



Government Affairs Update – October 2023

Please contact Assistant General Manager Brad Sherwood with any questions at brad.sherwood@scwa.ca.gov

State Update:

See attached end of year bill analysis.

ACWA State Legislative Committee met in October to review legislative strategies for 2024/2025. The committee agreed that the focus of the next year will remain on the development of the climate bond and water rights bills.

Federal Update

Issue: Sub-seasonal to Seasonal Precipitation Forecasting

Status: Sonoma water continues to organize and lead efforts to promote federal support for precipitation forecasting to better manage reservoir operations. Sonoma Water assisted with expansion of a broad coalition of water users, water management agencies, and a diverse group of local, state, regional, and national organizations committed to advancing improved subseasonal to seasonal (S2S) forecasting in the west and throughout the U.S. Building on the June 2023 hearing held by the House Science, Space and Technology Subcommittee on the Environment regarding reauthorization of the Weather Act, the firm advanced conversations with Capitol Hill policymakers in support of a \$15 million authorization and appropriation for the U.S. Weather Research Program under the National Oceanic and Atmospheric Administration's (NOAA's) Office of Oceanic and Atmospheric Research to finance a pilot project in the western U.S. to enhance S2S precipitation forecasting to improve water management. On September 30, 2023, a short-term Continuing Resolution was passed by Congress and signed by the President to extend federal funding at FY2023 levels through November 17, 2023. Negotiations regarding FY2024 federal appropriations are ongoing.

Issue: Advanced Quantitative Precipitation Information

Status: Sonoma Water continued to coordinate federal funding for the Advanced Quantitative Precipitation Information (AQPI) program. Building on the success of a \$900,000 appropriation that was included in report language for H.R.2617, the Consolidated Appropriations Act of 2023, we are working to secure additional funding in FY2024. Our champions, Senator Alex Padilla and Congressman Jared Huffman have led efforts to request an additional \$4.8 million for FY2024. On September 30, 2023, a short-term Continuing Resolution was passed by Congress and signed by the President to extend federal funding at FY2023 levels through November 17, 2023. Negotiations regarding FY2024 federal appropriations are ongoing.

Issue: Forecast Informed Reservoir Operations

Status: In addition to the efforts related to S2S and AQPI noted above, Sonoma Water worked to promote federal support for improved forecasting and associated water allocation and flood control decisions at Lake Sonoma and Lake Mendocino. In September 2023, a delegation of FIRO supporters, including elected officials and staff from Sonoma Water, representatives from Scripps Institution of Oceanography, participated in visits with policymakers and staff in Washington, DC to discuss FIRO's successes and requests for federal support to update water manuals for the region's reservoirs.

As previously reported, on March 9, 2023, the President's FY2024 budget request was released, which includes \$14 million for the Water Operations Technical Support (WOTS) program. On September 30, 2023, a short-term Continuing Resolution was passed by Congress and signed by the President to extend federal funding at FY2023 levels through November 17, 2023. Negotiations regarding FY2024 federal appropriations are ongoing.

Issue: Pacific Coastal Salmon Recovery Fund

Status: As previously reported, on March 9, 2023, the President's FY2024 budget request was released, which includes \$65 million for the Pacific Coastal Salmon Recover Fund (PCSRF). This appropriation is consistent with the amount enacted in FY2023 and in annual appropriations in recent years. On September 30, 2023, a short-term Continuing Resolution was passed by Congress and signed by the President to extend federal funding at FY2023 levels through November 17, 2023. Negotiations regarding FY2024 federal appropriations are ongoing.

Since the program's inception in FY2000, due in part to Sonoma Water's leadership and ongoing advocacy efforts, PCSRF has received \$1.75 billion in federal funding.

