2009 Comprehensive Water Package

Special Session Policy Bills and Bond Summary

November 2009

The California Department of Water Resources

2009 Comprehensive Water Package

Bill Summary SB 1

November 2009 | Department of Water Resources

Governor Schwarzenegger and state lawmakers successfully crafted a plan to meet California's growing water challenges. A comprehensive deal was agreed to, representing major steps towards ensuring a reliable water supply for future generations, as well as restoring the Sacramento-San Joaquin Delta and other ecologically sensitive areas.

The plan is comprised of four policy bills and an $11.14 billion bond. The package establishes a Delta Stewardship Council, sets ambitious water conservation policy, ensures better groundwater monitoring, and provides funds for the State Water Resources Control Board for increased enforcement of illegal water diversions. The bond will fund, with local cost-sharing, drought relief, water supply reliability, Delta sustainability, statewide water system operational improvements, conservation and watershed protection, groundwater protection, and water recycling and water conservation programs.

Senate Bill No. 1
Delta Governance / Delta Plan

SB 1 establishes the framework to achieve the co-equal goals of providing a more reliable water supply to California and restoring and enhancing 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, consisting of seven members with diverse expertise providing a broad statewide perspective. The Chairperson of the Delta Protection Commission is a permanent member of the Council. The Council is also tasked with:
  - Developing a Delta Plan to guide state and local actions in the Delta in a manner that furthers the co-equal goals of Delta restoration and water supply reliability;
  - Developing performance measures for the assessment and tracking of progress and changes to the health of the Delta ecosystem, fisheries, and water supply reliability;
  - Determining if a state or local agency's project in the Delta is consistent with the Delta Plan and the co-equal goals, and acting as the appellate body in the event of a claim that such a project is inconsistent with the goals; and
  - Determining the consistency of the Bay-Delta Conservation Plan (BDCP) with 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. In addition to the restoration duties the Conservancy is required to:
  - Adopt a strategic plan for implementation of the Conservancy goals;
  - Promote economic vitality in the Delta through increased tourism and the promotion of Delta legacy communities;
  - Promote environmental education about, and the public use of, public lands in the Delta; and
  - Assist in the preservation, conservation, and restoration of the region's agricultural, cultural, historic, and living resources.

- Restructures the current Delta Protection Commission (DPC), reducing the membership from 23 to 15 members, and tasks DPC with the duties of:
  - Adopting an economic sustainability plan for the Delta, which is to include flood protection recommendations to state and local agencies;
  - Submitting the economic sustainability plan to the Delta Stewardship Council for inclusion in the Delta Plan.

- 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.

Senate Bill No. 6
Groundwater Monitoring

SB 6 requires, for the first time in California's history, that local agencies 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 priority 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.

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Bill Summary SB 7

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Senate Bill No. 7
Statewide Water Conservation

SB 7 creates a framework for future planning and actions by urban and agricultural water suppliers to reduce California's water use. For the first time in California's history, this bill requires the development of agricultural water management plans and requires urban water agencies to reduce statewide per capita water consumption 20 percent by 2020. Specifically, this bill:

- Establishes multiple pathways for urban water suppliers to achieve the statewide goal of a 20 percent reduction in urban water use. Specifically, urban water suppliers may:
  - Set a conservation target of 80 percent of their baseline daily per capita water use;
  - Utilize performance standards for water use that are specific to indoor, landscape, and commercial, industrial and institutional uses;
  - Meet the per capita water use goal for their specific hydrologic region as identified by DWR and other state agencies in the 20 percent by 2020 Water Conservation Plan; or
  - Use an alternate method that is to be developed by DWR before December 31, 2010.

- Requires urban water suppliers to set an interim urban water use target and meet that target by December 31, 2015 and meet the overall target by December 31, 2020.

- Requires DWR to cooperatively work with the California Urban Water Conservation Council to establish a task force that shall 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 for water customers 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 December 31, 2012 and include in those plans 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 relating to water conservation and efficient water management.

- 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.

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Bill Summary SB 8

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Senate Bill No. 8
Water Diversion and Use / Funding

SB 8 improves accounting of the location and amounts of water being diverted by recasting and revising exemptions from the water diversion reporting requirements under current law. Additionally, this bill 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 the State Water Resources Control Board 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.

Safe, Clean, and Reliable Drinking Water Supply Act of 2010

Water Bond Summary

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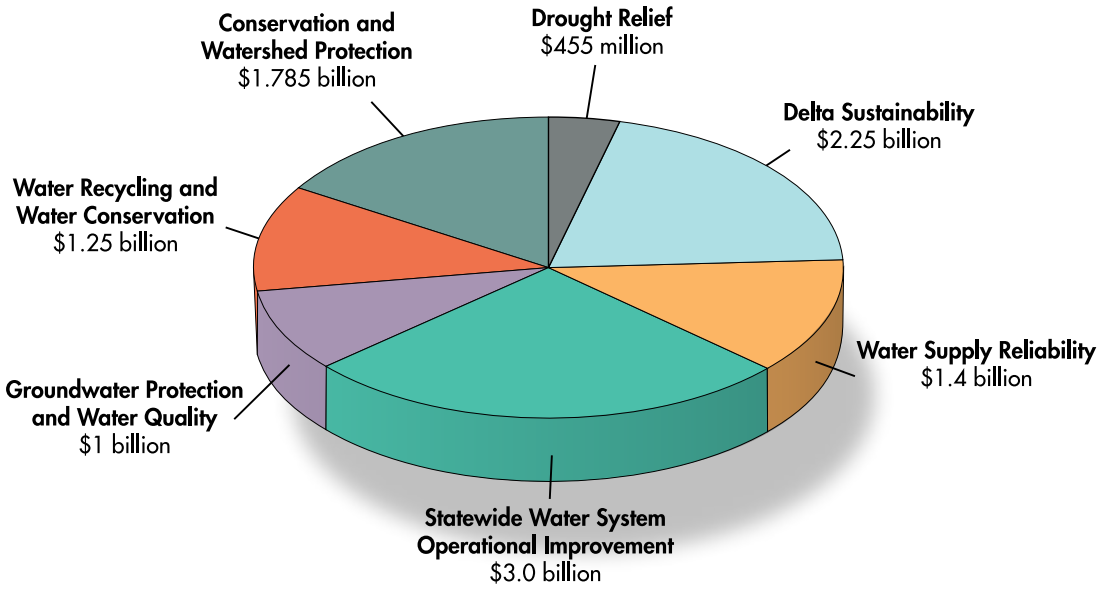
November 2009

