

Date of Hearing: April 23, 2024

ASSEMBLY COMMITTEE ON WATER, PARKS, AND WILDLIFE

Diane Papan, Chair

AB 2614 (Ramos) – As Amended March 21, 2024

SUBJECT: Water policy: California tribal communities

SUMMARY: Defines “tribal water uses” and designates them as a beneficial use of water. Requires the State Water Resources Control Board (State Water Board) and the Regional Water Quality Control Boards (Regional Water Boards), when approving a project or regulatory program, to describe how that project or regulatory program would impact tribal water uses and to incorporate tribal uses of water into water quality control plans. Specifically, **this bill:**

- 1) Adds “tribal water uses” to the definition of beneficial uses of waters of the state.
- 2) Defines "tribal water uses" as any tribal practice that involves contact with a body of water or use of animals, plants, or fungi that reside in, or are adjacent to, a body of water.
- 3) Allows a California tribal community that elects not to publicly disclose its tribal water uses to confidentially disclose them to the State Water Board or a Regional Water Board.
- 4) Requires the above definition of tribal water uses to be used exclusively and to replace all definitions previously adopted by a state agency, including but not limited to, definitions of "tribal traditional cultural uses" and "tribal subsistence uses.”
- 5) Provides that policies of the state with respect to water quality, as it relates to California tribal communities, consist of both of the following:
 - a) Tribal ecological knowledge should be valued and incorporated into regulatory and management programs; and
 - b) State agencies should make resources available for tribal co-management of aquatic resources within traditional and current tribal lands.
- 6) Requires any project or regulatory program, subject to approval by the State Water Board or a Regional Water Board, to—within an environmental review under the California Environmental Quality Act (CEQA)—describe, with both quantitative and qualitative information, how the project or regulatory program will impact tribal water uses.
- 7) Requires the State Water Board to publish a report on the implementation of #5 and #6, above, on or before December 1, 2025 and every two years thereafter.
- 8) Requires the State Water Board, during the process of formulating or revising state policy for water quality control, to consult with and carefully evaluate the recommendations of California tribal communities.
- 9) Requires, on or before January 1, 2026, the State Water Board to incorporate water quality standards to achieve reasonable protection of tribal water uses into the water quality control plan for the San Francisco Bay and Sacramento-San Joaquin Delta watershed (Bay-Delta Plan).

- 10) Requires the memorandum of understanding (MOU) between the California Environmental Protection Agency (CalEPA) and the Natural Resources Agency (NRA) that establishes the California Water Quality Monitoring Council (Monitoring Council) to describe the means by which the Monitoring Council will formulate recommendations to achieve and maintain tribal water uses through State Water Board and Regional Water Board regulatory actions and other programs, including but not limited to, co-management of habitat restoration and management programs and consultations within California tribal communities.
- 11) Requires, on or before December 1, 2025, CalEPA and NRA to amend the MOU to incorporate participation from California tribal communities in the actions of the Monitoring Council.
- 12) Requires Regional Water Boards, when establishing water quality objectives, to additionally consider the following factors:
 - a) Consultations with California tribal communities; and
 - b) Environmental justice considerations.
- 13) Provides that the adoption of tribal water uses within a water quality control plan shall not be subject to CEQA.
- 14) Requires, on or before January 1, 2028, each Regional Water Board to adopt water quality standards for the reasonable protection of tribal water uses into water quality control plans.
- 15) Makes the following findings and declarations:
 - a) California tribal communities have special ties to the bodies of water that have sustained their people, who have suffered from genocide, disease, displacement, and discrimination dating back to European colonization, and therefore tribal water uses must be protected through the statewide program for the control of the quality of all the waters of the state and
 - b) Allowing for tribal water uses should be a primary factor in determining the highest water quality that is reasonable in all regulatory decisions.

EXISTING LAW:

- 1) Establishes the federal Clean Water Act (CWA) to regulate discharges of pollutants into the waters of the United States (U.S.) and regulate quality standards for surface waters (33 United States Code (USC) § 1251 *et seq.*).
- 2) Pursuant to the Porter-Cologne Water Quality Control Act (Porter-Cologne), prohibits the discharge of pollutants to surface waters unless the discharger obtains a permit from the State Water Board (Water Code § 13000 *et seq.*)
- 3) Provides that beneficial uses of waters of the state include, domestic, municipal, agricultural and industrial supply, power generation, recreation, aesthetic enjoyment, navigation, and preservation and enhancement of fish, wildlife, and other aquatic resources or preserves [Water Code § 13050 (f)].

