

WATER CODE - WAT

DIVISION 6. CONSERVATION, DEVELOPMENT, AND UTILIZATION OF STATE WATER RESOURCES [10000 - 12999]

(Heading of Division 6 amended by Stats. 1957, Ch. 1932.)

PART 2.2. INTEGRATED REGIONAL WATER MANAGEMENT PLANS [10530 - 10552]

(Part 2.2 repealed and added by Stats. 2008, 2nd Ex. Sess., Ch. 1, Sec. 5.)

CHAPTER 1. Short Title [10530- 10530.]

(Chapter 1 added by Stats. 2008, 2nd Ex. Sess., Ch. 1, Sec. 5.)

10530.

This part shall be known and may be cited as the Integrated Regional Water Management Planning Act.

(Repealed and added by Stats. 2008, 2nd Ex. Sess., Ch. 1, Sec. 5. Effective March 1, 2009.)

CHAPTER 2. Legislative Findings and Declarations [10531 - 10531.5]

(Chapter 2 added by Stats. 2008, 2nd Ex. Sess., Ch. 1, Sec. 5.)

10531.

The Legislature finds and declares all of the following:

- (a) Water is a valuable natural resource in California, and should be managed to ensure the availability of sufficient supplies to meet the state's agricultural, domestic, industrial, and environmental needs. It is the intent of the Legislature to encourage local agencies to work cooperatively to manage their available local and imported water supplies to improve the quality, quantity, and reliability of those supplies.
- (b) Local agencies can realize efficiencies by coordinating and integrating their assets and seeking mutual solutions to water management issues.
- (c) The reliability of water supplies can be significantly improved by diversifying water portfolios, taking advantage of local and regional opportunities, and considering a broad variety of water management strategies as described in the California Water Plan.
- (d) The implementation of this part will facilitate the development of integrated regional water management plans, thereby assisting each region of the state to

improve water supply reliability, water quality, and environmental stewardship to meet current and future needs.

(e) Water management is integrally linked to public health and the health of all natural resources within our watersheds. It is the intent of the Legislature that water management strategies and projects are carried out in a way that promotes these important public values.

(Repealed and added by Stats. 2008, 2nd Ex. Sess., Ch. 1, Sec. 5. Effective March 1, 2009.)

10531.5.

It is the intent of the Legislature to encourage collaboration among mutual water companies that operate public water systems in the City of Maywood to create a public agency that can consolidate drinking water services for the people and businesses of that city.

(Added by Stats. 2013, Ch. 633, Sec. 6. Effective January 1, 2014.)

CHAPTER 3. Definitions [10532 - 10539]

(Chapter 3 added by Stats. 2008, 2nd Ex. Sess., Ch. 1, Sec. 5.)

10532.

Unless the context otherwise requires, the definitions set forth in this chapter govern the construction of this part.

(Repealed and added by Stats. 2008, 2nd Ex. Sess., Ch. 1, Sec. 5. Effective March 1, 2009.)

10533.

“Basin plan” means a water quality control plan developed pursuant to Section 13240.

(Repealed and added by Stats. 2008, 2nd Ex. Sess., Ch. 1, Sec. 5. Effective March 1, 2009.)

10534.

“Integrated regional water management plan” means a comprehensive plan for a defined geographic area, the specific development, content, and adoption of which shall satisfy requirements developed pursuant to this part. At a minimum, an integrated regional water management plan describes the major water-related objectives and conflicts within a region, considers a broad variety of water management strategies, identifies the appropriate mix of water demand and supply management alternatives, water quality protections, and environmental stewardship actions to provide long-term, reliable, and high-

quality water supply and protect the environment, and identifies disadvantaged communities in the region and takes the water-related needs of those communities into consideration.

(Repealed and added by Stats. 2008, 2nd Ex. Sess., Ch. 1, Sec. 5. Effective March 1, 2009.)

10535.

“Local agency” means any city, county, city and county, special district, joint powers authority, or other political subdivision of the state, a public utility as defined in Section 216 of the Public Utilities Code, or a mutual water company as defined in Section 2725 of the Public Utilities Code.

