



Delta Counties Coalition

Contra Costa County | Sacramento County | San Joaquin County | Solano County | Yolo County
"Working together on water and Delta issues."

April 8, 2025

The Honorable Anna Caballero
California State Senate District 14
1021 O Street, Suite 7620
Sacramento, CA 95814

Re: SB 72 (Caballero). The California Water Plan: Long-term Supply Targets
Neutral (As Proposed to be Amended)

Dear Senator Caballero:

The Delta Counties Coalition (DCC) thanks you for considering our request to amend your SB 72 to clearly state that the California Water Plan will not include the **Governor's** "Delta Conveyance Project" (aka "Delta Tunnel"). We believe the amendments to be made during the Senate Natural Resources Committee hearing on April 8, 2025, satisfy our main concerns (attachment).

For nearly two decades, the DCC has advocated protecting the interests of our communities and Delta as a Place. The Delta Tunnel would divert up to a third of the water flowing from the Sacramento River, bypassing the Delta estuary, for export to other areas of the state and devastating our communities in the process. It is important that this measure not be interpreted to mean that the Legislature supports the Delta Tunnel and that the State Legislature remain neutral on policy and budget matters with respect to the various proposals to change how water moves through the Delta for export.

Thank you for your cooperation. Please contact our DCC Coordinator, Elisia De Bord, at deborde@saccounty.gov or 916-874-4627 for any reason.

Sincerely,

Patrick Hume, Supervisor
Sacramento County

Oscar Villegas, Supervisor
Yolo County

Shanelle Scales-Preston,
Supervisor
Contra Costa County



Mitch Mashburn, Supervisor
Solano County



Steven Ding, Supervisor
San Joaquin County

Attachment

cc: Delta Counties Coalition Legislative Delegation
Senate Natural Resources and Water Committee
Assembly Water, Parks and Wildlife Committee
California Department of Water Resources
California State Association of Counties
Rural County Representatives of California
Urban Counties Coalition
CalCities

AMENDED IN SENATE MARCH 18, 2025

AMENDED IN SENATE MARCH 5, 2025

SENATE BILL

No. 72

Introduced by Senator Caballero
(Principal coauthor: Senator Rubio)
(Coauthors: Senators Archuleta and Umberg)
(Coauthors: Assembly Members Alanis and Soria)

January 15, 2025

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An act to amend Sections 10004.5 and 10004.6 of, to repeal Section 10013 of, and to repeal and add Section 10004 of, the Water Code, relating to water.

LEGISLATIVE COUNSEL'S DIGEST

SB 72, as amended, Caballero. The California Water Plan: long-term supply targets.

Existing law requires the Department of Water Resources to update every 5 years the plan for the orderly and coordinated control, protection, conservation, development, and use of the water resources of the state, which is known as "The California Water Plan." Existing law requires the department to include a discussion of various strategies in the plan update, including, but not limited to, strategies relating to the development of new water storage facilities, water conservation, water recycling, desalination, conjunctive use, and water transfers, that may be pursued in order to meet the future needs of the state. Existing law requires the department to establish an advisory committee to assist the department in updating the plan.

This bill would revise and recast certain provisions regarding The California Water Plan to, among other things, require the department to expand the membership of the advisory committee to ~~include~~ *include*,

among others, tribes, labor, and environmental justice interests. The bill would require the department, as part of the 2033 update to the plan, to update the interim planning target for 2050, as provided. The bill would require the target to consider the identified and future water needs for a sustainable urban sector, agricultural sector, and environment, and ensure safe drinking water for all Californians, among other things. The bill would require the plan to include specified components, including a discussion of the estimated costs and benefits of any project type or action that is recommended by the department within the plan that could help achieve the water supply targets. The bill would require the department to report to the Legislature the amendments, supplements, and additions included in the updates of the plan, together with a summary of the department's conclusions and recommendations, in the session in which the updated plan is issued. The bill would also require the department to conduct public workshops to give interested parties an opportunity to comment on the plan.

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 finds and declares all of the
- 2 following:
- 3 (a) To thrive as a state, California needs a reliable supply of
- 4 water for urban, agricultural, and environmental uses that is
- 5 resilient to climate change.
- 6 (b) California's existing water usage is highly reliant on
- 7 capturing snow melt on an annual basis. That water is stored in
- 8 lakes, reservoirs, and groundwater basins and is then transported
- 9 around the state for environmental, residential, business, and
- 10 agricultural use when needed.
- 11 (c) California has the most intricate and elaborate system of
- 12 water conveyance in the world.
- 13 (d) Dependent on the extent of drought or flood conditions, the
- 14 Department of Water Resources has calculated that the volume of
- 15 water used by people in California for agricultural, urban, and
- 16 environmental purposes ranges from 60,000,000 acre-feet per year
- 17 to 90,000,000 acre-feet per year.
- 18 (e) Per capita water use has declined over time, thanks to a
- 19 conservation ethic encouraged by water agencies and other

1 stakeholders, water-saving indoor plumbing fixtures and
2 appliances, better leak detection, and efforts to reduce outdoor
3 water use.

