



Express Opposition Unless Amended for AB 1195 (C. Garcia, D-Bell Gardens): drinking water

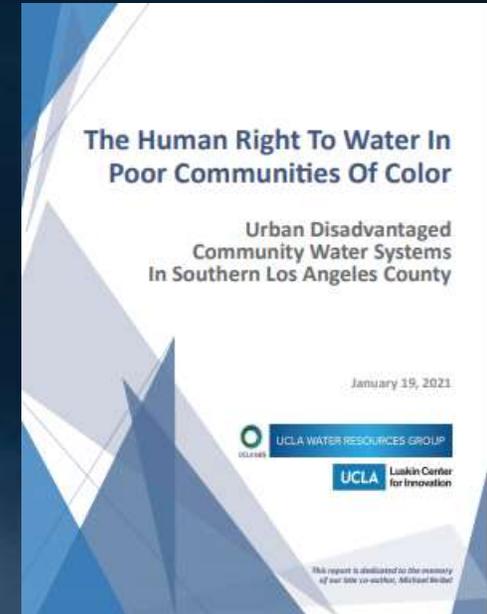
Communications and Legislation Committee

Item # 7-9

May 10, 2021

Background

- 2012 California Human Right to Water Policy, 2012 (AB 685, Eng)
- Safe and Affordable Drinking Water Fund, 2019 (SB 200, Monning)
- UCLA Study on Human Right to Water Southern Los Angeles County, 2021
- 2020-21 State Budget - \$800,000 for Water Replenishment District (WRD) to assess regional governance strategies



Summary: Commissioner/Advisory Board

- Requires State Water Resources Control Board to appoint a commissioner to:
 - Implement Safe and Affordable Funding for Equity and Resilience Program
 - within WRD service area
 - with community and public water system collaboration
- Technical Advisory Board
- No limit on commissioner authority, except geographical region

Summary: Commissioner Duties/Powers

- Develop long-term sustainability plan for public water systems in region
- Evaluate public water systems and other water infrastructure in region
- Oversight role for:
 - WRD work in assessing governance strategies in the region
 - CBMWD operations and, if needed, require a state audit
 - State spending for regional groundwater cleanup

Summary (cont'd)

- Recommend consolidations in consultation with Los Angeles County Local Agency Formation Commission (LAC-LAFCO)
- Seek available state and local funding
- May assist public water systems with operations and management
- May serve as an administrator, or a receiver pursuant to a court order
- Adds a provision to the Health and Safety Code
 - Prohibits the transfer of surface or groundwater water rights without justification

Concerns

- No protection for CBMWD's membership and participation at Metropolitan
- Redundant, conflicting and overlapping authority
 - Long-term sustainability plan requirement includes all public water systems in the region, without consideration of compliance status or any other criteria
 - No limitation or criteria on authority to assist public water system with operations or to evaluate a public water system's infrastructure in the region
 - Broad authority to oversee all state funding for groundwater cleanup, without criteria
 - Oversight over WRD and CBMWD
- Unnecessarily restricts water rights statewide
 - Could affect Metropolitan programs, rights and agreements

Suggested Amendments

- Strike Section 1 - (affecting existing water rights)
- Strike Section 111689 (e) - (oversight of CBMWD)
- Define scope of the bill to specifically address the 29 small struggling community water systems (responsive to UCLA Study)
- Add clarifying language that the bill is not intended to supersede:
 - Existing water rights
 - Metropolitan or member agencies authority
 - LAC-LAFCO authority

Support/Opposition

- Support
 - None
- Opposition
 - Association of California Water Agencies
 - Central Basin Municipal Water District
- Oppose unless amended
 - California Water Association
 - LA/OC Building and Construction Trades Council
 - State Buildings and Construction Trades Council

Bill Status

- Committees
 - Assembly Environmental Safety & Toxic Materials (6 Ayes; 3 NVR)
 - Assembly Local Government (6 Ayes; 1 No; 1 NVR)
 - Assembly Appropriations

Board Options

- Option #1
 - Express Opposition unless amended for AB 1195 (C. Garcia)
- Option #2
 - Take no position on AB 1195 (C. Garcia)

Staff Recommendation

- Option #1
 - Express opposition unless amended for AB 1195 (C. Garcia)