- 4) Requires the State Water Board, during the process of formulating or revising state policy for water quality control, to consult with, and carefully evaluate the recommendations of, concerned federal, state, and local agencies (Water Code § 13144).
- 5) Requires, on or before December 1, 2007, CalEPA and the NRA to enter into an MOU for the purposes of establishing the Monitoring Council. Requires the State Water Board to administer the Monitoring Council (Water Code § 13181).
- 6) Delegates to California's Regional Water Boards the ability to adopt water quality standards within their region of jurisdiction (Water Code § 13240).
- 7) Requires a Regional Water Board to prescribe requirements for any proposed discharge, existing discharge, or material change in an existing discharge, except discharges into a community sewer system, with relation to the conditions existing in the disposal area upon or receiving waters into which the discharge is made or proposed. Specifies that requirements that implement any relevant water quality control plans have been adopted and take into consideration the beneficial uses to be protected, water quality objectives, other waste discharges, and the need to prevent nuisance (Water Code § 13269 *et seq.*).

FISCAL EFFECT: Unknown. This bill is keyed fiscal.

COMMENTS:

- 1) **Purpose of this bill.** According to the author: “California tribes have been fighting to preserve their way of life since the beginning of California’s history. The state and tribes have been working hand in hand to correct injustices and heal historical trauma. Laws have been passed mandating consultation and preservation of tribal sacred sites and cultural resources. However; tribes cannot maintain their ways of life without access to the plants and animals sustained by healthy rivers and lakes. AB 2614 would establish statewide tribal beneficial water uses, which would ensure all California tribes can benefit from water quality management plans that would place cultural uses on equal footing with other uses.”
- 2) **Background.** California is home to the largest Native American population in the country and has 110 federally recognized tribes¹ with another 81 groups seeking federal recognition.² According to 2020 U.S. Census data, 631,016 Californians identify as “American Indian” or “Alaska Native”; when including the Californians that identify as “American Indian” or “Alaska Native” in combination with another race or ethnicity, the number of Native Americans in California increases to 1.4 million residents.³

¹ U.S. Department of Health and Human Services, Indian Health Service. (2022, Jan 28). List of Federally-Recognized Tribes in CA. <https://www.ihs.gov/california/index.cfm/tribal-consultation/resources-for-tribal-leaders/list-of-federally-recognized-tribes-in-ca/>.

² Center for Families, Children & the Courts. (2012, Jan). Frequently Asked Questions: Indian Tribes and Tribal Communities in California. <https://www.courts.ca.gov/documents/TribalFAQs.pdf>.

³ U.S. Census Bureau. (2020, Aug 12). Race and Ethnicity in the United States: 2010 Census and 2020 Census. <https://www.census.gov/library/visualizations/interactive/race-and-ethnicity-in-the-united-state-2010-and-2020-census.html>.

Very few Native Americans live on their ancestral lands in California today. This is due to the repeated efforts of Spanish, Mexican, Russian, and U.S. governments to subdue and displace indigenous peoples: “All four colonial nations sponsored policies that uprooted Indigenous People and communities from the lands in which they were created, and all four deployed violence, in the form of slavery, genocide, and an administrative state bent on eliminating California Indian people.”⁴

The federal government sent three commissioners to California to negotiate treaties with California tribes in 1851. These commissioners negotiated 18 treaties with 139 tribes that would have set aside 7.5 million acres for Indian use and granted other rights to Native Californians; however, when President Fillmore submitted the treaties to the U.S. Senate for ratification in February 1852, senators from California objected and the U.S. Senate rejected the treaties during a secret session. The U.S. Senate then placed the treaties in its archive, concealing the existence of these treaties from the public for more than 50 years.⁵ In 1903, the federal government sent another Indian agent to California to settle Indians on reserved lands. By that time, however, many tribes no longer lived on their ancestral lands, so small plots of land were established for Indian families.

Lands legally controlled by tribes in California today result from presidential executive order, federal statute, or action by tribes and tribal members themselves to purchase land. Water rights were not often appropriately accounted for in the protection of tribal lands.

