

Metropolitan Water District of Southern California
State Legislative Matrix
July 8, 2024 – Second Year of Legislative Session

Bill Number Author	Amended Date Location	Title-Summary	MWD Position	Effects on Metropolitan
AB 400 B. Rubio (D – Baldwin Park) Sponsors: California State Association of Counties, League of California Cities	Chaptered Signed by Governor Chapter 201, Statutes of 2023	Local agency design-build projects: authorization. This measure would extend the existing sunset date to January 1, 2031, for the use of design-build as a delivery method for public works contracts.	Support Based on October 2021 Board Action	Metropolitan’s current authority to use design-build under AB 1845 (Calderon, CH. 275, 2022) will sunset on January 1, 2028. The provisions of this bill allow Metropolitan to use design-build for future projects through January 1, 2031.
AB 460 Bauer-Kahan (D – Orinda)	Amended 6/12/2024 Two-year bill Senate Judiciary Committee	State Water Resources Control Board: water rights and usage: civil penalties. This bill would require the State Water Resources Control Board to adjust for inflation, by January 1 of each year, beginning in 2025, the amounts of civil and administrative liabilities or penalties imposed by the board in water right actions, as specified.	Support Based on Metropolitan Policy Principles for Modernization of Water Rights Administration, adopted April 2023	The bill now would provide for enhanced civil penalties for violations of any State Board regulation or curtailment order.
AB 1337 Wicks (D – Oakland)	Amended 5/18/23 Two-year bill Senate Natural Resources and Water Committee	State Water Resources Control Board: water diversion curtailment. This bill would authorize SWRCB to adopt regulations for various water conservation purposes and implement these regulations through orders curtailing the diversion or use of water under any claim of right.	Oppose Based on Metropolitan Policy Principles for Modernization of Water Rights Administration, adopted April 2023	Regardless of whether there is a drought emergency, this bill would allow the State Board, by regulation, to permanently reduce permit rights (including SWP, Colorado River pre-1914 rights, or Delta Island license, pre-1914 or riparian right diversions) upon a finding that current diversions result in a waste or unreasonable use of water or that they harm public trust (fish and wildlife) resources. This would be a new broad power to the State Board that could permanently reallocate any water rights under any water year conditions without the protection or process of individual adjudications.

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AB 1567 Garcia (D- Coachella)	Amended 5/26/2023 Two-year bill Senate Natural Resources and Water Committee	Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, Clean Energy, and Workforce Development Bond Act of 2024. This measure would authorize a \$15.995 billion general obligation bond for the March 5, 2024, ballot to fund a broad range of resource-based programs that will assist California to improve its climate resiliency.	Support, if Amended Based on June 2023 Board Action	This measure is consistent with Metropolitan’s current policy priorities and supports the objectives of Metropolitan’s Climate Adaptation Master Plan. Metropolitan is seeking amendments to increase funding for recycled water, dam safety, regional conveyance, drought and conservation projects.
AB 1572 Friedman (D - Glendale) Co-sponsors: Metropolitan, Heal the Bay, National Resources Defense Council	Chaptered Signed by Governor Chapter 849, Statutes of 2023	Potable water: nonfunctional turf. This measure prohibits the use of potable water for the irrigation of non-functional turf located on commercial, industrial, institutional. This measure provides the State Water Resources Control Board with the authority to postpone compliance dates as prescribed.	Co-sponsor Based on April 2023 Board action	Based on input from the Board and member agencies, Metropolitan secured amendments to exclude multi- family residential buildings and protect the authority and local control of public water systems. Metropolitan is a co-sponsor of this measure.
AB 1573 Friedman (D - Glendale) Sponsor: Earth Advocacy and California Native Plant Society	Amended on 9/1/2023 Two Year Bill Senate Floor – Inactive File	Water conservation: landscape design: model ordinance. This measure would update the model water efficient landscape ordinance for new or renovated nonresidential areas to require at least 25% local native plants beginning January 1, 2026. This measure would also prohibit the use of nonfunctional turf in nonresidential landscape projects after January 1, 2026.	Support Based on 2023 Legislative Priorities and Principles, adopted December 2022	This measure is consistent with Metropolitan’s effort to reduce nonfunctional turf within its service area.

