

Date of Hearing: April 29, 2025

ASSEMBLY COMMITTEE ON WATER, PARKS, AND WILDLIFE

Diane Papan, Chair

AB 514 (Petrie-Norris) – As Amended April 3, 2025

SUBJECT: Water: emergency water supplies

SUMMARY: Declares it is state policy to encourage local and regional water suppliers to develop emergency water supplies to be used during times of drought or unplanned service or supply disruption. Specifically, **this bill:**

- 1) Declares that it is state policy to encourage, but not mandate, the development of emergency water supplies by local and regional water suppliers to be used during times of drought or unplanned service or supply disruption.
- 2) Defines “emergency water supplies” as supplies to which a water supplier has a legal right, has identified in a water shortage contingency plan or drought plan by a local water supplier that have been developed to increase a water supplier’s water supply reliability during a drought or unplanned service or supply disruption, and that are in addition to baseline water supplies used by said water supplier during non-shortage times.
- 3) Defines “water supplier” as a publicly or privately owned supplier that provides water for municipal or agricultural purposes.
- 4) Includes a savings clause to clarify that this bill does not require a water supplier to add or modify any operation or demand management plan, or to interfere with any water right, contractual right, or statutory obligation, and does not require a water supplier to modify a water shortage contingency or drought plan.
- 5) Makes findings and declarations regarding California’s climate and the need to develop backup water supplies.

EXISTING LAW:

- 1) Establishes the five member State Water Resources Control Board in the California Environmental Protection Agency to provide for the orderly and efficient administration of the state’s water resources (Water Code § 174 and § 175).
- 2) Establishes multiple state policies with respect to the state’s water resources including: that the state’s water resources be put to beneficial use to the fullest extent possible (Water Code, § 100); all water in the state is the property of the people (Water Code, § 102); the use of water for domestic purposes is the highest use of water and that the next highest use is for irrigation (Water Code § 106); and every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes (Water Code § 106.3).
- 3) Requires, under the Urban Water Management Planning Act, every public and private urban water supplier that directly or indirectly provides water for municipal purposes to prepare and adopt an urban water management plan (UWMP) every five years. A UWMP must

include a water shortage contingency plan that defines when the supplier is experiencing water shortages and what actions it will take under shortage circumstances (Water Code § 10610 and § 10631 *et seq.*).

- 4) Requires an agricultural water supplier that serves more than 25,000 acres of irrigated lands to develop an agricultural water supply plan (AWMP) that describes its service area, water supplies, and its efforts to improve water use efficiency, among other contents (Water Code § 10826). An AWMP must include a drought plan in its agricultural water management plan that describes actions the agricultural water supplier will take during times of drought to address water supply shortages (Water Code § 10826.2).

FISCAL EFFECT: Unknown. This bill is keyed fiscal.

COMMENTS:

- 1) **Purpose of this bill.** According to the author, “Climate change and our weather extremes have shown how our changing climate is going to impact water resources throughout the state. We have seen during the last two droughts, weather whiplash can negatively impact ecosystems, economics and communities. With more frequent and severe droughts in California, we must take action to ensure water resilience for our people, economy and the environment. While water use efficiency will continue to play an important role in the face of climate change, achieving water resilience throughout the state will require the use of many different water resources tools—including the use of emergency water supplies. [This bill], by enacting a policy recognizing emergency water supplies, makes it clear that the state supports locally-developed emergency water supplies as a tool to adapt to climate change and build water resilience for all.”
- 2) **Background.** California has experienced two severe droughts in the past decade. The 2020-22 drought began less than five years after California experienced its worst drought on record from 2012 through 2016. Climate modeling indicates that droughts will become more severe and frequent going forward. In addition, research published in February 2022 indicates that Southwestern North America is currently experiencing the worst “megadrought” in the last 1200 years. This research estimates (based on climate models) that climate change accounts for 42% of this megadrought’s severity and that the current megadrought would not be a ‘megadrought’ but for climate change (Williams, Cook, and Smerdon, 2022). In response to the 2020-22 drought and growing awareness of the ways in which climate change will further challenge water management in California, the Newsom administration released a strategy (“*California’s Water Supply Strategy, Adapting to a Hotter, Drier Future*”) in August 2022. The strategy aims to address a projected 10% decrease in water supply (6 million acre-feet to 9 million acre-feet of water) by 2040 due to climate change.

