

**Introduced by Senator Caballero
(Coauthor: Senator Rubio)**

January 15, 2025

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 introduced, 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 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
20 stakeholders, water-saving indoor plumbing fixtures and
21 appliances, better leak detection, and efforts to reduce outdoor
22 water use.

- 1 (f) California is experiencing significant impacts of a changing
2 climate on our water supply systems and environment, including
3 fisheries and ecosystems.
- 4 (g) According to the Department of Water Resources, hotter
5 and drier weather is estimated to diminish our existing water supply
6 even further and likely by 10 percent.
- 7 (h) A 10-percent loss could mean the disappearance of about
8 6,000,000 acre-feet to 9,000,000 acre-feet of water supply.
- 9 (i) Many rivers, lakes, and estuaries are being impacted by
10 declining water quality, including increases in harmful algal
11 blooms.
- 12 (j) The California central valley has a groundwater overdraft of
13 2,000,000 to 3,000,000 acre-feet of water.
- 14 (k) Following more than two decades of “megadrought” in the
15 Colorado Basin, reservoir levels are so low that supply cuts are
16 likely.
- 17 (l) California’s precipitation is changing from seasonal snow
18 in the Sierra to periods of substantial rainfall, including from
19 atmospheric rivers.
- 20 (m) The shift to drier dry years and wetter wet years makes it
21 imperative that the state of California develop comprehensive wet
22 year strategies that take full advantage of times of abundance,
23 while also ensuring public safety from floods.
- 24 (n) California is the nation’s agricultural powerhouse, accounting
25 for 12 percent of agricultural production in 2021, including more
26 than 70 percent of the nation’s fruits and nuts.
- 27 (o) The agricultural sector produces annual revenues of more
28 than \$50 billion, employs more than 420,000 people, and supports
29 large food and beverage processing industries.
- 30 (p) The Department of Water Resources describes a statewide
31 capacity in groundwater basins in the range of 1,000,000,000
32 acre-feet or approximately 20 times the total surface water storage
33 capacity statewide.
- 34 (q) California is the home to cutting-edge job-creating industries,
35 such as those in Silicon Valley and southern California’s biotech
36 industry.
- 37 (r) Local and regional water suppliers are at the forefront of
38 implementing projects to build resiliency, but need additional
39 support from the state and federal governments through funding

1 and regulatory frameworks that are adapted for the new climate
2 reality.

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

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

8 (u) Governor Gavin Newsom released “California’s Water
9 Supply Strategy: Adapting to a Hotter, Drier Future” in August
10 2022 that began to outline strategies for increasing California’s
11 water supply and streamlining approvals, but California must make
12 a historic change in the state’s comprehensive water plan and how
13 water is provided for environmental, residential, business, and
14 agricultural uses.

15 (v) The Sacramento-San Joaquin Delta Reform Act of 2009
16 establishes a state policy to meet California’s future water needs
17 through the coequal goals for the Delta of increased water supply
18 reliability and Sacramento-San Joaquin Delta ecosystem
19 restoration.

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

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

24 ~~10004. (a) The plan for the orderly and coordinated control,~~
25 ~~protection, conservation, development, and utilization of the water~~
26 ~~resources of the state which is set forth and described in Bulletin~~
27 ~~No. 1 of the State Water Resources Control Board entitled “Water~~
28 ~~Resources of California,” Bulletin No. 2 of the State Water~~
29 ~~Resources Control Board entitled, “Water Utilization and~~
30 ~~Requirements of California,” and Bulletin No. 3 of the department~~
31 ~~entitled, “The California Water Plan,” with any necessary~~
32 ~~amendments, supplements, and additions to the plan, shall be~~
33 ~~known as “The California Water Plan.”~~

34 ~~(b) (1) The department shall update The California Water Plan~~
35 ~~on or before December 31, 2003, and every five years thereafter.~~
36 ~~The department shall report the amendments, supplements, and~~
37 ~~additions included in the updates of The California Water Plan,~~
38 ~~together with a summary of the department’s conclusions and~~
39 ~~recommendations, to the Legislature in the session in which the~~
40 ~~updated plan is issued.~~