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AB 1648 Bains (D - Bakersfield)	Amended 3/16/2023 Dead	Water: Colorado River Conservation This measure would specifically prohibit Metropolitan and LADWP to offset federally required reductions on Colorado River resources with increased water deliveries from other regions of California, including the Delta, retroactively as of January 1, 2023.	Oppose Based on 2023 Legislative Priorities and Principles, adopted December 2022	This measure would impair Metropolitan’s flexibility with its entire water portfolio, including the Integrated Water Resources Plan and the Annual Operating Plan. Metropolitan’s reliability and its ability to meet demands would also be impaired by restrictions on partnerships with its State Water Project and Colorado River Basin stakeholders.
SB 122 Senate Committee on Budget and Fiscal Review	Chaptered Signed by the Governor Chapter 51, Statutes of 2023	Flood Flow Streamlining Provisions in this trailer bill provide that diversion of flood flows for groundwater recharge do not require an appropriative water right if specified conditions regarding the diversion are met. These provisions exempt from the California Environmental Quality Act (CEQA) specified actions related to the implementation of Colorado River water conservation agreements with the US Bureau of Reclamation.	Seek Amendments Based on Metropolitan Policy Principles for Modernization of Water Rights Administration 2023 Water Rights Principles, adopted April 2023	The no-permit authorization poses a significant concern to Metropolitan’s State Water Project supplies. There is no protest process, no requirement that diverters avoid harm to other legal water users with water rights senior to the flood flow diverter, and no protection of SWP and CVP rights to divert “excess flows” when they exist in the system up to the full capacity of the projects. Metropolitan will work with the Administration to address these issues as the program is implemented.
SB 124 Senate Committee on Budget and Fiscal Review	Chaptered Signed by the Governor Chapter 53, Statutes of 2023	Green Financing Programs for Federal IRA Funding This measure contains various provisions to implement the 2023 State Budget Act, which includes authorizing the State Infrastructure and Economic Development Bank and the Department of Water Resources (DWR) to access and utilize federal funding in the Inflation Reduction Act to finance projects that reduce greenhouse emissions.	Support Based on 2023 Legislative Priorities and Principles, adopted December 2022	For the State Water Project, DWR’s direct investment in qualifying projects could lower its capital costs, which would ultimately be passed on to Metropolitan and other SWP contractors.

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SB 146 Gonzalez (D-Long Beach)	Chaptered Signed by the Governor Chapter 58, Statutes of 2023	Public resources: infrastructure: contracting. This measure is part of the negotiated infrastructure trailer bill package and authorizes DWR to use the progressive design-build (PDB) project delivery method for up to eight public works projects that exceed \$25 million. The Delta conveyance facilities and seawater desalination are expressly prohibited under this measure.	Support Based on October 2021 Board Action	By utilizing PDB and awarding a project contract prior to the completion of all design work, DWR can potentially reduce overall costs and execute shorter project delivery schedules. This could lead to reduced costs for SWP-related projects-resulting in cost savings being passed on to Metropolitan.
SB 147 Ashby (D- Sacramento)	Chaptered Signed by the Governor Chapter 59, Statutes of 2023	Fully protected species: California Endangered Species Act: authorized take This measure is part of the negotiated infrastructure trailer bill package and authorizes the take of fully protected species for certain infrastructure projects if specified conditions are met. Eligible projects include the maintenance, repair and improvement of the State Water Project, as well as critical regional and local water infrastructure.	Support and Amend Based on 2023 Legislative Priorities and Principles, adopted December 2022	While this alternative may have benefits over current FPS regulations, the requirements are extensive and may make permit terms infeasible or cost prohibitive and could create other litigation risks for permittees.
SB 149 Caballero (D- Merced)	Chaptered Signed by the Governor Chapter 60, Statutes of 2023	California Environmental Quality Act: administrative and judicial procedures: record of proceedings: judicial streamlining. This measure is part of the negotiated infrastructure trailer bill package and makes various changes to CEQA. This bill provides clarification for what is considered as part of the administrative record, as well as allowing a public agency to deny a request to prepare the record of proceedings. This bill also provides for expedited judicial review for specified energy and transportation projects.	Support and Amend Based on 2023 Legislative Priorities and Principles, adopted December 2022	Administrative Records Streamlining: Overall, the provisions would be beneficial to Metropolitan as they could lower CEQA litigation costs and shorten litigation timelines. Expedited Judicial Review: The process for preparing the administrative record for any governor-certified infrastructure project must follow certain extensive and potentially costly specifications. While expedited judicial review is beneficial in concept, unless amended, the prerequisites may be infeasible or costly to implement.

