

AMENDED IN SENATE JUNE 18, 2008

AMENDED IN ASSEMBLY MAY 23, 2008

AMENDED IN ASSEMBLY MARCH 24, 2008

CALIFORNIA LEGISLATURE—2007—08 REGULAR SESSION

ASSEMBLY BILL

No. 2970

Introduced by Assembly Member Eng
(Coauthor: Assembly Member Jones)

February 22, 2008

An act to add Section 143 to the Water Code, relating to water.

LEGISLATIVE COUNSEL'S DIGEST

AB 2970, as amended, Eng. State Water Project: delivery capability report.

Under existing law, the Department of Water Resources operates the State Water Project, which includes state water facilities, as defined.

This bill would require the department, commencing in ~~2012~~ 2011, and every 2 years thereafter, to prepare a ~~water delivery reliability~~ report which sets forth the then-existing delivery capability of the State Water Project and the total amount of water allocated to each State Water Project contractor for that year and each of the 10 years immediately preceding the report. The bill would require the report to take into consideration a range of hydrologic conditions. The bill would also require the report to ~~identify potential water management options to increase water reliability, to provide a clear explanation of the appropriate and inappropriate uses of, and reliability of,~~ *include a summary of the delivery capability and reliability of all categories of water delivered pursuant to State Water Project contracts, to analyze an analysis of* the possible effects of climate change on the State Water

Project, and to explain an explanation of the data used to generate compile the report. The bill would require the department to obtain scientific peer review of the report, to address the concerns raised by the peer review, and to provide a draft of the preliminary report to the public prior to issuing the final report. The bill would require the department to deliver submit the final report to specified parties, including the Legislature, and to make the report available on its Internet Web site.

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. Section 143 is added to the Water Code, to read:
- 2 143. (a) Commencing in ~~2012~~ 2011, and every two years
- 3 thereafter, the department shall prepare a report that accurately
- 4 sets forth, in a manner readily understandable by the public, the
- 5 then-existing delivery capability of all State Water Project facilities,
- 6 and the total amount of water allocated to each State Water Project
- 7 contractor for that year and each of the 10 years immediately
- 8 preceding the report. In determining the then-existing delivery
- 9 capability, the department shall take into consideration a range of
- 10 hydrologic conditions, including, but not limited to, the historic
- 11 extended dry cycle and the long-term average. The report shall
- 12 include, but need not be limited to, all of the following:
- 13 (1) ~~A summary of the potential water management options that~~
- 14 ~~will increase water reliability with the State Water Project contract~~
- 15 ~~service areas.~~
- 16 (2) ~~A clear explanation of the appropriate and inappropriate~~
- 17 ~~uses of, and reliability of, all~~
- 18 (1) *A summary of the delivery capability and reliability of all*
- 19 *categories of water delivered pursuant to State Water Project*
- 20 *contracts.*
- 21 (3)
- 22 (2) *An analysis of the possible effects of climate change, to the*
- 23 *extent applicable, on State Water Project water supplies and State*
- 24 *Water Project delivery capability and reliability.*
- 25 (4)

1 (3) An explanation of the data used to compile the report,
2 including an explanation of how the data may be used by local
3 water planners.

4 ~~(b) Prior to submitting the final draft of the report required by~~
5 ~~subdivision (a), the department shall obtain scientific peer review~~
6 ~~of the draft, and shall address in its final report all concerns raised~~
7 ~~by the peer review. The department shall provide a preliminary~~
8 ~~draft of the report to the public, at least six months prior to the due~~
9 ~~date of the final report.~~

10 ~~(c) The department shall submit the final report to the~~
11 ~~Legislature, all State Water Project contractors, all city and county~~
12 ~~planning departments, and all regional and metropolitan planning~~
13 ~~departments within the State Water Project service area. The~~
14 ~~department shall make the report available in electronic format on~~
15 ~~its Internet Web site.~~

16 *(b) Prior to preparing the report for 2011, the department shall*
17 *obtain an independent outside technical and management-level*
18 *review of the procedures and methodologies used to prepare the*
19 *report, and shall include in the 2011 report the results of that*
20 *review.*

21 *(c) Not less than 90 days prior to submitting the report required*
22 *by subdivision (a), the department shall provide a draft report to*
23 *the public for a review period of not less than 30 days by posting*
24 *it in electronic format on its Internet Web site. The department*
25 *shall respond to the public comment received during the public*
26 *comment period in the final report.*

27 *(d) The department shall submit the final report to the*
28 *Legislature, all State Water Project contractors, all city and county*
29 *planning departments, and all regional and metropolitan planning*
30 *department within the State Water Project service area. The*
31 *department shall make the report available in electronic format*
32 *on its Internet Web site.*

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