4 (f) California is experiencing significant impacts of a changing
5 climate on our water supply systems and environment, including
6 fisheries and ecosystems.

7 (g) According to the Department of Water Resources, hotter
8 and drier weather ~~is estimated to diminish our existing water supply,~~
9 ~~even further and likely by 10 percent.~~

AMC - OK

10 (h) A 10-percent loss could mean the disappearance of about
11 6,000,000 acre-feet to 9,000,000 acre-feet of water ~~supply.~~

AMC - OK

12 (i) Many rivers, lakes, and estuaries are being impacted by
13 declining water quality, including increases in harmful algal
14 blooms.

15 (j) The California central valley has a groundwater overdraft of
16 2,000,000 to 3,000,000 acre-feet of water.

17 (k) Following more than two decades of “megadrought” in the
18 Colorado *River* Basin, reservoir levels are so low that supply cuts
19 are likely.

20 (l) California’s precipitation is changing from seasonal snow
21 in the Sierra to periods of substantial rainfall, including from
22 atmospheric rivers.

23 (m) The shift to drier dry years and wetter wet years makes it
24 imperative that the state of California develop comprehensive wet
25 year strategies that take full advantage of times of abundance,
26 while also ensuring public safety from floods.

27 (n) California is the nation’s agricultural powerhouse, accounting
28 for 12 percent of agricultural production in 2021, including more
29 than 70 percent of the nation’s fruits and nuts.

30 (o) The agricultural sector produces annual revenues of more
31 than \$50 billion, employs more than 420,000 people, and supports
32 large food and beverage processing industries.

33 (p) The Department of Water Resources describes a statewide
34 capacity in groundwater basins in the range of 1,000,000,000
35 acre-feet or approximately 20 times the total surface water storage
36 capacity statewide.

37 (q) ~~California is the home to cutting-edge job-creating industries,~~
38 ~~such as those in Silicon Valley and southern California’s biotech~~
39 ~~industry.~~

Keep (q) but edit as follows

AMC Edit

1 (r) Local and regional water suppliers are at the forefront of
2 implementing projects to build resiliency, but need additional
3 support from the state and federal governments through funding
4 and regulatory frameworks that are adapted for the new climate
5 reality.

6 (s) It is essential for our economy, environment, and well-being
7 that California increases the resilience of the state’s water supplies.

8 (t) The implementation of projects to increase the resilience of
9 the state’s water supplies can also create good jobs for California
10 workers.

11 (u) Governor Gavin Newsom released “California’s Water
12 Supply Strategy: Adapting to a Hotter, Drier Future” in August
13 2022 that began to outline strategies for increasing California’s
14 water supply and streamlining approvals, but California must make
15 a historic change in the state’s comprehensive water plan and how
16 water is provided for environmental, residential, business, and
17 agricultural uses.

Keep (u) but edit as follows

AMC Edit

18 (v) The Sacramento-San Joaquin Delta Reform Act of 2009
19 establishes a state policy to meet California’s future water needs
20 through the coequal goals for the Delta of increased water supply
21 reliability and Sacramento-San Joaquin Delta ecosystem
22 restoration, while protecting the Delta as an evolving place.

AMC - Do not include unless it is necessary
for DCC to accept the proposed
amendments.

23 (w) The State Water Resources Control Board and other
24 authorities estimate that over one million Californians lack access
25 to safe and affordable drinking water.

26 SEC. 2. Section 10004 of the Water Code is repealed.

27 SEC. 3. Section 10004 is added to the Water Code, to read:

28 10004. (a) The department shall develop a comprehensive,
29 strategic plan for the sustainable management and stewardship of
30 California’s water resources. This plan shall be known as “The
31 California Water Plan” and shall provide an update on the status
32 and trends of California’s water-dependent natural resources, water
33 supplies, and its agricultural, urban, and environmental water
34 demands for a range of plausible future scenarios. The plan also
35 shall include long-term water supply targets and strategies to meet
36 those targets as outlined in this chapter.

37 (b) The department shall update The California Water Plan on
38 or before December 31, 2028, and every five years thereafter.