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SB 150 Durazo (D-Los Angeles)	Chaptered Signed by the Governor Chapter 61, Statutes of 2023	Construction: workforce development: public contracts. This measure is part of the negotiated infrastructure trailer bill package and focuses on strengthening the state’s workforce and community benefits with infrastructure investments through California’s share of federal funds.	Support Based on 2023 Legislative Priorities and Principles, adopted December 2022	This bill is intended to help develop procurement models to enhance the state’s training and access pipeline for jobs while ensuring community benefits on infrastructure and manufacturing investments. This bill is consistent with Metropolitan’s policy and practice and could benefit the district by helping build the next generation of the state’s construction workforce.
SB 366 Caballero (D - Merced) Sponsors: California Municipal Utilities Association, California Council for Environmental and Economic Balance, California State Association of Counties	Amended 6/13/2024 Assembly Water, Parks, and Wildlife Committee	The California Water Plan: long-term supply targets. This measure would revise the California Water Plan to require the DWR to update the California Water Plan by December 31, 2028, and every five years after, to include a long-term water supply target for 2050 and discussion on the development of specified water supply sources to meet demand.	Support, if Amended Based on 2023 Legislative Priorities and Principles, adopted December 2022	The intent of this bill is to help modernize California’s water management practices and provide long-term reliable supplies in response to the current climate challenges. Metropolitan is seeking amendments that include, but are not limited to, ensuring the 2050 target reflects statewide, regional, and local planning efforts and clarifying that the CA Water Plan should not establish a separate plan for complying with the Delta Plan, but should be complimentary and focus on supporting the co-equal goals of the Delta.

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<p>SB 659 Ashby (D – Sacramento)</p> <p>Sponsors: Sacramento Regional Water Authority</p>	<p>Chaptered</p> <p>Signed by the Governor Chapter 624, Statutes of 2023</p>	<p>California Water Supply Solutions Act of 2023.</p> <p>This bill would require DWR to develop a groundwater recharge plan by January 1, 2026, to create additional groundwater recharge capacity and include the plan as part of the 2028 update to the California Water Plan.</p>	<p>Support, if Amended</p> <p>Based on 2023 Legislative Priorities and Principles adopted December 2022.</p>	<p>This bill intends to elevate the importance of groundwater in the state’s planning efforts. Additional recharge capacities developed through implementation of this bill could potentially help in the successful implementation of projects such as Metropolitan’s Pure Water project, LADWP’s Operation Next project, and the Pure Water San Diego, potentially helping to maximize stormwater capture and increase sustainability of groundwater basins within Metropolitan’s service area.</p>
<p>SB 687 Eggman (D - Stockton)</p>	<p>Amended 5/2/2023</p> <p>Dead</p>	<p>Water Quality Control Plan: Delta Conveyance Project.</p> <p>This measure will require the State Water Resources Control Board to adopt a final update of the Bay-Delta Water Quality Control Plan before the Board considers a change in the point of diversion or any other water rights permit or order for the Delta Conveyance Project.</p>	<p>Oppose</p> <p>Based on 2023 Legislative Priorities and Principles, adopted December 2022</p>	<p>Metropolitan supports updating the Water Quality Control Plan to protect beneficial uses in the Delta. This bill would result in halting or delaying planning efforts on the Delta Conveyance Project and potentially prevent the project from operating if approved.</p>
<p>SB 706 Caballero (D-Merced)</p> <p>Sponsors: CA State Association of Counties; County of San Diego; Design Build Institute of America Western Pacific Chapter; League of California Cities</p>	<p>Chaptered</p> <p>Signed by the Governor Chapter 500, Statutes of 2023</p>	<p>Public contracts: progressive design-build: local agencies.</p> <p>This bill would provide additional authority, until January 1, 2023, for cities, counties, and special districts to use progressive design-build (PDB) authority for up to 10 public works projects that are in excess of \$5 million. In addition, any local agency that uses this authorized progressive-design build process must submit a report to the Legislature.</p>	<p>Support</p> <p>Based on 2023 Legislative Priorities and Principles, adopted December 2022</p>	<p>Currently, PDB-eligible projects are limited to wastewater treatment facilities, park and recreational facilities, solid waste management facilities and water recycling facilities. This bill now authorizes cities, counties and special districts, including Metropolitan, to use PDB for public works projects. This supports Metropolitan’s priority of ensuring reliable water supply deliveries throughout its service area.</p>

