

**Introduced by Senator Berryhill**

February 18, 2011

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An act to amend Section 81301 of the Water Code, relating to water.

LEGISLATIVE COUNSEL'S DIGEST

SB 846, as introduced, Berryhill. Bay Area Water Supply and Conservation Agency.

The Bay Area Water Supply and Conservation Agency Act governs the formation and operation of the Bay Area Water Supply and Conservation Agency. The act includes legislative findings and declarations with respect to the San Francisco regional water system and the establishment of the agency.

This bill would make technical, nonsubstantive changes to those legislative findings and declarations.

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

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

- 1 SECTION 1. Section 81301 of the Water Code is amended to
- 2 read:
- 3 81301. The Legislature finds and declares all of the following:
- 4 (a) Many separate cities, districts, and public utilities are
- 5 responsible for distribution of water in portions of the Bay Area
- 6 served by the regional *water* system operated by the City and
- 7 County of San Francisco. Residents in the Counties of Alameda,
- 8 San Mateo, and Santa Clara, who depend on the water made
- 9 available on a wholesale basis by the regional *water* system, have
- 10 no right to vote in elections in the City and County of San

1 Francisco and are not represented on the San Francisco commission  
2 that oversees operation of the regional *water* system.

3 (b) The San Francisco regional *water* system is vulnerable to  
4 catastrophic damage in a severe earthquake, which could result in  
5 San Francisco and neighboring communities being without potable  
6 water for up to 60 days. The San Francisco regional *water* system  
7 is also susceptible to severe water shortages during periods of  
8 below average precipitation because of insufficient storage and  
9 the absence of contractual arrangements for alternative dry year  
10 supplies.

11 (c) The lack of a local, intergovernmental, cooperative  
12 governance structure for the San Francisco regional *water* system  
13 prevents a systematic, rational, cost-effective program of water  
14 supply, water conservation, and recycling from being developed,  
15 funded, and implemented.

16 (d) It is the intent of the Legislature to enable local governments  
17 responsible for water distribution in the ~~three counties~~ *Counties*  
18 *of Alameda, San Mateo, and Santa Clara* to establish a multicounty  
19 agency authorized to plan for and acquire supplemental water  
20 supplies, to encourage water conservation and use of recycled  
21 water on a regional basis, and to assist in the financing of essential  
22 repairs and improvements to the San Francisco regional water  
23 system, including seismic strengthening.

24 (e) The need for coordinated planning and implementation of  
25 strategies for water supply, water conservation, water recycling,  
26 and repair and improvement of the San Francisco regional system  
27 may appropriately lead to the establishment of the Bay Area Water  
28 Planning and Conservation Agency.