39 (c) To develop the plan, the department, in consultation with
40 the California Water Commission, shall establish an advisory

1 committee, composed of representatives of agricultural and urban
2 water suppliers, local government, business, agriculture, tribes,
3 labor representatives from building and construction trades, *labor*
4 *representatives from public agencies involved in critical water*
5 *infrastructure, including, but not limited to, water treatment and*
6 *water wholesalers*, environmental justice interests, environmental
7 interests, and other interested parties, to assist and provide input
8 to the department in the updating of The California Water Plan.
9 The department shall consult with the advisory committee and
10 consider recommendations in carrying out this chapter. The
11 department shall provide written notice of meetings of the advisory
12 committee to any interested person or entity that requests the
13 notice. The meetings shall be open to the public.

14 (d) The department may add members to the advisory committee
15 to carry out the purposes of Section 10004.7. Additional advisory
16 committee members may include those from environmental justice
17 sectors, local water supply agencies, and researchers and experts
18 on climate science, climate science solutions, water storage, water
19 conveyance, and environmental protection.

20 (e) The department shall release a preliminary draft of The
21 California Water Plan, as updated, upon request, to interested
22 persons and entities throughout the state for their review and
23 comments. The department shall provide these persons and entities
24 an opportunity to present written or oral comments on the
25 preliminary draft. The department shall consider these comments
26 in the preparation of the final publication of The California Water
27 Plan, as updated.

28 (f) The department shall coordinate with the California Water
29 Commission, the board, other ^{local} state and federal agencies as
30 appropriate, and the advisory committee to develop the plan.

AMC - OK

31 SEC. 4. Section 10004.5 of the Water Code is amended to read:

32 10004.5. (a) As part of the requirement of the department to
33 update The California Water Plan pursuant to subdivision (b) of
34 Section 10004, the department shall include in the plan a discussion
35 of various strategies, including, but not limited to, those relating
36 to the development of new water storage facilities, water
37 conservation, groundwater recharge, water recycling, desalination,
38 conjunctive use, conveyance, stormwater capture, water transfers,
39 and demand management activities that may be pursued in order
40 to meet the future water needs of the state and the water supply

1 targets developed by the department. The department shall also
2 include a discussion of the potential for alternative water pricing
3 policies to change current and projected uses. The department shall
4 include in the plan a discussion of the potential advantages and
5 disadvantages of each strategy and an identification of all federal
6 and state permits, approvals, or entitlements that are anticipated
7 to be required in order to implement the various components of
8 the strategy.

9 (b) In preparing any update of The California Water Plan, the
10 department shall conduct a series of public workshops to give
11 interested parties an opportunity to comment on the plan. The
12 department shall select workshop locations to maximize geographic
13 distribution, to ensure that regions of the state that have been
14 impacted the most by drought and other weather extremes are
15 included, and to ensure the workshops are accessible to
16 communities with minority populations, communities with
17 low-income populations, or both.

18 (c) Each update of the plan shall include, at a minimum, all of
19 the following components:

20 (1) A discussion of environmental needs. The department's
21 discussion shall rely on the best available peer-reviewed scientific
22 information.

23 (2) A discussion of urban sector water needs.

24 (3) A discussion of agricultural water needs.

25 (4) A summary of sources that could finance project types or
26 actions within the various strategies.

27 (5) A discussion of the estimated costs and benefits of any
28 project type or action that is recommended by the department
29 within the plan that could help achieve the water supply targets.
30 The department shall also consider and incorporate into the
31 discussion, if appropriate, existing studies or planning documents
32 that quantify the costs and impacts to the state if there are
33 inadequate water supplies to meet sustainable demands for all
34 sectors.

35 (6) A report on the development of regional and local water
36 projects within each hydrologic region of the state undertaken to
37 improve water supplies to meet municipal, agricultural, and
38 environmental water needs and minimize the need to import water
39 from other hydrologic regions.

1 (d) Notwithstanding Section 10231.5 of the Government Code,
2 the department shall report the amendments, supplements, and
3 additions included in the updates of The California Water Plan,
4 together with a summary of the department's conclusions and
5 recommendations, to the Legislature, in compliance with Section
6 9795 of the Government Code, in the session in which the updated
7 plan is issued.

8 SEC. 5. Section 10004.6 of the Water Code is amended to read:

9 10004.6. (a) (1) As part of updating The California Water
10 Plan every five years pursuant to subdivision (b) of Section 10004,
11 the department shall conduct a study to determine the amount of
12 additional water needed to meet the state's future water needs and
13 to recommend programs, policies, and facilities to meet those
14 needs.