(Repealed and added by Stats. 2008, 2nd Ex. Sess., Ch. 1, Sec. 5. Effective March 1, 2009.)

10536.

“Plan” means an integrated regional water management plan.

(Repealed and added by Stats. 2008, 2nd Ex. Sess., Ch. 1, Sec. 5. Effective March 1, 2009.)

10537.

“Regional projects or programs” means projects or programs identified in an integrated regional water management plan that accomplish any of the following:

(a) Reduce water demand through agricultural and urban water use efficiency.
(b) Increase water supplies for any beneficial use through the use of any of the following, or other, means:

- (1) Groundwater storage and conjunctive water management.
- (2) Desalination.
- (3) Precipitation enhancement.
- (4) Water recycling.
- (5) Regional and local surface storage.
- (6) Water-use efficiency.
- (7) Stormwater management.

(c) Improve operational efficiency and water supply reliability, including conveyance facilities, system reoperation, and water transfers.

(d) Improve water quality, including drinking water treatment and distribution, groundwater and aquifer remediation, matching water quality to water use, wastewater treatment, water pollution prevention, and management of urban and agricultural runoff.

(e) Improve resource stewardship, including agricultural lands stewardship, ecosystem restoration, flood plain management, recharge area protection, urban land use management, groundwater management, water-dependent recreation,

fishery restoration, including fish passage improvement, and watershed management.

(f) Improve flood management through structural and nonstructural means, or by any other means.

(Repealed and added by Stats. 2008, 2nd Ex. Sess., Ch. 1, Sec. 5. Effective March 1, 2009.)

10538.

“Regional reports or studies” means reports or studies relating to any of the matters described in subdivisions (a) to (f), inclusive, of Section 10537, that are identified in an integrated regional water management plan.

(Added by Stats. 2008, 2nd Ex. Sess., Ch. 1, Sec. 5. Effective March 1, 2009.)

10539.

“Regional water management group” means a group in which three or more local agencies, at least two of which have statutory authority over water supply or water management, as well as those other persons who may be necessary for the development and implementation of a plan that meets the requirements in Sections 10540 and 10541, participate by means of a joint powers agreement, memorandum of understanding, or other written agreement, as appropriate, that is approved by the governing bodies of those local agencies.

(Added by Stats. 2008, 2nd Ex. Sess., Ch. 1, Sec. 5. Effective March 1, 2009.)

CHAPTER 4. Integrated Regional Water Management Plans [10540 - 10543]

(Chapter 4 added by Stats. 2008, 2nd Ex. Sess., Ch. 1, Sec. 5.)

10540.

(a) A regional water management group may prepare and adopt an integrated regional water management plan in accordance with this part.

(b) A regional water management group may coordinate its planning activities to address or incorporate all or part of any of the following actions of its members into its plan:

(1) Groundwater management planning pursuant to Part 2.75 (commencing with Section 10750), groundwater sustainability planning pursuant to Part 2.74 (commencing with Section 10720), or other specific groundwater management authority.

(2) Urban water management planning pursuant to Part 2.6 (commencing with Section 10610).

(3) The preparation of a water supply assessment required pursuant to Part 2.10 (commencing with Section 10910).

- (4) Agricultural water management planning pursuant to Part 2.8 (commencing with Section 10800).
 - (5) City and county general planning pursuant to Section 65350 of the Government Code.
 - (6) Stormwater resource planning that is undertaken pursuant to Part 2.3 (commencing with Section 10560).
 - (7) Other water resource management planning, including flood protection, watershed management planning, and multipurpose program planning.
- (c) At a minimum, all plans shall address all of the following:
- (1) Protection and improvement of water supply reliability, including identification of feasible agricultural and urban water use efficiency strategies.
 - (2) Identification and consideration of the drinking water quality of communities within the area of the plan.
 - (3) Protection and improvement of water quality within the area of the plan, consistent with the relevant basin plan.
 - (4) Identification of any significant threats to groundwater resources from overdrafting.
 - (5) Protection, restoration, and improvement of stewardship of aquatic, riparian, and watershed resources within the region.
 - (6) Protection of groundwater resources from contamination.
 - (7) Identification and consideration of the water-related needs of disadvantaged communities in the area within the boundaries of the plan.
- (d) This section does not obligate a local agency to fund the implementation of any project or program.

