

Senate Bill No. 1672

CHAPTER 767

An act to add Part 2.2 (commencing with Section 10530) to Division 6 of the Water Code, relating to water.

[Approved by Governor September 20, 2002. Filed with Secretary of State September 21, 2002.]

LEGISLATIVE COUNSEL'S DIGEST

SB 1672, Costa. Integrated Regional Water Management Planning Act of 2002.

Existing law requires urban water suppliers, as defined, to prepare urban water management plans to facilitate long-term resource planning to ensure adequate water supplies to meet existing and future demands for water.

This bill would enact the Integrated Regional Water Management Planning Act of 2002. The bill would authorize a regional water management group, as defined, to prepare and adopt a regional plan, in accordance with certain procedures, that addresses programs, projects, reports, or studies relating to water supply, water quality, flood protection, or related matters, over which any local public agency, as defined, that is a participant in that group has authority to undertake.

The bill would require the Department of Water Resources, the State Water Resources Control Board, the State Department of Health Services, or CALFED, as appropriate, to include in any set of criteria used to select the projects and programs they administer under specified provisions of law or under a specified CALFED program a criterion that provides a benefit for qualified projects or programs.

The people of the State of California do enact as follows:

SECTION 1. Part 2.2 (commencing with Section 10530) is added to Division 6 of the Water Code, to read:

PART 2.2. INTEGRATED REGIONAL WATER MANAGEMENT PLANS

CHAPTER 1. SHORT TITLE

10530. This part shall be known and may be cited as the Integrated Regional Water Management Planning Act of 2002.

CHAPTER 2. LEGISLATIVE FINDINGS AND DECLARATIONS

10531. The Legislature finds and declares as follows:

(a) Water is a valuable natural resource in California, and should be managed to ensure the availability of sufficient supplies to meet the state's agricultural, domestic, industrial, and environmental needs. It is the intent of the Legislature to encourage local agencies to work cooperatively to manage their available local and imported water supplies to improve the quality, quantity, and reliability of those supplies.

(b) Improved coordination among local agencies with responsibilities for managing water supplies and additional study of groundwater resources are necessary to maximize the quality and quantity of water available to meet the state's agricultural, domestic, industrial, and environmental needs.

(c) The implementation of the Integrated Regional Water Management Planning Act of 2002 will facilitate the development of integrated regional water management plans, thereby maximizing the quality and quantity of water available to meet the state's water needs by providing a framework for local agencies to integrate programs and projects that protect and enhance regional water supplies.

CHAPTER 3. DEFINITIONS

10532. Unless the context otherwise requires, the definitions set forth in this chapter govern the construction of this part.

10533. "Local public agency" means any city, county, city and county, special district, corporation, or mutual water company.

10534. "Qualified projects or programs" means regional projects or programs that improve source water quality, improve drinking water quality, provide flood protection, improve levee stability, provide water supply reliability, increase agricultural, domestic, or environmental water supply, improve the quality or quantity of groundwater, protect watersheds for the purposes of improving water quality or water quantity, or undertake environmental mitigation, restoration, or enhancement.

10535. "Qualified reports or studies" means reports or studies relating to regional water quality, water supply planning, flood protection, or environmental mitigation, restoration, or enhancement projects or programs.

10536. "Regional plan" means a plan for the implementation or operation of qualified projects or programs or the preparation of qualified reports or studies.



10537. “Regional water management group” means a group in which three or more local public agencies, at least two of which have statutory authority over water supply, participate by means of a joint powers agreement, memorandum of understanding, or other written agreement, as appropriate, that is approved by the governing bodies of those local public agencies.

CHAPTER 4. INTEGRATED REGIONAL WATER MANAGEMENT PLANS

10540. (a) A regional water management group may prepare and adopt a regional plan in accordance with this part.

(b) The plan may address qualified programs or projects or qualified reports or studies over which any local public agency that is a participant in that group has authority to undertake, including any of those matters described in subdivision (c).

(c) A regional water management group may address any of the following matters in a regional plan:

(1) Groundwater management planning pursuant to Part 2.75 (commencing with Section 10750).

(2) Any activity identified in Section 10753.7.

