

SAFER DRINKING WATER PROGRAM ADVISORY GROUP MEETING

**Safe and Affordable Funding for Equity and Resilience
Advisory Group
August 11, 2023
Meeting Materials Packet**

Please review this packet before the meeting.

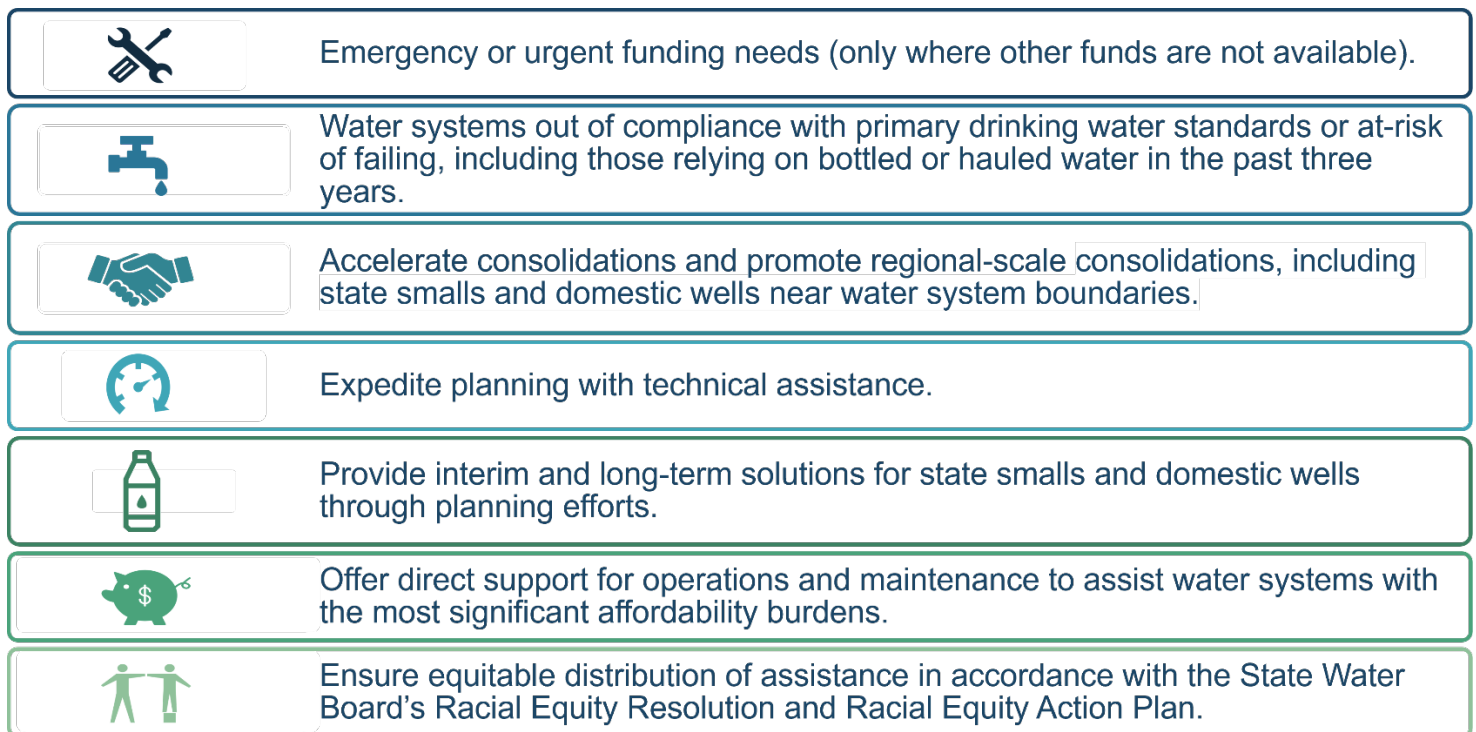
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Discussion #1: Draft Fiscal Year 2023-24 Fund Expenditure Plan

PROPOSED FISCAL YEAR 2023-24 PRIORITIES

Based on the 2023 Needs Assessment and SAFER Advisory Group input, the expenditures from the Safe Affordable Drinking Water (SADW) Fund for Fiscal Year (FY) 2023-24 will focus on solutions for small, disadvantaged communities (DACs)¹ and low-income² households. Priorities are shown below in Figure 1 and are not necessarily listed in ranked order. However, needs of failing systems will generally be prioritized above the needs of at-risk systems.

Figure 1. FY 2023-24 Safe Affordable Drinking Water Fund Expenditure Priorities



¹ “Disadvantaged community” means a community in which the Median Household Income (MHI) is less than 80% of the statewide annual MHI.