Water is essential for all life and, like other groups across the globe, “quite often, Indigenous People chose to live on or near bodies of water.”⁶ In addition, many tribes strongly believe that water is an interconnected element that flows through all spaces in tribal communities. This stems from their own Indigenous Knowledge Systems (IKS); these systems are tribes own skills, perceptions, ideologies, and experiences. One component of IKS is Traditional Ecological Knowledge, the relationship between the people and the direct contact with the environment.⁷ For example, water holds importance with regard to farming which provides sustenance for community members, fishing which also provides sustenance, and ceremonial use for healing. Some tribal communities’ creation stories include water, some which share that water sources like springs and underground waterways are pathways which connect the ancestors from the past to the present.⁸

Federal Clean Water Act (CWA): The Federal Water Pollution Control Act of 1948 was the first major U.S. law to address water pollution. The law was amended in 1972 and became commonly known as CWA. The federal CWA establishes the basic structure for regulating discharges of pollutants into the waters of the U.S and regulating quality standards for surface waters. Under the CWA, the U.S. Environmental Protection Agency (U.S. EPA) has

⁴ Akins, D. and Bauer, Jr., W. (2021). *We Are the Land: A History of Native California*. Oakland: University of California Press, p. 3.

⁵ U.S. National Park Service. (2004, Nov 17). A History of Native American Indians in California 1849-1879. https://www.nps.gov/parkhistory/online_books/5views/5views1c.htm.

⁶ Akins, D. and Bauer, Jr., W. (2021). *We Are the Land: A History of Native California*. Oakland: University of California Press, p. 16.

⁷ U.S. Department of Interior, Bureau of Indian Affairs. (n.d.). Traditional Ecological Knowledge. <https://www.bia.gov/bia/ots/dfwfm/bwfm/fuels-management/traditional-ecological-knowledge>.

⁸ Larned, S. M. (2018) Water is Life: The Native American Tribal Role in Protecting Natural Resources. *Environmental and Earth Law Journal*, Vol. 8, 57-58.

implemented pollution control programs, including setting wastewater standards for industrial facilities, as well as setting water quality standards for all contaminants in surface waters. The CWA made it unlawful to discharge any pollutant from a point source into navigable waters without a permit.

State regulation of water pollution. The State Water Board is responsible for administering the federal CWA and California's Water Quality Act (Porter-Cologne), enacted in 1969, which set up the statewide structure for water quality control. Porter-Cologne designates the State Water Board as the water pollution control agency for all purposes stated in the CWA, and it authorizes the State Water Board to exercise any powers that the federal CWA delegates to the State. The State Water Board and Regional Water Boards are charged with preventing and reducing water pollution in rivers, streams, lakes, beaches, bays, and groundwater.

California Water Quality Monitoring Council. In November 2007, an MOU was signed by the Secretaries of CalEPA and NRA to establish the Monitoring Council. The MOU requires the boards, departments, and offices within CalEPA and NRA to integrate and coordinate their water quality and related ecosystem monitoring, assessments, and reporting.

The Monitoring Council is required to develop specific recommendations to improve the coordination and cost-effectiveness of water quality and ecosystem monitoring and assessment, enhance the integration of monitoring data across departments and agencies, and increase public accessibility to monitoring data and assessment information. While the Monitoring Council may recommend new monitoring or management initiatives, it aims to build on existing efforts to the greatest extent possible.

Beneficial uses of water. Beneficial uses are goals the State Water Board designates to ensure Californians have access to the highest water quality and can use it for maximum benefit. Beneficial uses are typically defined in the California Code of Regulations. Examples of beneficial uses include recreation, navigation, and preservation and enhancement of fish, wildlife, and other aquatic resources or preserves.

Tribal beneficial uses (TBU) of water. TBUs are a group of beneficial uses that can help protect activities specific to Native American cultures and their uses of California waters, including the consumption of non-commercial fish or shellfish. TBUs can also be referred to as cultural uses of water.

State Water Board resolution regarding TBUs. In 2016, the State Water Board adopted Resolution 2016-0011, which directs staff to develop proposed beneficial use definitions pertaining to tribal traditional and cultural use, tribal subsistence fishing, and subsistence fishing. The State Water Board's resolution specifies (in Attachment A) the following beneficial uses, as proposed by tribes, tribal representatives, and environmental justice representatives:

- “California Indian Tribal Traditional and Cultural Use: Uses of water that supports the cultural, spiritual and traditional rights and lifeways of California Indian Tribes. This includes but is not limited to: fishing, gathering, and safe consumption of traditional foods and materials, as defined by California Indian Tribes, for

subsistence, cultural, spiritual, ceremonial and navigational activities associated with such uses;”

- “California Indian Tribal Subsistence Fishing Use: Uses of water that supports the gathering and distribution of natural aquatic resources, including fish and shellfish, to meet traditional food needs of California Tribal individuals, households and communities for personal, family and community consumption, and for traditional and/or ceremonial purposes;” and
- “Subsistence Fishing: Uses of water that support the non-commercial catching or gathering of natural aquatic resources, including fish and shellfish, by individuals for the personal consumption by individuals and their households or communities, to meet fundamental needs for sustenance due to cultural tradition, lack of personal economic resources, or both.”