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SB 867 Allen (D-Santa Monica)	Amended 6/22/2023 Assembly Natural Resources Committee	Drought, Flood and Water Resilience, Wildfire and Forest Resilience, Coastal Resilience, Extreme Heat Mitigation, Biodiversity and Nature-Based Climate Solutions, Climate Smart Agriculture, Park Creation and Outdoor Access, and Clean Energy Bond Act of 2024. This measure would authorize a \$15.5 billion general obligation bond for a range of resource- based programs that will improve California’s climate resiliency. If approved, this measure would be on the March 5, 2024 statewide ballot.	Support, if Amended Based on June 2023 Board Action	This measure is consistent with Metropolitan’s current policy priorities and supports the objectives of Metropolitan’s Climate Adaptation Master Plan. Metropolitan is seeking amendments to increase funding for recycled water, dam safety, regional conveyance, drought, and conservation projects.

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AB 2610 E. Garcia (D – Coachella)	Amended 4/10/2024 Senate Natural Resources and Water Committee	<p>Protected species: authorized take: Salton Sea Management Program: System Conservation Implementation Agreement.</p> <p>Current law authorizes the Department of Fish and Wildlife, if certain conditions are fulfilled, to authorize the take of species, including fully protected species, resulting from impacts attributable to implementation of the Quantification Settlement Agreement on specified lands and bodies of water, including the Salton Sea. This bill would additionally authorize the department, if certain conditions are fulfilled, to authorize the take of species resulting from impacts attributable to the implementation of the Salton Sea Management Program or implementation of any System Conservation Implementation Agreement between the United States Bureau of Reclamation and the Imperial Irrigation District to implement the Lower Colorado River Basin System Conservation and Efficiency Program, as provided, on the specified lands and bodies of water.</p>	<p>Support</p> <p>Based on 2024 Legislative Priorities and Principles, adopted January 2024</p>	<p>This bill will help to advance conservation agreements and collective conservation goals related to reducing reliance of the Colorado River in order to account for changes in climate and low water supplies by allowing IID to advance their short-term conservation goals between 2024 – 2026.</p>

