

SB 229 (Pavley) Water Rights Enforcement & Groundwater Monitoring Fact Sheet

THE PROBLEM

According to the Delta Vision Blue Ribbon Commission's Strategic Plan, "Plainly said, the information about current diversions and use in the current water system is inadequate to the task of managing the co-equal values. More comprehensive data from throughout the Delta watershed would provide a better foundation for changes in water diversion timing. California must also develop and use comprehensive information on the local, regional and statewide availability, quality, use, and management of groundwater and surface water resources to help improve opportunities for regional self-sufficiency."

BACKGROUND

The current water system in general, and the Delta in particular, isn't working for anyone. SB 229 is one of five bills that comprise a comprehensive water package designed to address California's water challenges. They build upon the work of the Governor's Delta Vision Blue Ribbon Commission, chaired by Phil Isenberg, and The Delta Vision Committee, chaired by Natural Resources Secretary Mike Chrisman.

The other four bills are SB 12 (Simitian) on Delta governance, AB 39 (Huffman) on developing a Delta plan, SB 458 (Wolk) on Delta conservancy and Delta Protection Commission, and AB 49 (Feuer) on water conservation.

PREVIOUS LEGISLATION

During its 2005-2006 Regular Session, the Legislature passed and the Governor signed Assembly Bill 1200 (Laird), Senate Bill 1574 (Kuehl), and Assembly Bill 1803 (Committee on Budget). These bills required the development of a vision for a sustainable delta and a strategic plan to achieve that vision.

THE SOLUTION

Delta Vision Committee, in its Implementation Report, called for legislation to enhance and expand the State Water Resources Control Board's water rights administrative accountability. In particular, it called for legislation to provide the authority to collect and disseminate accurate information on all surface water diversions in the state; require interim remedies; initiate stream adjudications and collect adjudication costs from the parties diverting water; and to enforce existing water right permit terms and conditions.

SB 229 does just that. In addition, it establishes a statewide groundwater monitoring to ensure we have accurate information on that critical resource.

PREPRINT SENATE BILL 2

SB 229 largely mirrors the language in Preprint Senate Bill 2, with one significant difference. The conference committee report on SB 229 includes numerous changes to the interim relief provisions to address due process concerns.