(Amended by Stats. 2015, Ch. 666, Sec. 1. Effective January 1, 2016.)

10541.

- (a) The department shall develop project solicitation and evaluation guidelines for the application of funds made available pursuant to Section 75026 of the Public Resources Code and all other funds that are or may become available for integrated regional water management plan implementation, including a future water bond, to enable broad and diverse participation in integrated regional water management plan development and refinement.
- (b) The department shall conduct two public meetings to consider public comments prior to finalizing the guidelines. The department shall publish the draft solicitation and evaluation guidelines on its Internet Web site at least 30 days before the public meetings. One meeting shall be conducted at a location in northern California and one meeting shall be conducted at a location in southern California. Upon adoption, the department shall transmit copies of the guidelines to the fiscal committees and the appropriate policy committees of the Legislature. To the extent feasible, each state agency shall provide outreach to

disadvantaged communities to promote access to and participation in those meetings.

(c) The department shall consult with the board, the California regional water quality control boards, the State Department of Public Health, the Department of Fish and Wildlife, the California Bay-Delta Authority or its successor, and other state agencies with water management responsibility and authority in the development of the guidelines.

(d) The department may periodically review and update the guidelines to accommodate changes in funding sources, statutory requirements, new commonly accepted management practices, and changes in state water management policy. Any guideline changes shall be made with appropriate consultation with other state agencies and public review pursuant to subdivisions (b) and (c).

(e) The guidelines shall require that integrated regional water management plans include all of the following:

(1) Consideration of all of the resource management strategies identified in the California Water Plan, as updated by department Bulletin No. 160-2005 and future updates.

(2) Consideration of objectives in the appropriate basin plan or plans and strategies to meet applicable water quality standards.

(3) Description of the major water-related objectives and conflicts within a region.

(4) To the extent possible, measurable regional objectives and criteria for developing regional project priorities.

(5) An integrated, collaborative, multibenefit approach to selection and design of projects and programs.

(6) Identification and consideration of the water-related needs of disadvantaged communities in the area within the boundaries of the plan.

(7) Performance measures and monitoring to demonstrate progress toward meeting regional objectives.

(8) A plan for implementation and financing of identified projects and programs.

(9) Consideration of greenhouse gas emissions of identified programs and projects.

(10) Evaluation of the adaptability to climate change of water management systems in the region.

(11) Documentation of data and technical analyses used in the development of the plan.

(12) A process to disseminate data and information related to the development and implementation of the plan.

(13) A process to coordinate water management projects and activities of participating local agencies and local stakeholders to avoid conflicts and take advantage of efficiencies.

(14) If an area within the boundaries of the plan has nitrate, arsenic, perchlorate, or hexavalent chromium contamination, the plan shall include a description of each of the following:

(A) The location and extent of that contamination in the region.

(B) The impacts caused by the contamination to communities within the region.

(C) Existing efforts being undertaken in the region to address the impacts.

(D) Any additional efforts needed to address the impacts.

(15) Any other matters identified by the department.

(f) The guidelines shall include standards for identifying a region for the purpose of developing or modifying an integrated regional water management plan. At a minimum, a region shall be a contiguous geographic area encompassing the service areas of multiple local agencies, and shall be defined to maximize opportunities for integration of water management activities. The department shall develop a process to approve the composition of a region for the purposes of Sections 75026, 75027, and 75028 of the Public Resources Code.

(g) The guidelines shall require that the development and implementation of an integrated regional water management plan include a public process that provides outreach and an opportunity to participate in plan development and implementation to appropriate local agencies and stakeholders, as applicable to the region, including all of the following:

(1) Wholesale and retail water purveyors, including a local agency, mutual water company, or a water corporation as defined in Section 241 of the Public Utilities Code.

(2) Wastewater agencies.

(3) Flood control agencies.

(4) Municipal and county governments and special districts.

(5) Electrical corporations, as defined in Section 218 of the Public Utilities Code.