(3) Urban water management planning pursuant to Part 2.6 (commencing with Section 10610).

(4) The preparation of a water supply assessment required pursuant to Part 2.10 (commencing with Section 10910).

(5) Agricultural water management planning pursuant to Part 2.8 (commencing with Section 10800).

(6) The planning, construction, or modification of a flood management project that meets the requirements for funding under Chapter 1 (commencing with Section 12570), Chapter 3 (commencing with Section 12800), or Chapter 4 (commencing with Section 12850), of Part 6.

(7) The planning, construction, or modification of a flood management project that meets the requirements for funding under Chapter 2 (commencing with Section 12310) of Part 4.8.

(8) The planning, construction, or modification of a flood management project approved pursuant to Chapter 2 (commencing with Section 12639) of Part 6.

(9) The planning, construction, or modification of a levee maintenance project that meets the requirements for funding under Part 9 (commencing with Section 12980) of this division, or Article 4 (commencing with Section 78540) of Chapter 4 of Division 24.



(10) The planning, construction, or modification of a water recycling project that meets the requirements for funding under Article 4 (commencing with Section 79135) of Chapter 7 of Division 26.

(11) The planning, construction, or modification of a publicly owned treatment works that meets the requirements of paragraph (1) of subdivision (a) of Section 13480.

(12) The planning, construction, or modification of a domestic water supply facility to meet safe drinking water standards in accordance with the Safe Drinking Water State Revolving Loan Fund Law of 1997 (Chapter 4.5 (commencing with Section 116760) of Part 12 of Division 104 of the Health and Safety Code).

(13) The planning, construction, or modification of a drainage water management unit, as that term is defined in subdivision (a) of Section 78640.

(14) A water recycling project that meets the requirements for funding under Article 4 (commencing with Section 79135) of Chapter 7 of Division 26.

(15) The implementation of a water conservation program that meets the definition of a voluntary cost-effective capital outlay water conservation program pursuant to Section 78670.

(16) The planning, construction, or modification of a program or project that carries out any of the activities described in subdivision (c) of Section 79080 or reduces the impacts of nonnative plant species on water quality, water supply, or ecosystem health.

(17) The planning, construction, or modification of a program or project that desalts brackish or saline waters for use as an agricultural, domestic, or municipal water supply.

10541. (a) A regional water management group shall publish a notice of intention to prepare a regional plan in accordance with Section 6066 of the Government Code if three or more participants in the group propose to prepare the regional plan.

(b) Not later than 15 days after the last date of the publication of the notice pursuant to subdivision (a), the regional water management group shall hold a public hearing as to whether or not to prepare a regional plan. After the hearing, if three or more participants in the group determine to prepare the regional plan, the group shall prepare the plan not later than three years after the date of the hearing.

(c) Upon the completion of the regional plan, the regional water management group shall publish a notice of intention to adopt the regional plan in accordance with Section 6066 of the Government Code if three or more participants in the group propose to adopt the regional plan.



(d) Not later than 15 days after the last date of the publication of the notice pursuant to subdivision (c), the regional water management group shall hold a public hearing as to whether or not to adopt the regional plan. After the hearing, if three or more participants in the group determine to adopt the regional plan, including at least two of which that have statutory authority over water supply, the group shall adopt the plan not later than 30 days after the date of the hearing.

CHAPTER 5. FUNDING FOR QUALIFIED PROJECTS AND PROGRAMS

10543. When selecting projects and programs pursuant to Division 24 (commencing with Section 78500), Division 26 (commencing with Section 79000), Division 26.5 (commencing with Section 79500), if enacted by the voters on November 5, 2002, or as part of any Category A program, as defined in the CALFED Record of Decision, dated August 28, 2000, the department, board, State Department of Health Services, or CALFED, as appropriate, shall include in any set of criteria used to select projects and programs they administer under those divisions or as part of any Category A program, a criterion that provides a benefit for qualified projects or programs.

CHAPTER 6. MISCELLANEOUS

10545. Nothing in this part affects any powers granted to a local public agency by any authority other than this part.

10546. Nothing in this part authorizes a regional water management group to define, or otherwise determine, the water rights of any person or entity.