Following the adopting Resolution 2016-0011, the State Water Board updated the statewide Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California to incorporate three TBUs: tribal tradition and culture, tribal subsistence fishing, and subsistence fishing. This was accomplished through the adoption of Resolution 2017-0027 on May 2, 2017. The definitions of TBUs referenced in Resolution 2017-0027 were developed after robust public engagement and input, including with representatives of tribal California Native American Tribes.

Water Quality Control Plans/Basin Plans. These terms are used interchangeably and are the foundation for the Regional Water Boards’ water quality regulatory programs and are regulatory references for meeting the state and federal requirements for water quality control. They provide a plan of action designed to preserve and enhance water quality and require public participation. Each Regional Water Board has its own Basin Plan(s). Basin Plans contain:

- Beneficial use definitions;
- Designated beneficial uses for both surface and ground water bodies in the basin;
- Water quality objectives to protect those beneficial uses;
- Implementation plans that describe the actions necessary to achieve water quality objectives; and
- Descriptions of the surveillance and monitoring activities needed to determine regulatory compliance and assess the health of the water resources.

The nine Regional Water Boards are required to develop and adopt Basin Plans. The Regional Water Boards review their Basin Plans every three years and determine a list of basin-planning priority projects (a process known as the “triennial review”).

TBUs under each Regional Water Board. Resolution 2017-0027 also directs the Regional Water Board to use these TBUs “to the extent the Regional Water Boards describe such uses in a water quality control plan after the effective date” of the resolution. The nine Regional Water Boards must initiate and complete a basin-planning process for the beneficial uses to

be incorporated into their respective basin plans. This is a multi-step process that includes adding TBU definitions to the basin plan, identifying water bodies within the basin where tribal uses are occurring, establishing water quality objectives to protect those TBUs (e.g., standards for levels of contaminants in a given water body), developing an implementation plan to achieve the water quality standards, and following the implementation program. An important part of this process is engaging tribes in the region to determine what and where (i.e., in what river, lake, or stream) TBUs are occurring. According to the State Water Board, Tribal Affairs website, the nine Regional Water Boards are at different stages in this process:

Table 1 – Status of incorporation into Basin Plans by Regional Water Board.

Regional Board	Add TBU definitions to Basin Plan	Designate waterbodies or parts of water bodies with TBUs	Establish water quality objectives and implementation programs for TBUs	Implementation
Region 1 – North Coast	In progress	Not started	Not started	Not started
Region 2 – San Francisco	Not started	Not started	Not started	Not started
Region 3 – Central Coast	In progress	Not started	Not started	Not started
Region 4 – Los Angeles	Completed	Gathering information	Not started	Not started
Region 5 – Central Valley	Completed	Gathering information	Not started	Not started
Region 6 – Lahontan	Completed	In progress	Not started	Not started
Region 7 – Colorado River	In progress	Not started	Not started	Not started
Region 8 – Santa Ana	In progress	Not started	Not started	Not started
Region 9 – San Diego	Completed	Gathering information	Not started	No started

As an example, the Lahontan Regional Water Boards designated “tribal tradition and culture,” “subsistence fishing,” and “tribal subsistence fishing” as beneficial uses in its basin plan in September 2020 via Resolution No. R6T-2020-0057. This was a first step, but to realize protection of these beneficial uses, the Lahontan Regional Water Board initiated a process to engage tribes in the region, including the Mono Lake Kootzaduka’a Tribe, and identify waterbodies where these beneficial uses occur. Having completed that, the Lahontan

Regional Water Board is in the midst of designating these TBUs for waterbodies in the Mono Basin (Mono County). The draft update and environmental document are currently posted for public review. The Lahontan Regional Water Boards will be accepting comments through April 30, 2024 and is expected to finalize the update later this year.

