronger accounting of water diversion and use in the Delta by removing an exemption from reporting water use by in-Delta water users.
- Redefines the types of diversions that are exempt from the reporting requirement.
- Assesses civil liability and monetary penalties on diverters who fail to submit the required reports, and for willful misstatements, and/or tampering with monitoring equipment.
- Appropriates \$546 million from Propositions 1E and 84, in the following manner:
 - \$250 million (Proposition 84) for integrated regional water management grants and expenditures for projects to reduce dependence on the Delta;
 - \$202 million (\$32 million Proposition 84 and \$170 million Proposition 1E) for flood protection projects in the Delta to reduce the risk of levee failures that would jeopardize water conveyance;
 - \$70 million (Proposition 1E) for stormwater management grants; and
 - \$24 million (Proposition 84) for grants to local agencies to develop or implement Natural Community Conservation plans.
- Appropriates \$3.75 million from the Water Rights Fund to the State Water Resources Control Board for staff positions to manage the duties in this bill relating to water diversion reporting, monitoring and enforcement.

SB 7X 2 – Water Bond Measure

The measure proposes an \$11.14 billion general obligation bond to provide funding for water infrastructure and projects to address ecosystem and water supply reliability.

Key funding categories include:

- Drought relief: \$455 million
- Delta sustainability: \$2.25 billion
- Water supply reliability: \$1.4 billion
- Statewide water system operational improvement: \$3 billion (eligible projects include surface and groundwater storage)
- Groundwater protection and water quality: \$1 billion

- Water recycling and conservation: \$1.25 billion
- Conservation and watershed protection: \$1.79 billion

