

AMENDED IN ASSEMBLY APRIL 17, 1995

CALIFORNIA LEGISLATURE—1995–96 REGULAR SESSION

ASSEMBLY BILL

No. 1845

Introduced by Assembly Member Cortese

February 24, 1995

~~An act to add Section 114 to the Water Code, relating to water. An act to add Article 2.5 (commencing with Section 10635) to Chapter 3 of Part 2.6 of Division 6 of the Water Code, relating to water.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 1845, as amended, Cortese. ~~Water quality—Urban water supplies: water service reliability assessment.~~

Existing law requires specified urban water suppliers to prepare and submit urban water management plans to the Department of Water Resources.

This bill would require every urban water supplier to include, as part of its urban water management plan, a prescribed resource assessment of the reliability of its water service to its various categories of customers during normal, dry, and critically dry water runoff years. The bill would require the urban water supplier to include specified information in the assessment. The bill would make related legislative findings and declarations.

~~Under existing law, the Attorney General has prescribed authority by which to enforce various laws relating to water quality.~~

~~This bill would provide that the Attorney General shall petition the appropriate superior court to impose, assess, and recover damages from responsible persons or entities in an action involving the contamination of the waters of the state.~~

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 114 is added to the Water Code,~~
2 *SECTION 1. Article 2.5 (commencing with Section*
3 *10635) is added to Chapter 3 of Part 2.6 of Division 6 of the*
4 *Water Code, to read:*

5
6 *Article 2.5. Water Service Reliability*

7
8 *10635. The Legislature finds and declares all of the*
9 *following:*

10 *(a) A long-term, reliable supply of water is essential to*
11 *protect the productivity of California’s businesses and*
12 *economic climate.*

13 *(b) As part of its long-range planning activities, every*
14 *urban water supplier should make every effort to ensure*
15 *the appropriate level of reliability in its water service*
16 *sufficient to meet the needs of its various categories of*
17 *customers during normal, dry, and critically dry water*
18 *runoff years.*

19 *(c) This article is intended to provide assistance to*
20 *water agencies in carrying out their long-term resource*
21 *planning responsibilities to ensure adequate water*
22 *supplies to meet the needs of both existing customers and*
23 *future demands for water.*

24 *10635.2. Every urban water supplier shall include, as*
25 *part of its urban water management plan, a resource*
26 *assessment of the reliability of its water service to its*
27 *various categories of customers during normal, dry, and*
28 *critically dry water runoff years. The water service*
29 *reliability assessment shall include all of the following*
30 *information:*



1 (a) Based upon available historical precipitation and
2 runoff data, identification of the source of, and
3 quantification of, the total water supplies that were
4 available to the urban water supplier by water right or
5 contract during each of the following:

6 (1) The most recent normal water runoff year.

7 (2) The most recent, single dry or critically dry water
8 runoff year which followed a normal water runoff year.

9 (3) Each of the most recent three consecutive years
10 determined to be either dry or critically dry.

11 (b) An adjustment of the total supplies identified in
12 paragraphs (1), (2), and (3) of subdivision (a) by any
13 increases or decreases in supplies that have occurred to
14 the supplies of the urban water supplier since the years
15 identified in those paragraphs for the purpose of
16 determining the total supplies currently available to the
17 urban water supplier during normal, single year, and
18 multiple year dry runoff years.

19 (c) A description of the quantity of surface water that
20 was supplied by the urban water supplier to its customers
21 in each of the previous five years.

22 (d) A description of the quantity of groundwater that
23 was supplied by the urban water supplier to its customers
24 in each of the previous five years.

25 (e) A description of the quantity of water that was not
26 needed as a result of investment in demand management
27 plans and programs.

28 10635.4. The assessment shall include a description of
29 all existing sources, quantities obtained through demand
30 management programs and strategies, proposed
31 additional sources, and estimated quantities of water that
32 the urban water supplier plans to be able to supply over
33 the next 20 years identified in five year increments, as a
34 result of approved programs or practices adopted by the
35 urban water supplier, during each of the following:

36 (a) A normal water runoff year.

37 (b) A dry or critically dry water runoff year following
38 a normal water runoff year.

39 (c) Each of the most recent three consecutive years
40 determined to be either dry or critically dry.



1 10635.6. *The assessment shall include all of the*
2 *following information:*

3 (a) *A description of the current service area of the*
4 *urban water supplier, including a description of the*
5 *current total number of customers and total amount of*
6 *water expected to be used in the current year, for each*
7 *category of use identified below:*

8 (1) *Single-family residential.*

9 (2) *Multifamily residential.*

10 (3) *Commercial.*

11 (4) *Industrial.*

12 (5) *Institutional.*

13 (6) *Landscape.*

14 (7) *Sales to other agencies.*

15 (8) *Groundwater recharge.*

16 (9) *Agricultural.*

17 (b) *For each of the categories set forth in subdivision*
18 *(a), identification of the total amount of customers and*
19 *total amount of water used during each of the past five*
20 *years.*

21 (c) *The projected changes in the number of customers*
22 *within its service area, in each of the categories set forth*
23 *in subdivision (a), over the next 20 years identified in five*
24 *year increments, based on available data from the state,*
25 *regional, or local agency population projections, within*
26 *the service area of the urban water supplier.*

27 (d) *A description of the estimated quantity of water*
28 *that will be used by customers within its service area, by*
29 *each category set forth in subdivision (a), over the next*
30 *20 years identified in five year increments, based on the*
31 *currently approved demand management programs and*
32 *practices of the urban water supplier.*

33 10635.8. (a) *The assessment shall include a*
34 *comparison of currently available supplies during each of*
35 *the three types of water years, as set forth in subdivision*
36 *(b) of Section 10635.2, with the current customer*
37 *demand, as set forth in subdivision (a) of Section 10635.6.*

38 (b) *If current demand exceeds currently available*
39 *supplies, including demand management programs, for*
40 *any of the three types of water runoff years, the urban*



1 water supplier, as part of its urban water shortage
2 contingency plan adopted pursuant to subdivision (e) of
3 Section 10631, shall describe actions to be undertaken in
4 response to any water supply shortage identified
5 pursuant to subdivision (a).

6 (c) The assessment shall include a comparison of the
7 quantities of water supplies estimated to be available to
8 the urban water supplier over the next 20 years, identified
9 in five year increments, during each of the three types of
10 water runoff years, as set forth in Section 10635.4, with the
11 estimated quantity of water that will be used by its
12 customers over the next 20 years, identified in five year
13 increments, as set forth in subdivision (d) of Section
14 10635.6.

15 (d) The urban water supplier shall provide that
16 portion of its urban water management plan prepared
17 pursuant to this article to any city or county within which
18 it provides water supplies within 60 days of the adoption
19 of its urban water management plan.

20 10635.10. (a) Nothing in this article is intended to
21 create a right or entitlement to water service or any
22 specific level of water service.

23 (b) Nothing in this article is intended to change
24 existing law concerning an urban water supplier's
25 obligation to provide water service to its existing
26 customers or to any future, potential customers.

27 to read:

28 ~~114. The Attorney General shall petition the~~
29 ~~appropriate superior court to impose, assess, and recover~~
30 ~~damages from responsible persons or entities in an action~~
31 ~~involving the contamination of the waters of the state.~~