15 (2) As part of the 2033 update to The California Water Plan,
16 the department shall update the required planning target pursuant
17 to subdivision (f) for 2050. Subsequent updates of the plan shall
18 include a range of water supply targets that consider future
19 scenarios with a 50-year planning horizon at a watershed scale.
20 The target shall consider the identified and future water needs for
21 a sustainable urban sector, agricultural sector, and environment,
22 recognize the impacts of climate change on the state's water
23 resources, ensure safe drinking water for all Californians, and
24 reflect statewide, regional, and local planning efforts. In
25 establishing the long-term supply target, the department shall
26 analyze current and future water needs trends, including identifying
27 additional water necessary to sustain public trust resources.

28 (b) The department shall consult with the advisory committee
29 established pursuant to subdivision (c) of Section 10004 in carrying
30 out this chapter.

31 (c) On or before December 31, 2027, and one year prior to
32 issuing each successive update to The California Water Plan, the
33 department shall release a preliminary draft of the assumptions
34 and other estimates upon which the study will be based, to
35 interested persons and entities throughout the state for their review
36 and comments. The department shall provide these persons and
37 entities an opportunity to present written or oral comments on the
38 preliminary draft. The department shall consider these documents
39 when adopting the final assumptions and estimates for the study.
40 For the purpose of carrying out this subdivision, the department

- 1 shall release, at a minimum, assumptions and other estimates
2 relating to all of the following:
- 3 (1) Basin hydrology, including annual rainfall, estimated
4 unimpaired streamflow, depletions, and consumptive uses.
 - 5 (2) Groundwater supplies, including estimates of sustainable
6 yield, supplies necessary to recover overdraft basins, and supplies
7 lost due to pollution and other groundwater contaminants.
 - 8 (3) Current and projected land use patterns, including the mix
9 of residential, commercial, industrial, agricultural, and undeveloped
10 lands.
 - 11 (4) Environmental water needs, including regulatory instream
12 flow requirements, nonregulated instream uses, and water needs
13 by wetlands, preserves, refuges, and other managed and unmanaged
14 natural resource lands.
 - 15 (5) Current and projected population.
 - 16 (6) Current and projected water use for all of the following:
 - 17 (A) Interior uses in a single-family dwelling.
 - 18 (B) Exterior uses in a single-family dwelling.
 - 19 (C) All uses in a multifamily dwelling.
 - 20 (D) Commercial uses.
 - 21 (E) Industrial uses.
 - 22 (F) Parks and open spaces.
 - 23 (G) Agricultural water diversion and use.
 - 24 (7) Opportunities for demand management.
 - 25 (8) Evapotranspiration rates for major crop types, including
26 estimates of evaporative losses by irrigation practice and the extent
27 to which evaporation reduces transpiration.
 - 28 (9) Current and projected adoption of urban and agricultural
29 conservation practices.
 - 30 (10) Current and projected supplies of water provided by water
31 recycling and reuse.
 - 32 (11) Current and projected water and infrastructure needs of
33 disadvantaged communities, as defined in Section 79505.5, served
34 by public water systems, state small water systems, and individual
35 domestic wells, including, but not limited to, access to safe and
36 affordable drinking water and sanitation, water quality, and water
37 supply. The department may incorporate by reference the State
38 Water Resources Control Board's Drinking Water Needs
39 Assessment or other available relevant assessments or reports.

1 (12) Climate change impacts by region and resulting water
2 supply trends, including changes in timing and intensity of
3 snowmelt runoff.

4 (d) The department shall include a discussion of the potential
5 for alternative water pricing policies to change current and
6 projected water uses identified pursuant to paragraph (6) of
7 subdivision (c).

8 (e) This section does not require the department to update, or
9 prohibit the department from updating, any data necessary to update
10 The California Water Plan pursuant to subdivision (b) of Section
11 10004.

12 (f) As part of the 2028 update to the plan, the department shall
13 include an interim planning target of 9,000,000 acre-feet of
14 additional water, water conservation, or water storage capacity to
15 be achieved by 2040. This target may be achieved through
16 strategies, including, but not limited to, a combination of the
17 development of new or expanded surface or groundwater storage,
18 conservation efforts, including the ongoing implementation of the
19 Making Conservation a California Way of Life regulation pursuant
20 to Article 1 (commencing with Section 965) of Chapter 3.5 of
21 Division 3 of Title 23 of the California Code of Regulations, or
22 the development of stormwater capture, graywater, recycled water,
23 or other water supplies.

24 SEC. 6. Section 10013 of the Water Code is repealed.