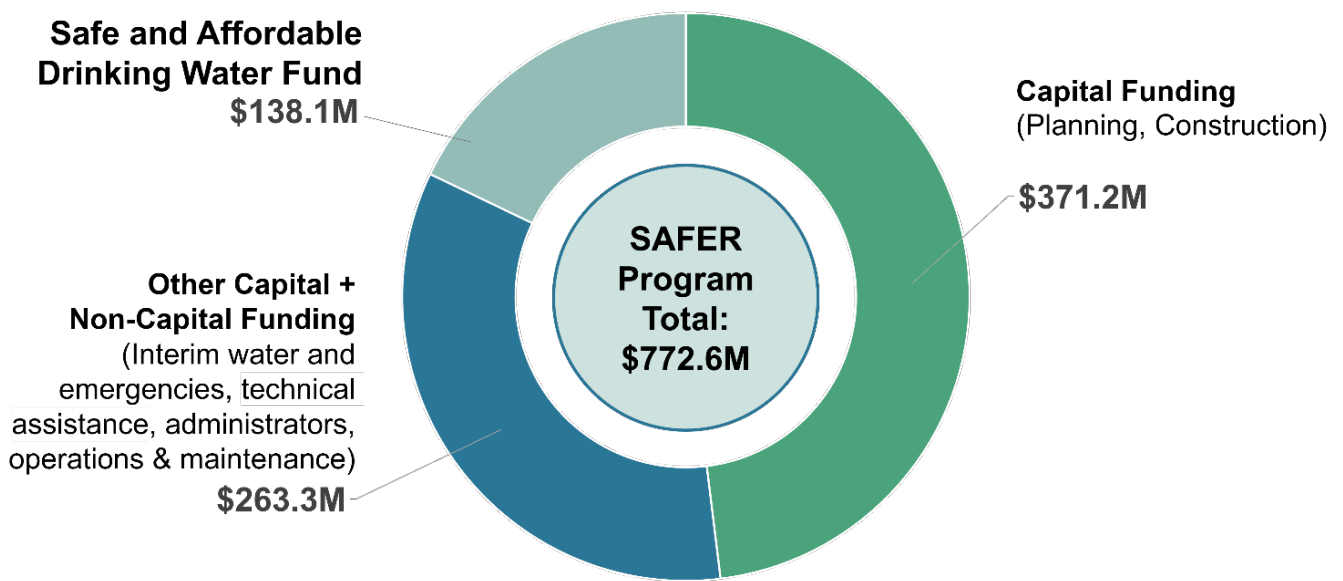
² “Low-income household” means a household within the service area of a community water system, in which the MHI is less than 80% of the statewide annual MHI level or a household with an income that is less than 200% of the federal poverty level.

SAFER PROGRAM COMPLEMENTARY FUNDING

Figure 2 illustrates the projected funding available for Fiscal Year 2023-24 within the SAFER Program. This includes the SADW Fund as well as complementary funding from various sources such as General Fund appropriations³, general obligation bond funds, and annual Drinking Water State Revolving Fund (DWSRF) capitalization grants.

In total, it is expected that approximately \$773 million will be available for the SAFER program. For further information, please refer to Table 1 of the Draft FY 2023-24 Fund Expenditure Plan.

Figure 2. FY 2023-24 SAFER Program Anticipated Funding Availability for Projects (Safe Affordable Drinking Water Fund plus complementary funding)



³ Additional information on the General Fund appropriations is provided in Appendix B. The DWSRF Intended Use Plan (IUP) serves as the Implementation Plan for some appropriations and contains limitations on eligible recipients, project types, and funding caps.

PROPOSED FY 2023-24 TARGET ALLOCATIONS FOR THE SADW FUND

Up to \$130 million will be available from the Safe Affordable Drinking Water Fund for local assistance and state operations. An uncommitted balance of \$23.5 million from prior fiscal years is also included. The target allocations shown below in Table 1 include the following funding proposals:

- The Safe Affordable Drinking Water Fund will:
 - Continue to be focused on solutions for small DACs and low-income households.
 - Include small, non-DAC and medium⁴ DAC projects that either address public health impacts or are part of a consolidation effort.
- Countywide and regional programs will provide interim water supplies (e.g., bottled and hauled water) and long-term solutions to address At-Risk state smalls and domestic wells for either water quality or drought impacts.
- \$30 million for Administrator appointments, expected to assist an additional 10 to 15 designated water systems.
- \$30 million for construction solutions to provide 30 priority systems with backup generators in response to Senate Bill (SB) 552 requirements, and to supplement existing programs that finance extension of service or well repair/replacement in contaminated or dry wells areas.
- \$20 million for direct operations and maintenance (O&M) assistance for up to 30 systems using a streamlined approach. O&M will initially target small, disadvantaged communities water systems with high affordability burden based on the 2023 Affordability Assessment, with water rates higher than 2.5% of the community's Median Household Income (MHI).
- \$15 million for Technical Assistance (TA) agreements to cover the following needs: Point of Use (POU)/Point of Entry (POE) Pilot related items, funding partner community outreach related items, and potential TA needs of Public Water Systems associated with implementation of the Direct O&M Funding Program.

