

AMENDED IN ASSEMBLY AUGUST 29, 2000

AMENDED IN ASSEMBLY AUGUST 11, 2000

AMENDED IN SENATE JULY 5, 2000

AMENDED IN SENATE MAY 30, 2000

AMENDED IN SENATE MAY 1, 2000

SENATE BILL

No. 1586

Introduced by Senator Costa

February 18, 2000

~~An act to add Sections 10952, 10953, and 10954 to the Water Code, relating to water. An act relating to water.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 1586, as amended, Costa. ~~Water resources~~ CALFED funds.

The Budget Act of 2000 appropriates \$125,000,000 to the Department of Water Resources for implementation of the CALFED Record of Decision and prohibits the expenditure of those funds until a statute is enacted certifying that the projects or purposes for which the funds are expended are consistent with a prescribed environmental document. The Budget Act of 2000 appropriates \$10,000,000 to the department for CALFED local assistance to the Delta Export Area and prohibits the expenditure of those funds until a statute is enacted certifying that the projects or purposes for which the funds are expended are consistent with a prescribed environmental document.

This bill would declare that the Legislature certifies that the programs and projects described in the CALFED Record of Decision to be funded by those provisions of the Budget Act of 2000 are consistent with the final programmatic environmental impact statement/environmental impact report dated July 2000 and certified by the appropriate state lead agency, and that funds appropriated by those provisions are eligible for expenditure by the appropriate agency.

~~Under existing law, the Department of Water Resources operates the State Water Project and exercises various water resource functions.~~

~~This bill would require the CALFED Operations Group, or its successor, acting through the department, to prepare, and submit to the Legislature, a plan that describes the joint operations of the State Water Project and the Central Valley Project for each water year. The bill would require the department to prepare and submit the plan if the CALFED Operations Group is disbanded and no successor to that group is designated. The bill would prescribe the components of the plan and provide for the amendment of the plan. The bill would make related legislative findings and declarations.~~

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. The Legislature hereby finds and~~
2 *SECTION 1. The Legislature certifies that the*
3 *programs and projects described in the CALFED Record*
4 *of Decision, to be funded as provided in Provision 8 of*
5 *Item 3860-001-0001 of Section 2.00 of the Budget Act of*
6 *2000 (Chapter 52 of the Statutes of 2000), are consistent*
7 *with the final programmatic EIS/EIR dated July 2000 and*
8 *certified by the state lead agency as required by Division*
9 *13 (commencing with Section 21000) of the Public*
10 *Resources Code, and that funds appropriated by that*
11 *item are eligible for expenditure by the appropriate*
12 *agency.*
13 *SEC. 2. The Legislature certifies that the programs*
14 *and projects described in the CALFED Record of*



1 *Decision to implement CALFED local assistance to the*
2 *Delta Export Area, to be funded as provided in Provision*
3 *2 of Item 3860-101-0001 of Section 2.00 of the Budget Act*
4 *of 2000 (Chapter 52 of the Statutes of 2000), are consistent*
5 *with the final programmatic EIS/EIR certified by the*
6 *state lead agency as required by Division 13*
7 *(commencing with Section 21000) of the Public*
8 *Resources Code, and that funds appropriated by that*
9 *item are eligible for expenditure by the appropriate*
10 *agency.*

11 declares all of the following:

12 ~~(a) The Legislature supports the CALFED objectives~~
13 ~~to develop a long term comprehensive solution for the~~
14 ~~improvement of all beneficial uses of San Francisco~~
15 ~~Bay/Sacramento-San Joaquin Delta water.~~

16 ~~(b) Due to the comprehensive nature of the CALFED~~
17 ~~objectives, no significant delta water supply or water~~
18 ~~quality improvements are anticipated for the delta export~~
19 ~~service areas until completion of the CALFED Stage I~~
20 ~~actions expected seven to 10 years after finalization of the~~
21 ~~programmatic environmental documents. However,~~
22 ~~during that time the state and federal governments are~~
23 ~~expected to continue the joint operations of the State~~
24 ~~Water Project and the Central Valley Project.~~

25 ~~(c) The joint operations of the State Water Project and~~
26 ~~the Central Valley Project are the subject of the~~
27 ~~Coordinated Operations Agreement which sets out how~~
28 ~~the two projects will be operated to meet the water~~
29 ~~supply demands of their respective beneficiaries.~~
30 ~~Currently, the Department of Water Resources and the~~
31 ~~United States Bureau of Reclamation jointly develop an~~
32 ~~operations plan for each water year beginning on~~
33 ~~October 1 to facilitate the coordinated operation of the~~
34 ~~two projects.~~

35 ~~(d) To protect the health and safety of the citizens of~~
36 ~~California and the environment prior to the completion~~
37 ~~of planned water supply and water quality improvements~~
38 ~~as proposed by CALFED, to provide adequate water~~
39 ~~supplies for a growing California economy during those~~
40 ~~years, and to ensure California is prepared for water~~



1 shortages, whether caused by drought or regulatory
2 restrictions, there is an urgent and compelling need for
3 improved publication of water supply decisions that
4 affect the state's ability to meet the needs of the state's
5 environmental, urban, and agricultural water users.