Bay-Delta Plan. This Basin Plan is distinct given the importance of the Bay-Delta waterbody to the entire state. Observing the ecological decline of the Bay-Delta in the late 1970's, the State Water Board exercised its authority under Porter-Cologne and CWA to preempt the Regional Water Board and be the lead in setting water quality standards for the waterbody. The process for the current update commenced in 2009. Though state law requires that a water quality control plan be "periodically reviewed" (Water Code § 13240) and the federal CWA requires triennial review of water quality control plans [33 USC § 1313(c)], the State Water Board has been unable to comply with these requirements for periodic or triennial review of the Bay-Delta Plan for various reasons. This bill requires the State Water Board to incorporate protections for TBUs into the Bay-Delta Plan by January 1, 2026.

Civil rights investigation regarding Bay-Delta Plan update. The U.S. EPA Office of External Civil Rights Compliance (OERC) notified the State Water Board in August 2023 that it was opening a formal civil rights investigation in response to a complaint from this bill's sponsor and some of its supporters. The complaint alleges that the State Water Board's failure to update Bay-Delta water quality standards discriminates against members of Native Tribes and Black, Asian and Latino persons residing in and around the San Francisco Bay/Sacramento-San Joaquin Delta watershed, particularly the South Stockton community. Furthermore, the complaint alleges that the State Water Board has intentionally excluded local Native Tribes and Black, Asian, and Latino residents from participation in the policymaking process associated with the Bay-Delta Plan. This investigation is ongoing.

- 3) **Arguments in support.** The Shingle Springs Band of Miwok Indians is the sponsor of this bill and maintains that "the regulatory process to establish TBUs is fragmented by region and subject to racist and onerous requirements on tribes to document that their water-related practices deserve equal protection as other established beneficial uses." The sponsor notes that "the Governor has officially recognized and apologized for the legacy of genocide and discrimination against indigenous peoples. The Legislature has passed bills to mandate tribal consultation and preservation of sacred sites. Nevertheless, tribes cannot maintain their ways of life without access to the plants and animals sustained by healthy rivers and lakes." Finally, the sponsor argues that "establishing TBUs in statute would ensure that all California tribes can benefit from water quality management plans that place tribal water uses on equal footing with other uses, such as recreation and hydropower generation."
- 4) **Oppose unless amended.** The Valley Ag Water Coalition (VAWC) has taken an "oppose unless amended" position on this bill and argues that this bill "would set tribal water uses apart from other competing uses of waters of the state in terms of water quality and priority of use." VAWC objects to defining TBUs in statute and notes that all other definitions of beneficial uses of water are in regulation. In addition, VAWC expresses concern that this bill will delay completion of the long-overdue Bay-Delta Plan and even "halt proceedings to update the Bay-Delta Plan until the state board approves beneficial use definitions that are specific to tribal water uses." VAWC also maintains the exempting the adoption of TBUs from CEQA "would be counter to the objective of CEQA, which is intended to inform

government decision makers and the public about the potential environmental effects of proposed activities and to prevent significant, avoidable environmental damage.” Finally, VACW contends this bill’s provisions that pertain to the Monitoring Council “would expand the scope of the Monitoring Council far beyond its stated purpose” and direct it to formulate recommendations regarding tribal water uses that would conflict with existing law.

5) **Policy considerations.** This is a broad and sweeping bill. As the Committee weighs this bill, it may wish to take into account the following:

- *What is the best way to incorporate input from affected stakeholders in defining and designating TBUs?* This bill defines TBUs in statute and requires that it replace all other definitions of tribal water use adopted by a state agency. This applies to the State Water Board’s adoption of “tribal traditional cultural uses” and “tribal subsistence uses” via Resolution 2017-0027. Given that there was significant stakeholder input, including with tribal representatives, in developing these definitions, it is questionable whether it is warranted for the Legislature to over-ride the State Water Board’s work as well as that of those Regional Water Boards that are engaging stakeholders in their respective regions. Are the stakeholders that provided input in those processes aware of this bill? Do those stakeholders agree with the definition of tribal water uses contained in this bill? The Committee does not have this information. The Legislature regularly, and appropriately, delegates this type of task to state agencies to allow for more robust public engagement, to work through nuance, and to tailor needs to local conditions, communities, and stakeholders.
- *Is it appropriate to define TBUs in statute?* While several beneficial uses are recognized in statute, none are defined in statute. Beneficial uses are defined in regulation and in water quality control plans. It is unclear what the implications of defining TBUs, or any beneficial use, in statute are, but the approach in this bill is inconsistent with the state’s approach in defining other beneficial uses of water.
- *What is the most effective way to expedite long and technical regulatory processes?* Many stakeholders involved in the water quality control planning process are frustrated by the length of time it takes to make amendments to the plans; however, by mandating that water quality standards be adopted by a firm date, this bill may short-circuit a process that necessarily considers technical and complex issues and that requires extensive stakeholder engagement. This could result in undesirable outcomes.
- *Will this bill lead to further delay in the process to update the Bay-Delta Plan?* The existing process to update the Bay-Delta Plan had already taken more than a decade and is long over-due. The mandate to incorporate water quality standards to protect TBUs into the Bay-Delta Plan by January 1, 2026 will require a significant amount of work. In addition, the current process to update the Bay-Delta Plan is the subject of an ongoing civil rights investigation by U.S. EPA, as discussed above.