Issue: Operation of Dams / Implementation of Russian River Biological Opinion

Status: Sonoma Water continued to support efforts to secure funding for operation and maintenance of infrastructure critical to successful implementation of the Russian River Biological Opinion that has been in place since 2008. As is noted above, on March 9, 2023, the President's FY2024 budget request was released, which includes \$4.338 million for Operations and Maintenance (O&M) at Coyote Valley Dam and \$6.885 million for O&M at Dry Creek (Warm Springs) to support, among other things, dam safety and hatchery operations. On September 30, 2023, a short-term Continuing Resolution was passed by Congress and signed by the President to extend federal funding at FY2023 levels through November 17, 2023. Negotiations regarding FY2024 federal appropriations are ongoing.

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Bill	Summary	Location/Status	Position
AB 30 (Ward)	This bill renames the Atmospheric Rivers program as the Atmospheric Rivers Research and Forecast Improvement Program: Enabling Climate Adaptation Through Forecast-Informed Reservoir Operations and Hazard Resiliency Program and requires the Department of Water Resources to research, develop, and implement new observations, prediction models, novel forecasting methods, and tailored decision support systems to improve predictions of atmospheric rivers and their impacts on water supply, flooding, post-wildfire debris flows, and environmental conditions.	Chaptered: Signed by Gov. Newsom on Sep. 1	Co-Sponsor
AB 1272 (Wood)	This bill establishes a drought program at the State Water Resources Control Board (SWRCB) and requires SWRCB to adopt principles and guidelines that apply to specified coastal watersheds during times of water shortage. The bill would make the implementation of these provisions contingent upon an appropriation of funds by the Legislature for this purpose.	Withdrawn from Governor’s Desk – Pending in the Senate	Watch
AB 1567 (Garcia)	Would enact the Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat	Two- year bill: Senate Natural Resources & Water	Support if Amended

	<p>Mitigation, Clean Energy, and Workforce Development Bond Act of 2024, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$15,995,000,000 pursuant to the State General Obligation Bond Law to finance projects for safe drinking water, wildfire prevention, drought preparation, flood protection, extreme heat mitigation, clean energy, and workforce development programs.</p>		
<p>SB 867 (Allen)</p>	<p>Would enact the Drought, Flood, and Water Resilience, Wildfire and Forest Resilience, Coastal Resilience, Extreme Heat Mitigation, Biodiversity and Nature-Based Climate Solutions, Climate Smart Agriculture, Park Creation and Outdoor Access, and Clean Energy Bond Act of 2024, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$15,500,000,000 pursuant to the State General Obligation Bond Law to finance projects for drought, flood, and water resilience, wildfire and forest resilience, coastal resilience, extreme heat mitigation, biodiversity and nature-based climate solutions, climate smart agriculture, park creation and outdoor access, and clean energy programs.</p>	<p>Two-year bill: Assembly Natural Resources</p>	<p>Support in Concept</p>

<p>AB 277 (Rodriguez)</p>	<p>This bill would codify the State-Federal Flood Operations Center in the Department of Water Resources (DWR), and would require DWR and the Office of Emergency Services (OES) to report on forecasting and data that would improve flood response.</p>	<p>Dead: Held in Senate Appropriations on Suspense</p>	<p>Support</p>
<p>AB 460 (Bauer-Kahan)</p>	<p>This bill grants SWRCB authority to issue an interim relief order to enforce the reasonable use doctrine, water rights, water quality standards, and other provisions of water law. Increases penalties for specified violations from \$500 per day to \$10,000 per day and \$2,500 per AF of water illegally diverted.</p>	<p>Two-year bill: Senate Natural Resources & Water</p>	<p>Watch</p>
<p>AB 541 (Wood)</p>	<p>Requires the SWRCB to require a public water system that has experienced a major wildfire event of 300 acres or more and under specified conditions to perform sample collection and analysis of its source waters for the presence of benzene as soon as it is safe to do so. Authorizes the SWRCB to require the public water system to take specified response actions if benzene is detected.</p>	<p>Chaptered: Signed by Gov. Newsom on 10/9/23</p>	<p>Watch</p>
<p>AB 809 (Bennett)</p>	<p>Requires the California Department of Fish and Wildlife (DFW) to establish the California Monitoring Program (CMP) to collect comprehensive data on</p>	<p>Chaptered: Signed by Gov. Newsom on 10/8/23</p>	<p>Support</p>