1 ~~(2) (A) The department shall establish an advisory committee,~~
2 ~~comprised of representatives of agricultural and urban water~~
3 ~~suppliers, local government, business, production agriculture, and~~
4 ~~environmental interests, and other interested parties, to assist the~~
5 ~~department in the updating of The California Water Plan. The~~
6 ~~department shall consult with the advisory committee in carrying~~
7 ~~out this section. The department shall provide written notice of~~
8 ~~meetings of the advisory committee to any interested person or~~
9 ~~entity that request the notice. The meetings shall be open to the~~
10 ~~public.~~

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

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

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

26 10004. (a) The department shall develop a comprehensive,
27 strategic plan for the sustainable management and stewardship of
28 California’s water resources. This plan shall be known as “The
29 California Water Plan” and shall provide an update on the status
30 and trends of California’s water-dependent natural resources, water
31 supplies, and its agricultural, urban, and environmental water
32 demands for a range of plausible future scenarios. The plan also
33 shall include long-term water supply targets and strategies to meet
34 those targets as outlined in this chapter.

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

37 (c) To develop the plan, the department, in consultation with
38 the California Water Commission, shall establish an advisory
39 committee, composed of representatives of agricultural and urban
40 water suppliers, local government, business, agriculture, tribes,

1 labor representatives from building and construction trades,
2 environmental justice interests, environmental interests, and other
3 interested parties, to assist and provide input to the department in
4 the updating of The California Water Plan. The department shall
5 consult with the advisory committee and consider recommendations
6 in carrying out this chapter. The department shall provide written
7 notice of meetings of the advisory committee to any interested
8 person or entity that requests the notice. The meetings shall be
9 open to the public.

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

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

24 (f) The department shall coordinate with the California Water
25 Commission, the board, other state and federal agencies as
26 appropriate, and the advisory committee to develop the plan.

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

28 10004.5. (a) As part of the requirement of the department to
29 update The California Water Plan pursuant to subdivision (b) of
30 Section 10004, the department shall include in the plan a discussion
31 of various strategies, including, but not limited to, those relating
32 to the development of new water storage facilities, water
33 conservation, *groundwater recharge*, water recycling, desalination,
34 conjunctive use, *conveyance*, *stormwater capture*, *water transfers*,
35 and ~~water transfers~~ *demand management activities* that may be
36 pursued in order to meet the future water needs of the ~~state~~. *state*
37 *and the water supply targets developed by the department*. The
38 department shall also include a discussion of the potential for
39 alternative water pricing policies to change current and projected
40 uses. The department shall include in the plan a discussion of the

1 potential advantages and disadvantages of each strategy and an
2 identification of all federal and state permits, approvals, or
3 entitlements that are anticipated to be required in order to
4 implement the various components of the strategy.

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

14 *(c) Each update of the plan shall include, at a minimum, all of*
15 *the following components:*

16 *(1) A discussion of environmental needs. The department's*
17 *discussion shall rely on the best available peer-reviewed scientific*
18 *information.*

19 *(2) A discussion of urban sector water needs.*

20 *(3) A discussion of agricultural water needs.*

21 *(4) A summary of sources that could finance project types or*
22 *actions within the various strategies.*

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

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

36 *(d) Notwithstanding Section 10231.5 of the Government Code,*
37 *the department shall report the amendments, supplements, and*
38 *additions included in the updates of The California Water Plan,*
39 *together with a summary of the department's conclusions and*
40 *recommendations, to the Legislature, in compliance with Section*

1 9795 of the Government Code, in the session in which the updated
2 plan is issued.

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

4 10004.6. (a) (1) As part of updating The California Water
5 Plan every five years pursuant to subdivision (b) of Section 10004,
6 the department shall conduct a study to determine the amount of
7 additional water needed to meet the state's future water needs and
8 to recommend programs, policies, and facilities to meet those
9 needs.

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

23 (b) The department shall consult with the advisory committee
24 established pursuant to subdivision ~~(b)~~ (c) of Section 10004 in
25 carrying out this ~~section~~ chapter.