Supplier water plans. As discussed under Existing Law #3 and #4, above, urban water suppliers and agricultural water suppliers of a certain size must prepare a UWMP or AWMP, respectively, every five years and submit it to the Department of Water Resources for review. The primary purpose of these plans is to ensure the water supplier is anticipating future water needs and is taking steps to meet it. Both plans must also define a water shortage and what a supplier will do to address it (called a “drought contingency plan” under a UWMP and a “drought plan” under an AWMP). This bill specifies that “emergency water supplies” are those identified by a supplier in either a UWMP or AWMP.

- 3) **Arguments in support.** The Irvine Ranch Water District (IRWD) is the sponsor of this bill arguing that “it is crucial to build greater water resilience into the state’s water resource management and planning” and that by recognizing emergency water supplies and encouraging their development, this bill will “help mitigate the impacts of climate change emergency water supplies through groundwater banking arrangements with other water agencies in Kern County. IRWD asserts that these agreements have benefitted both agricultural communities in Kern County as well as the communities in its service territory; however, IRWD indicates that access to these emergency supplies during recent droughts has been uncertain at times when the state has mandated cutbacks. IRWD contends this bill will help to make such supplies more reliable and provide an incentive for other agencies to develop their own emergency water supplies.
- 4) **Arguments in opposition.** The Sierra Club opposes this bill arguing that “it would facilitate/expedite investments in water conveyance and storage projects, specifically the Delta Conveyance project and Sites Reservoir project since many local water districts refer to these projects as ‘emergency water supply’ projects in their water supply master plans.” Further, the Sierra Club maintains this bill is redundant as “water districts are required to have water supply emergency plans in place already.”
- 5) **Technical amendment.** The definition of “emergency water supplies” is somewhat confusing. To avoid confusion and clarify legislative intent, the Committee may wish to request that the author make the following amendment:

Water Code, § 106.6...(b) For purposes of this section, both of the following definitions apply:

(1) “Emergency water supplies” means water supplies, to which a water supplier has an established legal right, *that a local or regional water supplier has developed and identified* in a water shortage contingency plan or drought plan ~~by a local or regional water supplier that have been developed~~ to increase ~~a~~ *the* water supplier’s water supply reliability during a drought or unplanned service or supply disruption and that are in addition to the baseline water supplies the water supplier draws on during nonshortage times to meet water demands within its service area.

- 6) **Related legislation.** SB 1218 (Newman) of 2024 was substantially similar to this bill. SB 1218 was held in the Assembly Appropriations Committee.

AB 754 (Papan) of 2023 would have required a water shortage contingency plan to include specified information regarding reservoir operations to determine when shortages may occur. AB 754 was held in the Senate Appropriations Committee.

SB 552 (Hertzberg), Chapter 245, Statutes of 2021, enacts many of the recommendations in the final “Small Water Systems and Rural Communities Drought and Water Shortage Contingency Planning and Risk Assessment” report.

SB 971 (Hertzberg) of 2020 would have required small water suppliers, as defined, to take certain measures related to water shortages, including contingency planning. SB 971 died in the Senate Natural Resources and Water Committee.

REGISTERED SUPPORT / OPPOSITION:

Support

Irvine Ranch Water District (sponsor)
Alameda County Water District
Association of California Cities - Orange County
California Association of Realtors
California Council for Environmental & Economic Balance
California Municipal Utilities Association
California Pool & Spa Association
California Special Districts Association
California State Association of Counties
Calleguas Municipal Water District
City of Garden Grove
City of Roseville
City of Sacramento
City of Tustin
Contra Costa Water District
East Orange County Water District
Eastern Municipal Water District
El Toro Water District
Elsinore Valley Municipal Water District
Emerald Bay Services District
Greater Irvine Chamber of Commerce
Inland Empire Utilities Agency
Irvine Ranch Water District
Laguna Beach County Water District
Las Virgenes Municipal Water District
Municipal Water District of Orange County
Northern California Water Association
Olivenhain Municipal Water District
Orange County Business Council
Rancho California Water District
Rosedale-Rio Bravo Water Storage District
San Diego County Water Authority
Santa Clara Valley Water District
Santa Margarita Water District
Serrano Water District
South Coast Water District
South Orange County Economic Coalition
Southern California Water Coalition
Three Valleys Municipal Water District
Trabuco Canyon Water District
Turlock Irrigation District
Western Municipal Water District
Zone 7 Water Agency

Opposition

Sierra Club

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