6 ~~SEC. 2. Section 10952 is added to the Water Code, to~~
7 ~~read:~~

8 ~~10952. On or before November 1 of each year the~~
9 ~~CALFED Operations Group, or its successor, acting~~
10 ~~through the department, shall prepare, and submit to the~~
11 ~~Legislature, a plan that describes the joint operation of~~
12 ~~the State Water Project and Central Valley Project for~~
13 ~~each water year. The department shall prepare and~~
14 ~~submit the plan if the CALFED Operations Group is~~
15 ~~disbanded and no successor to that group is designated.~~

16 ~~SEC. 3. Section 10953 is added to the Water Code, to~~
17 ~~read:~~

18 ~~10953. The purpose of the plan described in Section~~
19 ~~10952 is to provide environmental, urban, and~~
20 ~~agricultural water users with a comprehensive operations~~
21 ~~plan that describes how the State Water Project and the~~
22 ~~Central Valley Project will be operated in each month of~~
23 ~~the water year. The plan may be amended from~~
24 ~~time to time during the water year as necessary to~~
25 ~~accommodate changing hydrologic conditions, water~~
26 ~~demands, water quality conditions, or necessary to meet~~
27 ~~environmental standards or requirements. If the plan is~~
28 ~~amended at anytime, the amended plan shall be~~
29 ~~submitted to the Legislature not later than one month~~
30 ~~from the date on which the plan is amended.~~

31 ~~SEC. 4. Section 10954 is added to the Water Code, to~~
32 ~~read:~~

33 ~~10954. (a) The plan shall include, at a minimum, all~~
34 ~~of the following:~~

35 ~~(1) Estimates of planned monthly pumping rates~~
36 ~~expressed in acre-feet for the Harvey O. Banks Pumping~~
37 ~~Plant and the Tracy Pumping Plant.~~

38 ~~(2) Estimates of monthly reservoir releases expressed~~
39 ~~in acre-feet from Trinity Dam, Shasta Dam, Oroville~~
40 ~~Dam, Folsom Dam, New Melones Dam, Friant Dam, and~~



1 ~~monthly releases or inflow to Sisk Dam. Because Sisk Dam~~
2 ~~is jointly owned by the State of California and the federal~~
3 ~~government, estimates of monthly releases shall~~
4 ~~distinguish between releases of Central Valley Project~~
5 ~~water and releases of State Water Project water.~~

6 ~~(3) Estimates of end-of-month storage expressed in~~
7 ~~acre-feet and as a percent of total capacity for Trinity~~
8 ~~Reservoir, Shasta Lake, Lake Oroville, Folsom Lake, New~~
9 ~~Melones Lake, Millerton Lake, and San Luis Reservoir.~~
10 ~~Because San Luis Reservoir is jointly owned by the State~~
11 ~~of California and the federal government, estimates of~~
12 ~~end-of-month storage shall distinguish between the~~
13 ~~amount of water stored by the State Water Project and~~
14 ~~the amount of water stored by the Central Valley Project.~~

15 ~~(4) Estimates of monthly deliveries to State Water~~
16 ~~Project and Central Valley Project contractors.~~

17 ~~(5) Estimates of monthly releases, deliveries, or~~
18 ~~decreases in pumping capacity or reservoir releases~~
19 ~~anticipated to meet environmental standards or~~
20 ~~requirements, water quality standards, or other~~
21 ~~environmental uses, including deliveries to wildlife~~
22 ~~refuges.~~

23 ~~(6) Estimates of the water supply allocations for State~~
24 ~~Water Project and Central Valley Project contractors and~~
25 ~~state and federal wildlife refuges. Water supply allocation~~
26 ~~shall be expressed in terms of a percent of contract~~
27 ~~entitlements or the applicable equivalent for wildlife~~
28 ~~refuges.~~

29 ~~(7) Estimates of the timing and duration of Delta Cross~~
30 ~~Channel Gate closures.~~

31 ~~(8) Assumptions used in all simulation and~~
32 ~~hydrodynamic models used in forecasting the operations~~
33 ~~of the State Water Project and Central Valley Project.~~
34 ~~The assumptions shall include, but are not limited to;~~
35 ~~basin hydrology, water quality, and environmental~~
36 ~~requirements.~~

37 ~~(b) For the purposes of preparing the plan, estimates~~
38 ~~shall be based on the department's existing modeling and~~



1 ~~reflect the department's practice of modeling both the 50~~
2 ~~percent hydrology and the 90 percent hydrology.~~

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