Table 1. FY 2023-24 Safe Affordable Drinking Water Fund Target Allocations

⁴ A “medium community water system” means a system that serves up to 30,000 service connections or a 100,000 population.

	Solution Type					
Water System Category	Interim Water Supplies and Emergencies	Technical Assistance (includes Planning) ¹	Administrator ¹	Planning ^{1,2}	Direct O&M Support ¹	Construction ²
Systems Out of Compliance, At-Risk, or Consolidations	\$5M	\$15M	\$30M	\$3M	\$20M	\$20M
State Smalls/ Domestic Wells	\$10.9M		\$0	\$0	\$0	\$10M
Uncommitted from Prior FYs	\$23.5M	\$0	\$0	\$0	\$0	\$0
SUBTOTAL BY SOLUTION TYPE	\$15.9M (\$39.4M)	\$15M	\$30M	\$3M²	\$20M	\$30M²
PROJECT TOTAL³						\$113.9M (\$137.4M)
Other Program Needs (Reserved)	Pilot Projects	Contracts	Staff Costs			
	\$0	\$1.5M	\$14.6M			
GRAND TOTAL³						\$130M (\$153.5M)

¹ Solution type provides direct and/or indirect operations and maintenance support.

² Approximately \$635 million will be available from the SAFER Program (i.e., non-SADW funding sources) for planning and construction projects.

³ Totals in parentheses include target allocations from FY 2023-24 and uncommitted amounts from prior FYs.

SUMMARY OF KEY UPDATES OF THE FUND EXPENDITURE PLAN

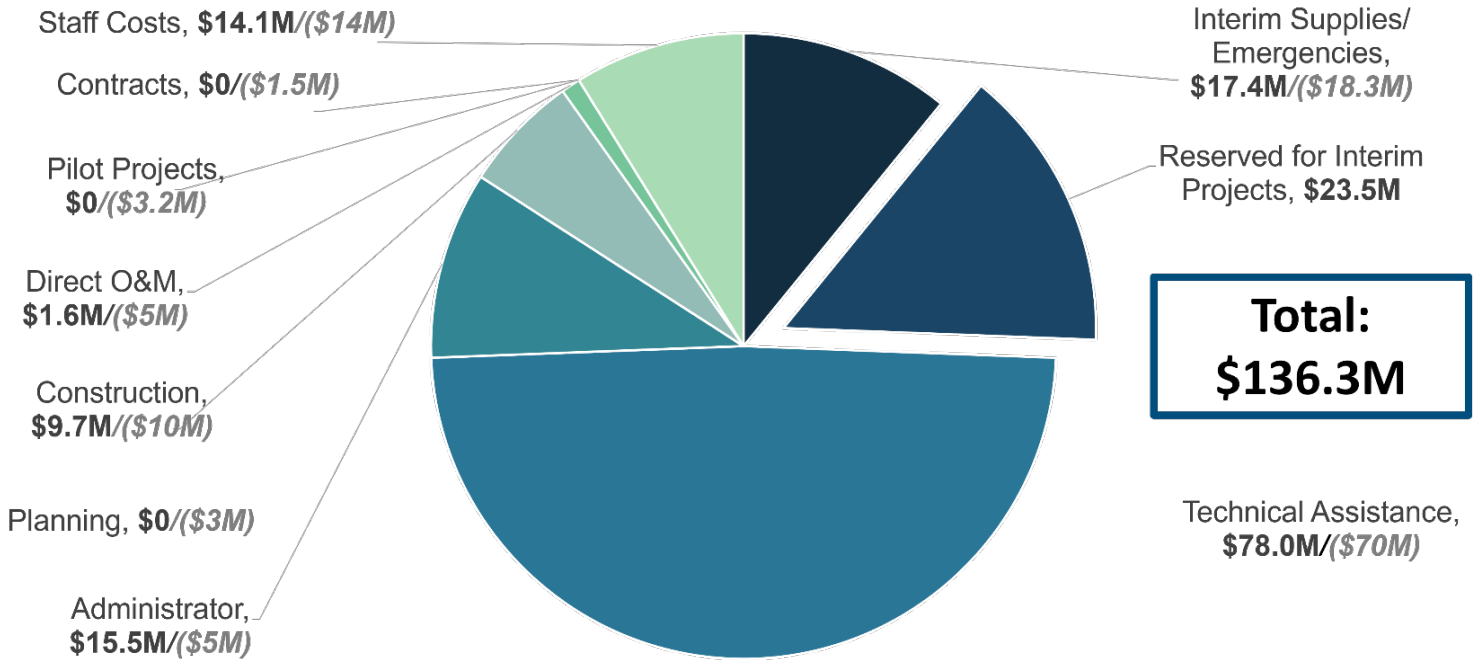
The following items are key changes compared to the previous Fiscal Year 2022-23 Fund Expenditure Plan:

- **Racial Equity** – text update to align with the 2023-2025 Racial Equity Action Plan adopted in January 2023 and FEP related actions.
- **Drinking Water Program Audit** – subsection moved to the Funding Process Section. Some administrative efficiency items will be tracked and reported in the Metrics Section.
- **Tribal Considerations** – subsection added to align with new tracking requirements from AB 2877.
Appendix A.1 added to include tribal needs assessment.
New category in the Metrics Section to include tribal coordination on drinking water projects.
- **Direct O&M Support** – added details on the Direct O&M Funding Program, to be implemented in fall 2023.
Refer to Section IV.D.2 of the Draft Fiscal Year 2023-24 Fund Expenditure Plan for more information.
- **Construction** – added description of the new Expedited Drinking Water Grant (EDWG) Program guidelines.
Construction projects that may be funded via the Urgent Drinking Water Needs application process can also include funding for backup generators to support small DAC systems in response to Senate Bill 552 requirements.
- **Drought Infrastructure** – information on additional funding available in the Rural Community Association Corporation (RCAC) generator program in compliance with Senate Bill 552 requirements.
Eligible systems can apply for backup generators funding via the Urgent Drinking Water Needs application process.
- **Programs for State Smalls and Domestic Wells** – updated descriptions of new Tule Basin Management Zone co-funding program and new county programs.
- **Metrics and Performance** – metrics updates to align with the SAFER Program tracking system.
Creation of a new metric category to track tribal coordination on drinking water projects, per Assembly Bill 2877 requirements.

SUMMARY OF EXPENDITURES FROM SADW FUND LAST YEAR

Figure 3 shows a breakdown of Fiscal Year 2022-23 Estimated Committed Expenditures for the SADW Fund (as of June 30, 2023) by solution type. Section VI.A of the Draft Fiscal Year 2023-24 Fund Expenditure Plan provides more details on the former target allocations and the estimated committed expenditures for FY 2022-23.

Figure 3. FY 2022-23 Committed Expenditures, by Solution Type
 (\$ committed/ (\$ target))



SAFER PROGRAM PERFORMANCE

Tables 2 shows SAFER Program performance for the SADW Fund and complementary funding sources for Fiscal Year 2022-23 and establishes performance goals for FY 2023-24.

Table 2. Fiscal Year 2022-23 SAFER Program Performance (7/1/2022 - 6/30/2023)

Category	FY 2022-23 Goal	FY 2022-23 Progress	Connections Benefiting	People Benefiting	Total Assistance Provided	FY 2023-24 Goal
Interim Solutions	50 communities	110 communities/schools (2,210 households)	3,361	20,659	\$3.6 M	50 communities
Technical Assistance Projects	100	112 (18 planning via TA)	50,684	161,990	\$9.6 M	100
Planning Projects	10	10	4,638	17,307	\$5.1 M	25
Construction Projects	30	33 (29)	231,893 (69,830)	1.1M (117,509)	\$241.2 M (\$220.8 M)	45

Table 3 show the SAFER Program performance from January 1, 2019, to June 30, 2023.

Table 3. Cumulative SAFER Program Performance (1/1/2019 - 6/30/2023)

Category	Cumulative Progress	Connections/ Households Benefiting	People Benefiting	Total Assistance Provided
Interim Solutions	276 communities/schools and 4,591 households	20,783	112,638	\$34M
Technical Assistance Projects	383 (63 planning via TA)	93,013	325,503	\$50.4M
Planning Projects	50	143,678	403,710	\$26.7M
Construction Projects ¹	116 (149)	175,402 (1.7M)	394,964 (9.75M)	\$510.8M (\$1.4B)

¹ All interim, TA, and planning funds, and a total of \$510.8M in construction funds, are being administered through the State Water Board's Office of Sustainable Water Solutions, which is focused on small or disadvantaged communities. The numbers in parentheses also include drinking water funding provided to larger communities.