(6) Native American tribes that have lands within the region.

(7) Self-supplied water users, including agricultural, industrial, residential, park districts, school districts, colleges and universities, and others.

(8) Environmental stewardship organizations, including watershed groups, fishing groups, land conservancies, and environmental groups.

(9) Community organizations, including landowner organizations, taxpayer groups, and recreational interests.

(10) Industry organizations representing agriculture, developers, and other industries appropriate to the region.

(11) State, federal, and regional agencies or universities, with specific responsibilities or knowledge within the region.

(12) Disadvantaged community members and representatives, including environmental justice organizations, neighborhood councils, and social justice organizations.

(13) Any other interested groups appropriate to the region.

(h) The guidelines shall require integrated regional water management plans to be developed through a collaborative process that makes public both of the following:

(1) The process by which decisions are made in consultation with the persons or entities identified in subdivision (g).

(2) The manner in which a balance of interested persons or entities representing different sectors and interests listed in subdivision (g) have been or will be engaged in the process described in this subdivision, regardless of their ability to contribute financially to the plan.

(i) The guidelines shall provide for a process for the development, periodic review, updating, and amending of integrated regional water management plans. The department shall establish eligibility requirements for the project funding, that provide sufficient time for the updating of plans as necessary to reflect changes in the guidelines.

(Amended by Stats. 2014, Ch. 717, Sec. 1. Effective January 1, 2015.)

10543.

(a) A regional water management group proposing to prepare an integrated regional water management plan shall publish a notice of intention to prepare the plan in accordance with Section 6066 of the Government Code.

(b) For the purposes of carrying out this part, the regional water management group shall make available to the public the documentation prepared pursuant to subdivision (g) of Section 10541 describing the manner in which interested parties may participate in developing the integrated regional water management plan.

(c) Upon the completion of the integrated regional water management plan, the regional water management group shall publish a notice of intention to adopt the plan in accordance with Section 6066 of the Government Code and shall adopt the plan in a public meeting of its governing board.

(Repealed and added by Stats. 2008, 2nd Ex. Sess., Ch. 1, Sec. 5. Effective March 1, 2009.)

CHAPTER 5. Funding for Qualified Projects and Programs [10544 - 10547]

(Chapter 5 added by Stats. 2008, 2nd Ex. Sess., Ch. 1, Sec. 5.)

10544.

When selecting projects and programs pursuant to Division 24 (commencing with Section 78500), Division 26 (commencing with Section 79000), Division 26.5 (commencing with Section 79500), or pursuant to any grant funding authorized

on or after January 1, 2009, for water management activities, the department, the board, the State Department of Public Health, and the California Bay-Delta Authority or its successor, as appropriate, shall include in any set of criteria used to select projects and programs for funding, a criterion that provides a preference for regional projects or programs.

(Added by Stats. 2008, 2nd Ex. Sess., Ch. 1, Sec. 5. Effective March 1, 2009.)

10544.5.

For grant applications that include areas that have nitrate, arsenic, perchlorate, or hexavalent chromium contamination, the regional water management group shall include in the grant application information regarding how a project or projects in the application help to address the contamination or an explanation why the application does not include that kind of project or projects.

(Added by Stats. 2014, Ch. 717, Sec. 2. Effective January 1, 2015.)

10545.

When selecting projects pursuant to Section 75026 of the Public Resources Code or for other funds that are or may become available for integrated regional water management plan implementation, the department shall consider for grant applications that include areas that have nitrate, arsenic, perchlorate, or hexavalent chromium contamination, whether the regional water management group has included projects that help address the impacts caused by nitrate, arsenic, perchlorate, or hexavalent chromium contamination, including projects that provide safe drinking water to small disadvantaged communities.

(Added by Stats. 2014, Ch. 717, Sec. 3. Effective January 1, 2015.)

10546.

An integrated regional water management plan prepared pursuant to this part shall be eligible for funding pursuant to Section 75026 of the Public Resources Code, and for any funding authorized on or after January 1, 2009, that is allocated specifically for implementation of integrated regional water management.

