



## Summary of Water Reform Legislation

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On Wednesday, November 4, 2009, the Legislature passed a series of Delta and water management reform and funding bills. The Governor will sign this bill package today at a signing ceremony in Los Angeles.

Below are summaries of what each bill contains as well as links to the bill language:

[SB7x 1 \(Simitian\): Delta Governance](#)

The Delta governance bill contains requirements for the creation or re-constitution of several Delta governance entities, and directs the missions and duties of each. Specifically, the bill would repeal the current CalFed Bay-Delta Authority structure and replace it with the following:

1. **A Delta Stewardship Council to oversee and coordinate state agency actions in the Delta.** Creating a new Delta Plan to encompass all of the state and federal Delta ecosystem, flood management, water supply, and local economic sustainability efforts would arguably be the Council's most important role.
2. **A Delta Conservancy to coordinate investments in Delta ecosystem restoration and local economic sustainability.** SB 1 would require the creation of the Delta Conservancy to implement the ecosystem-centric portion of the Delta Plan. Additionally, the new eleven member conservancy would be responsible for planning and implementation of local sustainability projects, such as those to promote Delta tourism, agriculture, and recreational opportunities.
3. **A reconstituted Delta Protection Commission to regulate Delta land use and be the voice of local interests.** The existing 23-member Delta Protection Commission, or DPC, would be re-constituted to be a 15-member planning and regulatory entity that would also serve as a 'voice' for local Delta interests. The DPC's membership would become more heavily dominated by local interests and would make determinations, much as it does currently, on the appropriateness of development within the Delta's boundaries. The DPC would also be charged with producing a plan for the economic sustainability of the region, with an emphasis on the investments and protections needed to ensure the Delta's future as an agricultural, recreational, and economic hub.
4. **A Delta Watermaster to enforce the State Water Resources Control Board's actions and rulings concerning the Delta.** The Delta Watermaster would have specific authorities, delegated to it by the State Water Resources Control Board, to enforce terms and conditions relative to in-Delta water diversions and water rights permits.

5. **A Delta Independent Science Board and Delta Science Program to provide independent scientific input and evaluation to decision-makers.** Among other duties, the Delta Independent Science Board and the Delta Science Program would help inform the adaptive management program also required by the bill.

SB 1 would also set criteria for the adoption of the results of the Bay Delta Conservation Plan (BDCP) – the water export permits required under state and federal endangered species acts. Specifically, the bill would require the BDCP to be developed according to the Natural Community Conservation Planning (NCCP) Act, which requires ecosystem-wide biological analysis and implementation of projects for the recovery of affected threatened/endangered species.

#### [SB7x 2 \(Cogdill\): Safe, Clean, and Reliable Drinking Water Supply Act of 2010](#)

SB 2 is the Legislature's proposal for an \$11.14 billion General Obligation water bond to help the state and local agencies invest in needed water management upgrades and ecosystem protections. The bond, if signed by the Governor and approved by California's voters, would fund a broad array of programs and projects, such as Delta ecosystem restoration, water efficiency improvements, groundwater basin clean-up and development, recycled water systems, surface storage facilities, and others. Below is a general outline of the bond's contents. [See CSG Report: *Overview of State Water Bond*, dated 11/4/09, for a detailed breakdown of the bond]

- Drought relief projects: \$455 million
- Surface and groundwater storage facility development: \$3 billion
- Regional water supply reliability, via Integrated Regional Water Management: \$1.4 billion
- Delta ecosystem and sustainability: \$2.25 billion
- Watershed conservation and restoration: \$1.785 billion
- Groundwater protection and water quality: \$1 billion
- Water recycling and efficiency: \$1.25

#### [SB7x 6 \(Steinberg\): Groundwater Monitoring](#)

This bill would authorize local entities, as defined, to individually or collectively monitor and report the water levels in local groundwater basins and sub-basins. If no local entity chooses to monitor and report on the appropriate groundwater basin, the Department of Water Resources would be required to monitor the basin and would charge those local agencies for the costs to do so. In addition, those local agencies refusing to impose a groundwater monitoring program would be ineligible for state-administered water grants or loans.

#### [SB7x 7 \(Steinberg\): Water Conservation](#)

SB 7 would require the state to achieve a 20-percent reduction in per capita water use by the year 2020, and would require each water agency to adopt per capita water use targets

to help achieve that goal. The bill would also require agricultural water agencies to complete water management plans and to implement specific efficient water management practices, including the measurement of delivered water sufficient to adopt water pricing structures based at least partially on volumes delivered.

[SB7x 8 \(Steinberg\): Water Diversion and Use](#)

SB 8 is a conglomeration of several policy and funding provisions. First, the bill would amend current surface water diversion reporting requirements. Most notably and controversially, the bill would delete current exemptions for in-Delta water diversion reporting requirements. Second, the bill would impose new and increase existing fines for the failure to comply with water diversion reporting requirements. Third, the bill would appropriate five hundred forty-six million dollars of existing bond funds for immediate actions aimed to protect the water supply functions of the Delta, including the following:

- \$250 million from Proposition 84 for Integrated Regional Water Management grants for projects that reduce dependence on the Delta.
- \$32 million from Proposition 84 for Delta levee upgrades.
- \$ 170 million from Proposition 1E for Delta levee upgrades.
- \$70 million from Proposition 1E for stormwater flood management projects.
- \$24 million from Proposition 84 for Delta-region Natural Community Conservation Plan development and implementation.

Finally, the bill would appropriate \$3.75 million from water-rights generated funds to hire 25 permanent personnel for the enforcement of water rights at the State Water Resources Control Board.

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