TIMELINE

The following are key dates for ongoing development of the Fiscal Year 2023-24 Fund Expenditure Plan:

Date	Milestone
July 31, 2023	Release Draft for public comment
August 11, 2023	SAFER Advisory Group Meeting: Draft review
August 16, 2023	Board Workshop
August 30, 2023	End of 30-day public comment period
October 3, 2023	Board Meeting to consider adoption

LINKS

The public notices, the Draft Fiscal Year 2023-24 Fund Expenditure Plan, and other related material can be accessed at: bit.ly/SAFER-Solutions.

DISCUSSION QUESTIONS

- What feedback do you have on the funding targets?
- Which project types would you prefer increase for decrease funding, and why?
- What additional feedback do you have on the direct operation and maintenance funding approach or targets?
- Are there any specific topics or issues that should be discussed regarding the content of the Fund Expenditure Plan?

Discussion #2: SAFER Website Revamp

OVERVIEW

Phase one of the SAFER website revamp is underway. The revamp starts with the homepage, the first page visitors see when accessing the SAFER program website. Users should be able to easily locate the information they're searching for in the homepage.

During the February 2023 Advisory Group Onboarding session and the May 24, 2023, Advisory Group meeting, members provided feedback on the SAFER website. Their recommendations were to modernize the website, make it more user-friendly and simplify its content.

The following recommendations were provided for the homepage layout:

- Consider moving the “What’s New” section to the bottom of homepage or create drop-down menu for it.
- Ensure icons and images are relatable and intuitive.

Members provided the following recommendations for the homepage content:

- Clearly distinguish between what SAFER and other programs do.
- Provide tools to help people learn about their drinking water.
- Include information on domestic wells.
- Incorporate project spotlights, testimonials, videos, and case studies.
- Provide a list of systems that have been removed from the At-Risk list.
- Include the number of people served, in addition to households served.
- Create a Spanish version of the website for accessibility.







NEXT STEPS

As phase one of the website update progresses, staff will continue to report out to the Advisory Group. This process is expected to take several months.

Once the homepage is completed and the basic structure of the website is determined, staff will initiate phase two, which involves updating and creating individual webpages. Throughout phase two, staff will maintain engagement with the Advisory Group to gather feedback for the website revamp.

DISCUSSION QUESTIONS AND ACTIVITIES

1. Review the printouts on the table of the six homepage categories on the table. Use Post It notes to add any additional items under each category or to provide general comments.
2. Review the sample icons below. Use the feedback form provided to share input on these icons or suggest alternative icons that best represent the six main homepage categories.

Sample icons	Notes
<p>LEARN ABOUT YOUR DRINKING WATER</p> 	
<p>REQUEST HELP AND FUNDING</p> 	
<p>EXPLORE COMMUNITY SOLUTIONS</p> 	
<p>ADVISORY GROUP</p> 	
<p>ACCOMPLISHMENTS</p> 	
<p>POLICIES AND DOCUMENTS</p> 	

3. Should bios and interviews of Advisory Group members be included on the Advisory Group webpage and social media? What specific types of information, formats, and platforms would you recommend for inclusion?

SAFER Advisory Group Updates

This document serves as a written update for SAFER Advisory Group members on topics related to the SAFER program. Please note that there will not be a facilitated discussion on the following topics.

SAFER ADVISORY GROUP APPLICATION

Advisory Group members are appointed by the Board's Executive Director, or designee, and serve two-year rotating terms.

There are 9 available seats for the 2024-2025 SAFER Advisory Group. Applicants will be selected and notified by winter 2023. Applications will be accepted until **September 30, 2023**.

The Advisory Group is open to the public, including residents served by a community water system in a disadvantaged community, a state small water system, or a domestic well. It also includes representatives from public water systems, technical assistance providers, local agencies, non-governmental organizations, and California Tribes.

The following SAFER Advisory Group members must reapply if they want to serve another term:

- Don James, Tribal Representative, Tolowa Dee-Ni' Nation
- Esther Espinoza, Resident, Domestic Well Owner, Riverdale Community
- Ethel See Winchell, Resident, Dobbins Community
- Isabel Solorio, Resident, Lanare Community
- James Sullivan, Resident, Domestic Well Owner, Mendocino
- Jennifer Hazard, Non-Governmental Organization, Rural Community Assistance Corporation
- Kassy Chauhan, Public, North Kings Groundwater Sustainability Agency
- Rami Kahlon, Public Water System, California Water Service
- Sergio Carranza, Technical Assistance Provider, Pueblo Unido CDC

State Water Board staff will be available to answer questions and provide information during two question and answer sessions:

Wednesday, August 23, 6pm to 7:30pm

Zoom: <https://bit.ly/SAFER-AG-App-QandA-8-23>

Call-in: 1-669-444-9171

Meeting ID: 937 0658 2163

Wednesday, August 30, 11am to 1pm

Zoom: <https://bit.ly/SAFER-AG-App-QandA-8-30>

Call-in: 1-669-444-9171

Meeting ID: 923 1431 6843

TRIBAL AFFAIRS UPDATES

The State Water Board, in collaboration with US Environmental Protection Agency (US EPA), Indian Health Services (IHS), and the Department of Water Resources (DWR), has developed a Tribal Needs Assessment. The Tribal Needs Assessment, based on data from US EPA, IHS, and DWR, begins to illustrate the status and needs of tribal drinking water and identify gaps in federal funding that may be addressed by the SAFER Program.

Through this collaboration, we now understand that 60 of the 109 federally recognized tribes⁵ have water systems regulated by US EPA. Among these 60 tribes, there are 17 tribal water systems that are considered failing. The State Water Board is collaborating with US EPA on solutions for these tribal water systems.

There are 49 federally recognized tribes that do not have water systems regulated by US EPA and instead receive their water from domestic wells, surface water, and/or public water systems. These 49 tribes will be the focus of outreach in 2024 to better understand the source, status, and needs of drinking water for these tribes.

In addition, several funding gaps have emerged that could be uniquely met by the SAFER Program, including a funding shortfall, ineligible costs, emergency/urgent needs, operations and maintenance, and staffing. As always, the State Water Board will seek to support any tribe with drinking water solutions, regardless to their federal recognition status.

More information about the Tribal Needs Assessment can be found in the Fiscal Year 2023-24 SAFER Fund Expenditure Plan, Addendum A.1.

⁵ A federally recognized tribe is an American Indian or Alaska Native tribal entity that is recognized as having a government-to-government relationship with the United States of America, with the responsibilities, powers, limitations, and obligations attached to that designation.

SAFER TIMELINE

The following are tentative dates for SAFER related events:

2023	Topic
July 18	Board considers adoption of Drinking Water State Revolving Fund Intended Use Plan
July 31	Release of Draft Fund Expenditure Plan
Aug. 1	SAFER Advisory Group member application period opens
Aug. 11	SAFER Advisory Group meeting #3
Aug. 16	Fund Expenditure Plan Workshop
Aug. 23	Questions and Answers Session #1: Advisory Group member application
Aug. 30	Questions and Answers Session #2: Advisory Group member application
Aug. 30	Deadline to provide comments on the FY 2023-24 Draft Fund Expenditure Plan (Noon)
Sept. 30	SAFER Advisory Group member application period closes
Oct. 3	Board considers adoption of FY 2023/24 Fund Expenditure Plan
Dec. 7	SAFER Advisory Group Meeting #4
Dec. TBD	New Advisory Group members appointed

2023 Legislation Related to the SAFER Program

The following is a summary of California bills currently moving through the Legislature that may either directly impact the SAFER Program, or that may otherwise impact other SAFER-related programs or policies. These bills would impact the State Water Board's future work. This list is current as of July 10, 2023.

ADMINISTRATIVE

[AB 1495 \(Stephanie Nguyen\)](#) Office of Tribal Affairs.

This bill would establish an Office of Tribal Affairs in the Governor's office, which would be headed by the Secretary of the Office of Tribal Affairs. The Office would manage the state's tribal programs and would help tribes connect with state officers' tribal leads. The bill would also establish:

- A Deputy of Tribal Affairs in every state agency and in every constitutional office.
- A Tribal Advisor in every state agency executive office.

NOTE: This bill did not meet policy committee deadlines in 2023 and will not be proceeding.

DRINKING WATER

[SB 3 \(Dodd\)](#) Discontinuation of residential water service: community water system.

The Water Shutoff Protection Act ([SB 998, Dodd](#); Chapter 891, Statutes of 2018) currently requires public water systems with more than 200 service connections to take certain actions related to the discontinuation of water service due to nonpayment, including:

- Adopting a written policy on discontinuation.
- Posting that policy on their website.
- Waiting at least 60 days before shutting off a customer's water.
- Following certain procedures, such as advanced notice, offering an appeals process, and arranging means of alternate payments.
- Refraining from shutting off water in certain circumstances.

This bill would expand these requirements to water systems with fewer than 200 service connections. The bill would also require the State Water Board to provide training statewide to those smaller community water systems to meet compliance with the Water Shutoff Protection Act.

[SB 28 \(Glazer\)](#) Education finance: school facilities: Public Preschool, K-12, and College Health and Safety Bond Act of 2024.