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AB 1827 D. Papan (D – San Mateo)	Amended 4/4/2024 Senate Local Government Committee	Local government: fees and charges: water: higher-consumptive water parcels. The Legislature passed the Proposition 218 Omnibus Implementation Act in 1997 to provide guidance for implementation of the new constitutional provisions. AB 1827 (Papan) proposes to add Government Code section 53750.6 to the Act to clarify that the costs that may be recovered through retail water service fees may include the incrementally higher costs of water service due to (1) the higher water usage demand of parcels, (2) the maximum potential water use of parcels, or (3) projected peak water usage.	Support Based on 2024 Legislative Priorities and Principles, adopted January 2024.	Metropolitan’s wholesale water service rates to its co-op members are not subject to Proposition 218 and therefore, the bill does not have an effect on Metropolitan. It will, however, provide clearer guidance for its member agencies that provide retail water service and any retail water service provider within Metropolitan service area.
AB 2257 L. Wilson (D – Suisun City)	Amended 4/23/2024 Senate Judiciary Committee	Local government: property-related water and sewer fees and assessments: remedies. AB 2257 establishes a process for objections to be submitted by any party objecting to the proposed fee or assessment, notice to the public of the requirements, and prerequisites for suing an agency on the basis of the validity of the fee or assessment. The bill requires exhaustion of the administrative procedures provided therein before a plaintiff may file suit and it limits the administrative record that may be reviewed in that litigation to evidence presented to or available to the agency prior to the adoption of the fee or assessment.	Support Based on 2024 Legislative Priorities and Principles, adopted January 2024	Metropolitan does not currently collect any fee or assessment on properties within its service area that is subject to Article XIII D. It does, however, have the authority to do so. Should it decide to adopt such a fee or assessment, it would be required to follow these proposed additional procedural requirements. Any litigation challenging such a fee or assessment would also be subject to the administrative remedy exhaustion and evidence limitation provided for by AB2257.

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AB 2409 D. Papan (D – San Mateo)	Amended 4/11/2024 Dead	<p>Office of Planning and Research: permitting accountability transparency dashboard.</p> <p>Would require the Office of Planning and Research, on or before January 1, 2026, to create and maintain, as specified, a permitting accountability transparency internet website (dashboard). The bill would require the dashboard to include a display for each permit to be issued by specified state agencies for all covered projects. The bill would define various terms for these purposes. The bill would also require the dashboard to include, but not be limited to, information for each permit to be issued by a state agency that is required for the completion of the project, including, among other requirements, the permit application submission date. The bill would require each state agency with a responsibility for issuing a permit for a covered project to provide information in the appropriate time and manner as determined by the office. The bill would also make related findings and declarations.</p>	<p>Support</p> <p>Based on 2024 Legislative Priorities and Principles, adopted January 2024</p>	<p>AB 2409 requires the Governor’s Office of Planning and Research (OPR) to create and maintain a permitting transparency website with a project dashboard showing the status of each state permit for specific projects with an estimated cost of \$100 million or more. AB 2409 would be beneficial to Metropolitan by making environmental permitting more transparent and would help the public understand why large projects take years to permit (e.g., Pure Water Southern California or Delta Conveyance).</p>

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AB 2060 E. Soria (D – Fresno)	Amended 5/16/2024 Senate Natural Resources and Water Committee	<p>Lake and streambed alteration agreements: exemptions.</p> <p>This bill would exempt qualifying temporary permit diversions of water from streams at or near flood stage to groundwater storage from the requirements of Fish & Game Code section 1602. Section 1602 requires anyone proposing to substantially alter the bed, banks or natural flows of a stream, river or lake to notify the California Department of Fish and Wildlife (CDFW). If CDFW determines the proposed activity may have a significant adverse impact on fish or wildlife, it will require a Lake or Stream Alteration Agreement (LSAA) that functions as a permit for the activity, and which always requires mitigation, monitoring and reporting to CDFW. It is designed to prevent harm to fish and wildlife from covered activities. AB 2060 would exempt qualifying diversions from this requirement. The only “mitigation” required to qualify is installation of basic fish screens, with no requirement that they meet any standards, including those adopted by CDFW and the federal fish services.</p>	<p>Support if Amended</p> <p>Based on Metropolitan Policy Principles for Modernization of Water Rights Administration 2023 Water Rights Principles, adopted April 2023 and 2024 Legislative Priorities and Principles, adopted January 2024</p>	<p>This bill was amended to ensure the temporary permit authorization is consistent with existing law on diversion authorizations for current water rights holders. Metropolitan is seeking additional amendments to ensure the inclusion of fish screens on all intakes, not just “temporary pump” intakes, and that the screens minimize both entrainment <i>and</i> impingement.</p>

