

AMENDED IN ASSEMBLY MAY 27, 2016

AMENDED IN ASSEMBLY APRIL 5, 2016

AMENDED IN ASSEMBLY MARCH 17, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 1649

**Introduced by Assembly Members Salas and Gallagher
(Coauthors: Assembly Members Bigelow, Gray, Olsen, and
Patterson)**

(Coauthors: Senators Berryhill, Cannella, Fuller, Galgiani, and Vidak)

January 12, 2016

An act to add Section 114 to the Water Code, relating to water storage.

LEGISLATIVE COUNSEL'S DIGEST

AB 1649, as amended, Salas. State water policy: priority: surface water storage projects and joint powers authorities.

Existing law establishes various state water policies, including that the protection of the public interest in the development of the water resources of the state is of vital concern to the people of the state and that the state shall determine in what way the water of the state, both surface and underground, should be developed for the greatest public benefit.

This bill would require the Department of Water Resources to develop a state water policy that gives priority to the formation of joint powers authorities that are formed to address critical surface water storage needs and to funding of the joint powers authorities' surface water projects. The bill would make findings and declarations of the Legislature, including, but not limited to, that, of the water storage

projects available, the Temperance Flat Dam and Sites Reservoir will meet statewide goals and provide specified public benefits to the greatest extent.

Vote: $\frac{2}{3}$ -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. The Legislature finds and declares all of the
- 2 following:
- 3 (a) According to the United States Drought Monitor, over 90
- 4 percent of California is in “Severe Drought,” raising concerns over
- 5 water supply dependability and underscoring the need for
- 6 immediate statewide action.
- 7 (b) On November 4, 2014, voters approved Proposition 1, the
- 8 Water Quality, Supply, and Infrastructure Improvement Act of
- 9 2014, which authorizes \$7,545,000,000 in general obligation bonds
- 10 to finance a water quality, supply, and infrastructure improvement
- 11 program, and continuously appropriates from the revenue of those
- 12 bonds \$2,700,000,000 for water storage projects, including, but
- 13 not limited to, dams and reservoirs.
- 14 (c) With the promise of increased water storage, voters approved
- 15 Proposition 1 by 67 percent. The argument in favor of Proposition
- 16 1 in the state’s official voter information guide states “Proposition
- 17 1 invests in new storage increasing the amount of water that can
- 18 be stored during wet years for the dry years that will continue to
- 19 challenge California.”
- 20 (d) Expanding and improving California’s water storage capacity
- 21 is long overdue. The last time California saw significant state and
- 22 federal investments in the state’s water storage and delivery system
- 23 was in the 1960s, when the state’s population stood at 16 million.
- 24 Today, that same system supports 38 million individuals and will
- 25 need to support 50 million by 2050.
- 26 (e) Statewide water storage goals, as outlined in Chapter 8 of
- 27 Proposition 1 (Chapter 8 (commencing with Section 79750) of
- 28 Division 26.7 of the Water Code), are necessary to update
- 29 California’s aging water infrastructure, provide reliable water
- 30 supply for the public and our agricultural economy, and protect
- 31 the environmental health of the Delta.

1 (f) A water storage project may only be funded by Chapter 8 of
2 Proposition 1 (Chapter 8 (commencing with Section 79750) of
3 Division 26.7 of the Water Code) if it provides specified public
4 benefits, including: ecosystem improvements; water quality
5 improvements to the Delta and river systems that provide public
6 trust resources or restore groundwater resources; flood control
7 benefits, including increases in reservoir storage capacity in
8 response to decreasing snow pack; emergency response, including
9 securing emergency water supplies for salinity repulsion; and
10 recreational purposes.

11 (g) Of the water storage projects available, the Temperance Flat
12 Dam and Sites Reservoir will meet statewide goals and provide
13 all of these public benefits to the greatest extent. These projects
14 will allow California to store more water in years of high rainfall,
15 which will ease pressures placed on the Delta and groundwater
16 supply during years of prolonged drought, and facilitate the storage
17 of snow melt and timed releases of water to improve flow
18 conditions and water temperatures.

19 SEC. 2. Section 114 is added to the Water Code, to read:

20 114. No later than ~~60 days after the effective date of the act~~
21 ~~which added this section~~, *April 30, 2017*, the department shall
22 develop a state water policy that gives priority to the formation of
23 joint powers authorities that are formed to address critical surface
24 water storage needs and to the funding of the joint powers
25 authorities' surface water storage projects.