This bill would put before the voters the Public Preschool, K-12, and College Health and Safety Bond Act of 2024 ('Bond Act'). Among other things, the Bond Act would allocate \$150 million to help address lead in school drinking water. Schools built before January 1, 2010, would be able to apply:

- To the State Allocation Board for grants to test water outlets for lead; and
- For subsequent grants to replace water outlets if test results show lead levels above 15 parts per billion.

[SB 57 \(Gonzalez\)](#) Utilities: disconnection of residential service.

This bill would require certain utilities, including water corporations and local agencies that own public water systems, to postpone service disconnections for delinquent accounts within 24 hours of the temperature being either below 32, or above 95 degrees Fahrenheit. Utilities would be required to notify their residential ratepayers of that requirement and, if they have an internet website, to create an online tool for reporting illegal disconnections. The State Water Resources Control Board would be authorized to enforce these requirements against those water systems.

NOTE: This bill did not meet policy committee deadlines in 2023 and will not be proceeding.

AB 249 (Holden) Water: school sites: lead testing: conservation.

This bill would require community water systems to test for lead at K-12 school sites within their jurisdictions that meet the following qualifications: (1) they receive funding under Title I of the federal Elementary and Secondary Education Act of 1965, and (2) they were built before January 1, 2010. Schools would also be exempt from testing requirements if they were modernized after January 1, 2010. Local educational agencies and schools would be required to take certain remediating actions if lead levels are found above 5 parts per billion. The State Water Board would be required to post lead testing data publicly, along with any associated data descriptions and disclaimers.

AB 541 (Wood) California Safe Drinking Water Act: wildfire aftermath: benzene testing.

This bill would direct the State Water Board to require a public water system that has experienced a wildfire event of 300 acres or more to perform sample collection and analysis for the presence of benzene as soon as it is safe to do so. Sample locations would include source waters, treatment and conveyance facilities, distribution systems, or a combination thereof.

AB 664 (Lee) California Safe Drinking Water Act: domestic wells.

This bill would require that property owners who do not consent to participate in a consolidation or extension of service ordered or encouraged by the State Water Board, must ensure that tenants of rental properties served solely by domestic wells have access to safe drinking water until consent for consolidation is provided. Rental property owners who do not consent to consolidation would be required to test their domestic well water, provide test results to tenants, and provide or pay for uninterrupted replacement water service if contaminants are identified. Property owners would be prohibited from imposing charges or increasing fees or rent solely as a result of the requirements to test and provide results to tenants.

AB 805 (Arambula) Drinking water consolidation: sewer service.

This bill would authorize the State Water Board, if sufficient funds are available, to order consolidation of sewer service along with a consolidation order for drinking water systems when both the receiving and subsumed water systems provide sewer service. Before ordering a sewer service consolidation, the State Water Board would need to:

- Consult with the relevant regional water quality control board.
- Consult with the receiving water system.
- Conduct outreach to ratepayers and residents, including community groups.

Finally, this bill would authorize the State Water Board to require an appointed administrator, in addition to providing technical, managerial, and financial (TMF) assistance to a designated water system's drinking water service, to also provide TMF assistance to any sewer service provided by that designated water system.

NOTE: This bill has been made a 2-year bill at the request of the author.

BONDS/FUNDING/FINANCIAL ASSISTANCE

SB 336 (Umberg) State grant programs: negotiated cost rate agreements.

This bill would require state agencies or other state entities administering a grant program to reimburse a grantee's indirect costs at specified rates as requested by the grantee. The bill would also authorize grant applicants to request such reimbursement when they apply for the grant. These provisions would apply to any such grant program, regardless of whether the grant source is state and/or federal funds.

AB 590 (Hart) State-funded assistance grants and contracts: advance payments.

The bill would authorize an administering state agency to provide advance payment to an eligible recipient entity, with a priority for recipient entities and projects serving disadvantaged, low-income, and under-resourced communities.

AB 619 (Vince Fong) State government: emergency services: nonprofit service providers.

This bill would authorize a nonprofit entity that provides services pursuant to a contract with a state agency to request that the state agency allow the nonprofit to modify how it provides those services during a state emergency. Additionally, if a state of emergency is not declared but a disruption still occurs, this bill would allow a nonprofit entity to request flexibility in how it carries out its contract.

AB 682 (Mathis) State Water Resources Control Board: online search tool: funding applications.

This bill would require the State Water Board to update its online search tool for funding applications to include the following information related to funding application status:

- A description of the additional information the board requires from a water system to continue processing the water system's application.
- The date the board requested the water system to provide additional information.
- The cause of any prolonged delays in the application process.
- A description of the typical steps that must be completed before a funding agreement can be executed after receipt of a complete application.