	anadromous salmonid populations to inform salmon and steelhead recovery, conservation, and management activities.		
AB 1337 (Wicks)	Authorizes SWRCB to issue a curtailment order for any diversion, regardless of basis of right, when water is not available under the diverter's priority of right and makes the failure to comply with a curtailment order a trespass. Authorizes SWRCB to issue a cease and desist order when a water right holder fails to curtail diversions when water is unavailable under the water right holder's priority of right. Expands the instances when unauthorized diversion or use of water is considered a trespass.	Two-year bill: Senate Natural Resources & Water	Watch
AB 1572 (Friedman)	Prohibits the use of potable water to irrigate nonfunctional turf on commercial, municipal, institutional (except for cemeteries), homeowners' association, common interest development, and community service organization properties. Begins a phase-in of this ban on specified property types beginning January 1, 2027.	Chaptered: Signed by Gov. Newsom on 10/13/23	Support
AB 1573 (Friedman)	This bill makes changes to required provisions in the Model Water Efficiency Landscape Ordinance (MWELo), developed	Two-year bill: Senate Floor	Watch

	by the Department of Water (DWR), including the use of more nonnative plants that are non-invasive, provide pollinator benefits, and are low-water use, and native plants, and prohibiting the use of nonfunctional turf in nonresidential landscape projects.		
ACA 1 (Aguiar-Curry)	This constitutional amendment, subject to voter approval, allows a city, county, or special district, with 55% voter approval, to incur bonded indebtedness or impose specified special taxes to fund projects for affordable housing, permanent supportive housing, or public infrastructure, including water or protection of water quality; sanitary sewer; treatment of wastewater or reduction of pollution from stormwater runoff; flood control.	Chaptered: To be voted on at Nov. 5 election	Support
ACA 13 (Ward)	Requires an initiative constitutional amendment to comply with any increased voter approval threshold that it seeks to impose on future ballot measures. Guarantees in the state constitution the ability of local governments to submit advisory questions to voters.	Chaptered: To be voted on at Nov. 5 election	Support
SB 23 (Caballero)	This bill would require the State Water Resources Control Board (SWRCB)	Dead: Held in Senate Appropriations Suspense	Support

	<p>and regional water quality boards to use an approved regional habitat conservation plan or natural communities conservation plan, as specified, as a watershed plan for aquatic resources, as specified. It would also require the Department of Fish and Wildlife (DFW) and SWRCB, for water supply projects and flood risk reduction projects, to issue a final Lake and Streambed Alteration Agreement (LSAA) or take final action on water quality certifications issued pursuant to either Porter-Cologne or under the federal CWA, as applicable, within specific timeframes.</p>		
<p>SB 361 (Dodd)</p>	<p>This bill would make several changes intended to improve the state’s stream gage network, including to require the Department of Water Resources (DWR) and the State Water Resources Control Board (SWRCB) to reactivate, upgrade, and install new stream gages, as specified, and to implement recommendations from the California Stream Gaging Prioritization Plan 2022</p>	<p>Dead: Held in Senate Appropriations Suspense</p>	<p>Support</p>
<p>SB 389 (Allen)</p>	<p>This bill authorizes the SWRCB to investigate and ascertain whether or not a water right is valid, authorizes SWRCB to issue</p>	<p>Chapters: Signed by Gov. Newsom on 10/8/23</p>	<p>Watch</p>

	<p>an information order in furtherance of the investigation, and authorizes a diversion of use of water ascertained to be unauthorized to be enforced as a trespass</p>		
<p><u>SB 659</u> (Ashby)</p>	<p>This bill requires the Department of Water Resources (DWR), as part of the 2028 update to the California Water Plan, and each subsequent update thereafter to the plan, to provide actionable recommendations to develop additional groundwater recharge opportunities that increase the recharge of the state's groundwater basins.</p>	<p>Chaptered: Signed by Gov. Newsom on 10/9/23</p>	<p>Support</p>