The Safe, Clean, and Reliable Drinking Water Supply Act of 2010 is an $11.14 billion general obligation bond proposal that would provide funding for California's aging water infrastructure and for projects and programs to address the ecosystem and water supply issues in California. The bond is comprised of seven categories, including drought relief, water supply reliability, Delta sustainability, statewide water system operational improvement, conservation and watershed protection, groundwater protection and water quality, and water recycling and water conservation.

Total: $11.14 billion

Drought Relief - $455 million. This funding will be available for local and regional drought relief projects that reduce the impacts of drought conditions, including the impacts of reductions to Delta diversions. Projects will include water conservation and water use efficiency projects, water recycling, groundwater cleanup and other water supply reliability projects including local surface water storage projects that provide emergency water supplies and water supply reliability in drought conditions. Funds will be available to disadvantaged communities and economically distressed areas experiencing economic impacts from the drought for drought relief projects and programs. Funds will also be available to improve wastewater treatment facilities to protect water quality or prevent contamination of surface water or groundwater resources.

Delta Sustainability - $2.25 billion. This bond will provide funds for projects to assist in maintaining and restoring the Delta as an important ecosystem. These investments will help to reduce the seismic risk to water supplies derived from the Delta, protect drinking water quality and reduce conflict between water management and environmental protection.



Water Supply Reliability - $1.4 billion. These funds would be in addition to prior funding provided by Proposition 50 and Proposition 84 and would support the existing Integrated Regional Water Management (IRWM) program. IRWM is designed to encourage integrated regional strategies for management of water resources that will protect communities from drought, protect and improve water quality and improve local water security by reducing dependence on imported water. The bond would provide funds for water supply projects in 12 regions throughout the state and would also be available for local and regional conveyance projects that support regional and interregional connectivity and water management.

North Coast	$45,000,000
San Francisco Bay	$132,000,000
Central Coast	$58,000,000
Los Angeles subregion	$198,000,000
Santa Ana subregion	$128,000,000
San Diego subregion	$87,000,000
Sacramento River	$76,000,000
San Joaquin River	$64,000,000
Tulare/Kern	$70,000,000
North/South Lahontan	$51,000,000
Colorado River Basin	$47,000,000
Mountain Counties Overlay	$44,000,000
Interregional Projects	$50,000,000

Statewide Water System Operational Improvement - $3.0 billion. This funding would be dedicated to the development of additional water storage, which, when combined with other water management and flood system improvement investments being made, can increase reliability and offset the climate change impacts of reduced snow pack and higher flood flows. Eligible projects for this funding include surface storage projects identified in the CALFED Bay-Delta Record of Decision; groundwater storage projects and groundwater contamination prevention or remediation projects that provide water storage benefits; conjunctive use and reservoir reoperation projects; local and regional surface storage projects that improve the operation of water systems in the state and provide public benefits.

The bond provides that water suppliers who would benefit from new storage will pay their share of the total costs of the project while the public benefits of new water storage can be paid for by this general obligation bond.

Groundwater Protection and Water Quality - $1 billion. To protect public health, funds will be available for projects to prevent or reduce the contamination of groundwater that serves as a source of drinking water. Funds will also be used to finance emergency and urgent actions on behalf of disadvantaged communities and economically distressed areas to ensure that safe drinking water supplies are available to all Californians.

Water Recycling and Water Conservation - $1.25 billion. Funds will be available for water recycling and advanced treatment technology projects that recycle water or that remove salts and contaminants from water sources. Funds will also be available for urban and agricultural water conservation and water use efficiency plans, projects, and programs. These funds will assist urban water users in achieving water conservation targets.

Conservation and Watershed Protection - $1.785 billion. Funds will be available, through a 50-50 cost share program, for ecosystem and watershed protection and restoration projects in 21 watersheds throughout the state, including coastal protection, wildlife refuge enhancement, fuel treatment and forest restoration, fish passage improvement and obsolete dam removal.

Coastal counties and watersheds	$250,000,000
Wildlife Conservation Board	$365,000,000
San Gabriel and Lower Los Angeles River watersheds	$75,000,000
Santa Monica Mountains Conservancy	$75,000,000
Baldwin Hills Conservancy	$20,000,000
Santa Monica Bay watershed	$25,000,000
Coastal salmonid restoration	$50,000,000
Lake Tahoe watershed restoration	$100,000,000
Farmland Conservancy Program	$20,000,000
River parkways and urban streams restoration	$50,000,000
Sierra Nevada Conservancy	$75,000,000
Salton Sea restoration	$100,000,000
Watershed climate change impacts and adaptation	$10,000,000
Watershed education facilities	$30,000,000
Waterfowl habitat preservation	$10,000,000
Forest restoration	$100,000,000
Klamath dam removal	$250,000,000
Siskiyou County economic development offset	$20,000,000
Agricultural water use efficiency research	$50,000,000
Ocean protection	$50,000,000
CVPIA fish passage improvement	$60,000,000