6) **Proposed committee amendments.** To address some of the policy considerations, above, the Committee may wish to request that the author accept the following amendments:

Amendment 1 – strike statutory definition of TBUs and, instead, define in regulation:

Water Code § 13050. As used in this division: ...

(t) “Tribal water uses” means any tribal practice that involves contact with a body of water or use of animals, plants, or fungi that reside in, or are adjacent to, a body of water. A California tribal community that elects not to publicly disclose its tribal water uses may confidentially disclose them to the state board or a regional board pursuant to the consultation provisions of Section 65352.4 of the Government Code. This definition of tribal water uses shall be used exclusively and shall replace all definitions previously adopted by a state agency, including, but not limited to, definitions of “tribal traditional cultural uses” and “tribal subsistence uses.”

Add § 13052 to the Water Code:

13052. The board shall adopt regulations to define tribal beneficial uses of water by December 31, 2025. In adopting regulations, the board shall make allowances for the desire of any California tribal community that elects not to publicly disclose its tribal water uses and that desires to confidentially disclose them to the state board or a regional board pursuant to the consultation provisions of Section 65352.4 of the Government Code. This section shall sunset on January 1, 2026.

Amendment 2 – Require Regional Water Boards to define TBUs in Basin Plans and adopt standards, where applicable:

13243.5. (a) Adoption of tribal water uses within a water quality control plan shall not be subject to the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code).

(b) Upon the next triennial review of a water quality control plan after January 1, 2025 or before January 1, 2028, each regional board shall define tribal beneficial uses in its respective water quality control plan and, where applicable, adopt water quality standards to achieve reasonable protection of tribal water uses into water quality control plans.

- 7) **Double referral.** This bill was also referred to the Assembly Environmental Safety and Toxic Materials Committee where it passed 6-0 on April 9, 2024.
- 8) **Related legislation.** AB 676 (Bennett) of 2023 would have clarified, for purposes of implementing state policy regarding the management of water resources, what constitutes “domestic purposes.” AB 676 was vetoed by the Governor. The veto message stated: “While I appreciate the author's intent to clarify existing law, which has remained untouched since 1943, this bill has the potential to introduce unnecessary legal uncertainty. Courts have defined domestic use for nearly half a century, and codifying specific definitions now unnecessarily risks inadvertent omissions.”

AB 2108 (Robert Rivas), Chapter 347, Statutes of 2022, requires the State Water Board and the Regional Water Boards to make programmatic findings on potential environmental justice, tribal impact, and racial equity considerations when issuing regional or reissuing statewide waste discharge requirements or waivers of waste discharge requirements. Requires the State Water Board and Regional Water Boards to engage communities impacted

by proposed discharges of waste throughout the waste discharge planning, policy, and permitting process.

AB 2936 (Quirk) of 2022 would have required the State Water Board to complete the update of the Bay Delta Plan by December 31, 2023, and places a moratorium on new water right permits resulting in increased diversions in the Bay-Delta watershed if the update is not completed by January 1, 2024. AB 2639 failed passage on the Assembly Floor 34-26.

REGISTERED SUPPORT / OPPOSITION:

Support

Shingle Springs Band of Miwok Indians (sponsor)
Cahto Tribe
California Coastkeeper Alliance
California Valley Miwok Tribe Aka Sheep Ranch Rancheria
CHIPS Forestry
Clean Water Action
Environmental Working Group
Friends of the River
Koy'o Land Conservancy DbA Colfax Todds Valley Consolidated Tribe
Los Angeles Waterkeeper
Merced River Conservation Committee
Mono Lake Committee
Pesticide Action Network
Planning and Conservation League
Restore the Delta
San Francisco Baykeeper
Save California Salmon
Sierra Club California
Sierra Nevada Alliance
South Yuba River Citizens League
Union of Concerned Scientists
Washoe Tribe of Nevada and California

Oppose Unless Amended

El Dorado Irrigation District
Valley Ag Water Coalition

Opposition

None on file

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