

AMENDED IN SENATE JANUARY 13, 2012

AMENDED IN SENATE AUGUST 15, 2011

AMENDED IN SENATE JULY 11, 2011

AMENDED IN SENATE JUNE 30, 2011

AMENDED IN ASSEMBLY MAY 27, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 685

Introduced by Assembly Member Eng
(Coauthors: Assembly Members Fong and V. Manuel Pérez)
(Coauthor: Senator Volk)

February 17, 2011

An act to amend Section 10540 of, and to add Section 106.3 to, the Water Code, relating to water.

LEGISLATIVE COUNSEL'S DIGEST

AB 685, as amended, Eng. State water policy: ~~regional water management planning.~~

~~(1) Existing~~

Existing law establishes various state water policies, including the policy that the use of water for domestic purposes is the highest use of water.

This bill would declare that it is the policy of the state that every human being has the right to *safe*, clean, affordable, and accessible water *adequate* for human consumption, cooking, and sanitary purposes; ~~that is adequate for the health and well-being of the individual and family.~~ The bill would require, on and after January 1, ~~2012~~ 2013, all

relevant state agencies, including the Department of Water Resources, the State Water Resources Control Board, the California regional water quality control boards, and the State Department of Public Health, to ~~implement~~ *advance the implementation of* this state policy upon revising existing, and upon adopting or establishing new, policies, regulations, and ~~grant funding~~ criteria when those policies, regulations, and grant criteria ~~affect are pertinent to the rights established by the bill, as uses of water~~ described above.

~~(2) The Integrated Regional Water Management Planning Act of 2002 authorizes a regional water management group, as defined, to prepare and adopt an integrated regional water management plan. The act authorizes a regional water management group to coordinate its planning activities to address or incorporate into its plan various actions of its members relating to water resource planning.~~

~~This bill would additionally authorize a regional water management group to coordinate its planning activities to address or incorporate into its plan a basin plan developed and adopted by a California regional water quality control board.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 106.3 is added to the Water Code, to
2 read:
3 106.3. It is the policy of the state that every human being has
4 the right to *safe, clean, affordable, and accessible water adequate*
5 *for human consumption, cooking, and sanitary purposes, that is*
6 ~~adequate for the health and well-being of the individual and family.~~
7 (a) On and after January 1, ~~2012~~ 2013, all relevant state
8 agencies, including the department, the board, the California
9 regional water quality control boards, and the State Department
10 of Public Health, shall ~~implement~~ *advance the implementation of*
11 this policy upon revising existing, and upon adopting or
12 establishing new, policies, regulations, and ~~grant funding~~ criteria
13 when those policies, regulations, and criteria ~~affect the rights~~
14 ~~established~~ *are pertinent to the uses of water* described in this
15 section.
16 (b) This section ~~does~~ *shall* not expand any obligation of the
17 state to provide water or ~~to~~ require the *state's* expenditure of

1 additional resources beyond the obligations that may exist pursuant
2 to subdivision (a), *nor shall it infringe on any causes of action that*
3 *exist independently of this section.*

4 (c) This section shall *not* apply to water supplies for individuals
5 and *not* for new development.

6 (d) This section does not create or impose any additional duties
7 or responsibilities on any public water system.

8 ~~SEC. 2.— Section 10540 of the Water Code is amended to read:~~

9 ~~10540. (a) A regional water management group may prepare~~
10 ~~and adopt an integrated regional water management plan in~~
11 ~~accordance with this part.~~

12 ~~(b) A regional water management group may coordinate its~~
13 ~~planning activities to address or incorporate all or part of any of~~
14 ~~the following actions of its members into its plan:~~

15 ~~(1) Groundwater management planning pursuant to Part 2.75~~
16 ~~(commencing with Section 10750) or other specific groundwater~~
17 ~~management authority.~~

18 ~~(2) Urban water management planning pursuant to Part 2.6~~
19 ~~(commencing with Section 10610).~~

20 ~~(3) The preparation of a water supply assessment required~~
21 ~~pursuant to Part 2.10 (commencing with Section 10910).~~

22 ~~(4) Agricultural water management planning pursuant to Part~~
23 ~~2.8 (commencing with Section 10800).~~

24 ~~(5) City and county general planning pursuant to Section 65350~~
25 ~~of the Government Code.~~

26 ~~(6) Stormwater resource planning that is undertaken pursuant~~
27 ~~to Part 2.3 (commencing with Section 10560).~~

28 ~~(7) A basin plan developed and adopted pursuant to Section~~
29 ~~13240.~~

30 ~~(8) Other water resource management planning, including flood~~
31 ~~protection, watershed management planning, and multipurpose~~
32 ~~program planning.~~

33 ~~(e) At a minimum, all plans shall address all of the following:~~

34 ~~(1) Protection and improvement of water supply reliability,~~
35 ~~including identification of feasible agricultural and urban water~~
36 ~~use efficiency strategies.~~

37 ~~(2) Identification and consideration of the drinking water quality~~
38 ~~of communities within the area of the plan.~~

39 ~~(3) Protection and improvement of water quality within the area~~
40 ~~of the plan, consistent with the relevant basin plan.~~

- 1 ~~(4) Identification of any significant threats to groundwater~~
- 2 ~~resources from overdrafting.~~
- 3 ~~(5) Protection, restoration, and improvement of stewardship of~~
- 4 ~~aquatic, riparian, and watershed resources within the region.~~
- 5 ~~(6) Protection of groundwater resources from contamination.~~
- 6 ~~(7) Identification and consideration of the water-related needs~~
- 7 ~~of disadvantaged communities in the area within the boundaries~~
- 8 ~~of the plan.~~
- 9 ~~(d) This section does not obligate a local agency to fund the~~
- 10 ~~implementation of any project or program.~~