



*****FLOOR ALERT*****

AB 2639 (Quirk) - File #96

Bay-Delta Plan Deadlines & Hold on New Water Rights

OPPOSE UNLESS AMENDED

“No” Vote Urged

May 26, 2022

The organizations listed below maintain an “Oppose-Unless-Amended” position and urge a “No” vote on AB 2639 because the bill has not been amended to address the following concerns:

- 1) **UNWORKABLE DEADLINES** - AB 2639 would create two unworkable deadlines for adoption and implementation of the Bay-Delta Water Quality Control Plan. The deadlines would circumvent due process and meaningful public processes.
- 2) **COUNTERPRODUCTIVE HAMMER** - The proposed penalty if the State Water Board missed one of the two proposed December 31, 2023 deadlines would hurt water management.
 - The bill would put a hold on State Water Board approval of new water rights for diversion of water to surface storage from the Bay-Delta watershed.
 - This proposal could delay critical projects, such as the Sites Reservoir – a project that will help protect salmon.
 - With climate change, California is facing loss of snowpack – nature’s reservoir for storing water. Being able to divert water to storage can be key to a community having an adequate water supply.
 - Putting a hold on a water management tool that allows surface water to be available (e.g., as groundwater pumping is reduced under the Sustainable Groundwater Management Act) is counter-productive to the State’s work to become climate- and water-resilient.
- 3) **UNNECESSARY PROPOSAL** - The Newsom Administration is committed to the Bay-Delta work and is taking a broader and more holistic approach.
- 4) **UNACCEPTED AMENDMENTS** –This coalition has offered amendments (see last page), but the Author has not accepted them.

We urge a “No” Vote on AB 2639

Association of California Water Agencies
Amador Water Agency
Anderson-Cottonwood Irrigation District
Bella Vista Water District
Brooktrails Township Community Services District
California Chamber of Commerce
California Farm Bureau
California Municipal Utilities Association
Calleguas Municipal Water District
City of Roseville
Coachella Valley Water District
Coastside County Water District
Cucamonga Valley Water District
Dunnigan Water District
El Dorado Water Agency

Elsinore Valley Municipal Water District
Foothill Municipal Water District
Fresno Irrigation District
Glenn-Colusa Irrigation District
High Desert Water District
Kings River Conservation District
Kinneloa Irrigation District
Lake Arrowhead Community Services District
Las Virgenes Municipal Water District
Merced Irrigation District
Mercy Springs Water District
Modesto Irrigation District
Mojave Water Agency
Municipal Water District of Orange County
Northern California Water Association
Oakdale Irrigation District

Panoche Water District
Reclamation District 108
Regional Water Authority
Rowland Water District
San Gabriel Valley Municipal Water District
San Juan Water District
San Luis & Delta-Mendota Water Authority
South San Joaquin Irrigation District

Three Valleys Municipal Water District
Turlock Irrigation District
Upper San Gabriel Valley Municipal Water District
Valley Center Municipal Water District
Western Canal Water District
Western Growers Association
Western Municipal Water District

If you have questions, please email ACWA Deputy Executive Director for Government Relations, [Cindy Tuck](#).

ACWA's Suggested Amendments to AB 2639 (Quirk)

**[Additions shown with underscore and
deletions shown with strikeout.]**

Proposed New Water Code Section 13170.6

SECTION 1. Section 13170.6 is added to the Water Code, to read:

13170.6. (a) (1) The board shall, ~~on or before December 31, 2023~~ as soon as practicable, adopt a final update of the 1995 Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary adopted by the board in Resolution No. 95-24 on May 22, 1995, as amended by the 2006 amendment adopted by the board in Resolution No. 2006-0098 on December 13, 2006.

(2) The board shall, on or before December 31, 2023, provide a report to the Legislature detailing progress on completion of the final update.

(b) The board shall, on or before December 31, 2023, ~~through regulation or other appropriate implementation methods, implement~~ release for public review any draft environmental review it has prepared in compliance with the California Environmental Quality Act to evaluate any agreement submitted to the board as an alternative means to achieve the goals of the amendments to the Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary adopted by the board pursuant to Resolution No. 2018-0059 on December 12, 2018, or any subsequent amendment to that resolution.

~~(c) On or after January 1, 2024, the board shall not approve a new water right permit that would result in new or increased diversions to surface water storage from the Sacramento River/San Joaquin River watershed until and unless the board has taken the actions described in subdivisions (a) and (b).~~

April 19, 2022 – Based on April 19 Version of AB 2639.