(Repealed and added by Stats. 2008, 2nd Ex. Sess., Ch. 1, Sec. 5. Effective March 1, 2009.)

10547.

This part does not prohibit the department from implementing Section 75026 of the Public Resources Code by using existing integrated regional water

management guidelines in accordance with subdivision (d) of Section 75026 of the Public Resources Code.

(Added by Stats. 2008, 2nd Ex. Sess., Ch. 1, Sec. 5. Effective March 1, 2009.)

CHAPTER 6. Miscellaneous [10548 - 10550]

(Chapter 6 added by Stats. 2008, 2nd Ex. Sess., Ch. 1, Sec. 5.)

10548.

This part does not affect any powers granted to a local agency by any other law.

(Added by Stats. 2008, 2nd Ex. Sess., Ch. 1, Sec. 5. Effective March 1, 2009.)

10549.

This part does not authorize a regional water management group to define, or otherwise determine, the water rights of any person.

(Added by Stats. 2008, 2nd Ex. Sess., Ch. 1, Sec. 5. Effective March 1, 2009.)

10550.

The plan or project shall not be funded pursuant to this part if it would fund activities inconsistent with applicable state and federal water quality laws.

(Added by Stats. 2008, 2nd Ex. Sess., Ch. 1, Sec. 5. Effective March 1, 2009.)

CHAPTER 7. Advanced Payment of Grant Funds [10551 - 10552]

(Chapter 7 added by Stats. 2015, Ch. 675, Sec. 1.)

10551.

(a) Within 90 days of notice that a grant for projects included and implemented in an integrated regional water management plan has been awarded, the regional water management group shall provide the department with a list of projects to be funded by the grant funds where the project proponent is a nonprofit organization or a disadvantaged community, or the project benefits a disadvantaged community. The list shall specify how the projects are consistent with the adopted integrated regional water management plan and shall include all of the following information:

- (1) Descriptive information concerning each project identified.
- (2) The names of the entities that will receive the funding for each project, including, but not limited to, an identification as to whether the project

proponent or proponents are nonprofit organizations or a disadvantaged community.

(3) The budget of each project.

(4) The anticipated schedule for each project.

(b) Within 60 days of receiving the project information pursuant to subdivision (a), the department shall provide advanced payment of 50 percent of the grant award for those projects that satisfy both of the following criteria:

(1) The project proponent is a nonprofit organization or a disadvantaged community, or the project benefits a disadvantaged community.

(2) The grant award for the project is less than one million dollars (\$1,000,000).

(c) Funds advanced pursuant to subdivision (b) shall be handled as follows:

(1) The recipient shall place the funds in a noninterest-bearing account until expended.

(2) The funds shall be spent within six months of the date of receipt, unless the department waives this requirement.

(3) The recipient shall, on a quarterly basis, provide an accountability report to the department regarding the expenditure and use of any advanced grant funds that provides, at a minimum, the following information:

(A) An itemization as to how advanced payment funds provided under this section have been expended.

(B) A project itemization as to how any remaining advanced payment funds provided under this section will be expended over the period specified in paragraph (2).

(C) Whether the funds are placed in a noninterest-bearing account, and if so, the date that occurred and the dates of withdrawals of funds from that account, if applicable.

(4) If funds are not expended, the unused portion of the grant shall be returned to the department within 60 days after project completion or the end of the grant performance period, whichever is earlier.

(5) The department may adopt additional requirements for the recipient regarding the use of the advanced payment to ensure that the funds are used properly.

(d) As used in this section:

(1) "Disadvantaged community" has the same meaning as defined in subdivision (j) of Section 79702.

(2) "Nonprofit organization" has the same meaning as defined in subdivision (p) of Section 79702.

(Added by Stats. 2015, Ch. 675, Sec. 1. Effective January 1, 2016. Repealed as of January 1, 2025, pursuant to Section 10552.)

10552.

This chapter shall remain in effect only until January 1, 2025, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2025, deletes or extends that date.

(Added by Stats. 2015, Ch. 675, Sec. 1. Effective January 1, 2016. Repealed as of January 1, 2025, by its own provisions. Note: Repeal affects Chapter 7, commencing with Section 10551.)