

June 6, 2022



Dan York, Chair
Tony Firenzi, Vice
Chair

The Honorable Joaquin Arambula
California State Assembly
1021 O St., Room 6240
Sacramento, CA 95814

Members

California American Water
Carmichael Water District
Citrus Heights Water District
Del Paso Manor Water
District
El Dorado Irrigation District
Elk Grove Water District
Fair Oaks Water District
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Golden State Water
Company
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Nevada Irrigation District
Orange Vale Water Company
Placer County Water Agency
Rancho Murieta Community
Services District
Roseville, City of
Sacramento, City of
Sacramento County Water
Agency
Sacramento Suburban Water
District
San Juan Water District
West Sacramento, City of
Yuba City, City of

Associates

County of Placer
El Dorado County Water
Agency
Sacramento Area Flood
Control Agency
Sacramento Municipal Utility
District
Sacramento Regional County
Sanitation District
Yuba Water Agency

Subject: AB 2895 (Arambula) - Oppose unless Amended

Dear Assembly Member Arambula,

On behalf of the Regional Water Authority (RWA), I am writing with an “Oppose Unless Amended” position on AB 2895, as amended on April 27, 2022, which is intended to facilitate the State Water Resources Control Board’s (SWRCB) processing of temporary change petitions for water transfers of one-year, or less.

RWA is a joint powers agency representing 21 public water suppliers in Sacramento, Placer, El Dorado, Yolo, Nevada, Yuba, and Sutter counties. Collectively, RWA members manage water that comprises nearly 20 percent of the water that flows into the Delta, which provides some or all the water to 30 million Californians and 6 million acres of agricultural land. RWA’s mission is to “serve, represent and align the interests of regional water providers and stakeholders for the purpose of improving water supply reliability, availability, quality and affordability.” Central to achieving our mission is adapting to climate change, with further enhancing the ability to move water into and out of the region’s sustainably managed groundwater basins being key to that. A sensible and straightforward water transfer process is key to improving the ability to manage water in the region.

AB 2895 would cause further delay to the time sensitive temporary water transfer process. Though intended to facilitate the SWRCB’s processing of temporary change petitions, AB 2895 would have the opposite effect by causing unnecessary delays that hinder timely access to transferred water. Temporary water transfers are time sensitive and based on hydrologic conditions that typically are not fully realized until the spring. AB 2895’s additions of “documentation of consultation with DFW”, the creation of a “pre-notice” to the SWRCB, and the changes to the SWRCB’s hearing provisions, create added uncertainty for the petitioners, extend the timeline of the temporary transfer approval process, and potentially cause the transferred water to not be delivered where it is needed most.

While AB 2895 is intended to facilitate the SWRCB’s processing of temporary water transfer petitions, as a water transferrer region, the RWA is concerned that this bill will cause additional delays in the water transfer process. These delays will not only negatively impact access to transferred water, but the ability of RWA members to generate revenues to fund low-income assistance programs and fund climate adaptive critical infrastructure projects.

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The RWA shares concerns raised by others, and should the following amendments be adopted, the RWA will remove its opposition:

- Delete section 1726(b)(3) that requires documentation of consultation with the Department of Fish and Wildlife (DFW) to accompany each petition; or revise it to conform it with the existing requirement in 23 CCR section 794 that requires a petition to include proof that a copy of the petition has been served on DFW.
- Restore the SWRCB hearing provisions for temporary change petitions back to existing law by reinserting the petitioner approval and decision deadline language.
- Delete or substantially narrow the “pre-notice” provisions (section 1727) to only apply to temporary transfers that are certain at the time the notice is submitted.
- Consider whether a double public comment period is consistent with intent to facilitate timely temporary transfers of water.

For the reasons stated above, the RWA must respectfully oppose AB 2895 unless it is amended as outlined above. If you or your staff have any questions, please contact Ryan Ojakian of RWA’s staff at (916) 967-7692 or rojakian@rwah2o.org.

Sincerely,



Jim Peifer
Executive Director