AB 838 (Connolly) California Water Affordability and Infrastructure Transparency Act of 2023

Beginning January 1, 2025, this bill would require public water systems to report information about customer billing and planned infrastructure improvements to the State Water Board. Such report would include:

- Information related to the average water bill paid by customers, such as the median dollar and total dollar amounts billed to customers the previous calendar year.

- Information and data related to completed and planned efforts to replace aging infrastructure, including the total cost of infrastructure improvements in the prior calendar year, and the percentage of water mains replaced in the prior calendar year.

NOTE: This bill did not move out of appropriations committee and will not be proceeding.

AB 885 (Luz Rivas) Public contracts: nonprofit organizations.

This bill would establish the California Nonprofit Fairness in Contracting Act. Among other things, this Act would require the following:

- Require state and local agencies who contract with nonprofit organizations to establish a preference for contracts that last longer than one year.
- Contracts that last longer than one year would be required to include automatic cost of business increases.
- State or local agencies must promptly renew a contract with a nonprofit organization that is meeting the performance objectives identified in the contract.

The bill would also include employee compensation requirements for contractors.

AB 1211 (Mathis) Safe Drinking Water State Revolving Fund: internet website information: updates.

This bill would require the State Water Board to post updates regarding implementation of the Safe Drinking Water State Revolving Fund Law and expenditures from the Safe Drinking Water State Revolving Fund at least annually, rather than once every two years.

AB 1567 (Garcia) Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, and Workforce Development Bond Act of 2023.

This bill would enact the Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, and Workforce Development Bond Act of 2023, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$15,105,000,000 to finance projects for safe drinking water, wildfire prevention, drought preparation, flood protection, extreme heat mitigation, and workforce development programs.

WATER QUALITY

AB 753 (Papan) State Water Pollution Cleanup and Abatement Account: annual proceed transfers.

This bill would create the “Waterway Recovery Account” within the Waste Discharge Permit Fund. The bill would require the State Water Board to allocate the Waterway Recovery Account moneys to each regional board on a proportional basis, based on moneys generated in each region, and would require the regional boards to allocate those moneys to third parties, with priority given to third parties that will undertake projects with multiple benefits that provide greenspace within disadvantaged communities, as provided.

AB 1115 (Papan) Barry Keene Underground Storage Tank Cleanup Trust Fund Act of 1989: brownfields remediation and redevelopment.

Existing law establishes the Barry Keene Underground Storage Tank Cleanup Trust Fund Act of 1989 (the Act), which requires owners of underground storage tanks to pay fees into the Underground Storage Tank Cleanup Fund. The Act authorizes the State Water Board to

use those funds to pay for cleanup and remediation activities related to unauthorized releases from underground storage tanks. Existing law sunsets key provisions of the Act on January 1, 2026.

This bill would extend the sunset date on the Underground Storage Tank Cleanup Fund, and its associated subaccounts and programs, through January 1, 2036.

WATER RIGHTS

SB 389 (Allen) State Water Resources Control Board: determination of water right.

This bill would authorize the State Water Board to investigate and ascertain whether the basis of a water right claim is valid. The State Board may issue an information order in furtherance of an investigation, as executed by the executive director of the board, to a water right holder or claimant, diverter, or user to provide the information related to a diversion and use of water, as specified. The bill would authorize that a diversion or use of water ascertained to be unauthorized pursuant to the provision to be enforced as a trespass.

AB 460 (Bauer-Kahan) State Water Resources Control Board: interim relief.

This bill would authorize the State Water Board to issue an interim relief order to implement or enforce certain water-related state policies, including the reasonable and beneficial use of water, the public trust doctrine, water quality objectives or principals and guidelines, sufficient water flows through dams, and other specified provisions.

This bill would also authorize the State Water Board to obtain inspection warrants, adjust State Water Board civil liabilities due to inflation, require plaintiffs to exhaust their administrative remedies before suing the State Water Board in court, and increase other water rights-related civil penalties.

NOTE: This bill has been made a 2-year bill at the request of the author.

AB 676 (Bennett) Water: general state policy.

State law currently provides that the use of water for domestic purposes is the highest use of water in the state. This bill would provide additional specifics as to what types of uses would qualify as domestic, such as the following:

- Human consumption, cooking, or sanitary purposes
- Care of household livestock and animals
- Care of household gardens
- Deliveries of water by community water systems, other public, municipal, and industrial water agencies, and water corporations regulated by the Public Utilities Commission.

AB 1337 (Wicks) State Water Resources Control Board: water shortage enforcement.

This bill would authorize the State Water Board 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.
- Regulations to implement curtailments under this measure.
- 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.