26 (c) On or before ~~January 1, 2002~~, December 31, 2027, and one
27 year prior to issuing each successive update to The California
28 Water Plan, the department shall release a preliminary draft of the
29 assumptions and other estimates upon which the study will be
30 based, to interested persons and entities throughout the state for
31 their review and comments. The department shall provide these
32 persons and entities an opportunity to present written or oral
33 comments on the preliminary draft. The department shall consider
34 these documents when adopting the final assumptions and estimates
35 for the study. For the purpose of carrying out this subdivision, the
36 department shall release, at a minimum, assumptions and other
37 estimates relating to all of the following:

38 (1) Basin hydrology, including annual rainfall, estimated
39 unimpaired streamflow, depletions, and consumptive uses.

- 1 (2) Groundwater supplies, including estimates of sustainable
2 yield, supplies necessary to recover overdraft basins, and supplies
3 lost due to pollution and other groundwater contaminants.
- 4 (3) Current and projected land use patterns, including the mix
5 of residential, commercial, industrial, agricultural, and undeveloped
6 lands.
- 7 (4) Environmental water needs, including regulatory instream
8 flow requirements, nonregulated instream uses, and water needs
9 by wetlands, preserves, refuges, and other managed and unmanaged
10 natural resource lands.
- 11 (5) Current and projected population.
- 12 (6) Current and projected water use for all of the following:
 - 13 (A) Interior uses in a single-family dwelling.
 - 14 (B) Exterior uses in a single-family dwelling.
 - 15 (C) All uses in a multifamily dwelling.
 - 16 (D) Commercial uses.
 - 17 (E) Industrial uses.
 - 18 (F) Parks and open spaces.
 - 19 (G) Agricultural water diversion and use.
- 20 (7) *Opportunities for demand management.*
- 21 ~~(7)~~
- 22 (8) Evapotranspiration rates for major crop types, including
23 estimates of evaporative losses by irrigation practice and the extent
24 to which evaporation reduces transpiration.
- 25 ~~(8)~~
- 26 (9) Current and projected adoption of urban and agricultural
27 conservation practices.
- 28 ~~(9)~~
- 29 (10) Current and projected supplies of water provided by water
30 recycling and reuse.
- 31 (11) *Current and projected water and infrastructure needs of*
32 *disadvantaged communities, as defined in Section 79505.5, served*
33 *by public water systems, state small water systems, and individual*
34 *domestic wells, including, but not limited to, access to safe and*
35 *affordable drinking water and sanitation, water quality, and water*
36 *supply. The department may incorporate by reference the State*
37 *Water Resources Control Board's Drinking Water Needs*
38 *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) ~~Nothing in this~~ *This section requires does not require the*
9 *department to update, or prohibits prohibit the department from*
10 ~~updating~~ *updating, any data necessary to update The California*
11 *Water Plan pursuant to subdivision (b) of Section 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*
15 *to be achieved by 2040. This target may be achieved through the*
16 *development of new or expanded surface or groundwater storage,*
17 *conservation efforts, or the development of stormwater capture,*
18 *graywater, recycled water, or other water supplies.*

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

20 ~~10013. The department, as a part of the preparation of the~~
21 ~~department’s Bulletin 160-03, shall include in the California Water~~
22 ~~Plan a report on the development of regional and local water~~
23 ~~projects within each hydrologic region of the state, as described~~
24 ~~in the department’s Bulletin 160-98, to improve water supplies to~~
25 ~~meet municipal, agricultural, and environmental water needs and~~
26 ~~minimize the need to import water from other hydrologic regions.~~
27 ~~The report shall include, but is not limited to, regional and local~~
28 ~~water projects that use technologies for desalting brackish~~
29 ~~groundwater and ocean water, reclaiming water for use within the~~
30 ~~community generating the water to be reclaimed, the construction~~
31 ~~of improved potable water treatment facilities so that water from~~
32 ~~sources determined to be unsuitable can be used, and the~~
33 ~~construction of dual water systems and brine lines, particularly in~~
34 ~~connection with new developments and when replacing water~~
35 ~~pipng in developed or redeveloped areas.~~