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SB 903 N. Skinner (D – Berkeley)	Amended 4/11/2024 Dead	<p>Environmental health: product safety: perfluoroalkyl and polyfluoroalkyl substances.</p> <p>Starting January 1, 2025, certain substances called perfluoroalkyl and polyfluoroalkyl substances (PFAS) will be prohibited in new textiles, cosmetics, food packaging, and juvenile products in the state. This means that manufacturers and sellers cannot add PFAS to these products. A new bill, starting January 1, 2032, will also require the Department of Toxic Substances Control to determine if using PFAS in a product is necessary and unavoidable before it can be offered for sale. The department will keep a list of these determinations on its website and use any penalties collected for administering and enforcing these laws. By January 1, 2027, the department will adopt regulations to carry out this bill, including setting an application fee and creating an appeal process for penalties and decisions made under this law. A PFAS Oversight Fund will be created from the application fees to cover the department's expenses for administering this act, with funds allocated by the legislature.</p>	<p>Support</p> <p>Based on 2024 Legislative Priorities and Principles, adopted January 2024</p>	<p>From a source water protection standpoint, the bill creates provisions to reduce PFAS contamination and enhance protection of water quality and public health. By limiting PFAS in consumer products, the bill indirectly aims to reduce PFAS contamination in water sources, potentially decreasing treatment costs and complexity for water providers. The bill encourages the development and adoption of PFAS alternatives, potentially impacting the types of materials and products used within the water industry and by consumers, promoting safer water handling and packaging materials.</p>

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SB 1072 S. Padilla (D – San Diego)	Amended 4/24/2024 Assembly Local Government Committee	Local government: Proposition 218: remedies. The California Constitution has rules for imposing taxes at a local level. It excludes certain fees and assessments if they meet certain criteria, such as not exceeding the benefit given to a property or the cost of the service provided. There is also a law known as the Proposition 218 Omnibus Implementation Act that outlines how local agencies must comply with these requirements. This bill, if passed, would require local agencies to correct any fees or charges for property-related services that violate these constitutional provisions and credit the amount of the violation against the revenues needed for the service. This bill supports the purposes and intent of Proposition 218 and the Omnibus Implementation Act.	Support Based on 2024 Legislative Priorities and Principles, adopted January 2024	Metropolitan does not currently collect any revenue from any property related fees or assessments subject to Articles XIII C or D. However, Metropolitan does have statutory authority to collect such fees. If Metropolitan were to adopt such a fee or assessment in the future, the revenues from those fees or assessment would be subject to the limitation added by SB 1072.

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SB 1169 H. Stern (D – Los Angeles)	Amended 3/18/2024 Assembly Desk	<p>Los Angeles County Flood Control District: finances.</p> <p>This law, known as the Los Angeles County Flood Control Act, sets up a district responsible for managing and preserving flood and wastewaters in the county. It permits the district to borrow money from certain sources to fund flood control work and repay the loan within 20 years with a maximum interest rate of 4.25% annually. The district must also collect enough taxes from property owners each year to cover the loan payments. Currently, the district is limited to borrowing a maximum of \$4.5 million and issuing bonds up to the same amount. This proposed bill would extend the loan repayment period to 35 years with a maximum interest rate of 5.5% annually. It would also remove the borrowing and bond limits for the district. The bill justifies these changes by stating the need for a special law for the Los Angeles County Flood Control District.</p>	<p>Support</p> <p>Based on 2024 Legislative Priorities and Principles, adopted January 2024</p>	<p>Support for this bill will help with Los Angeles County’s flood control program and is consistent with the Board’s policy to support development of local resources and conservation efforts.</p>

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SB 1390 A. Caballero (D – Merced)	Amended 4/24/2024 Assembly Water, Parks, and Wildlife Committee	Groundwater recharge: floodflows: diversion. Under current law, all water in the state belongs to the people, but individuals can gain the right to use it through a legal process. This process requires the water to be used for a purpose that is helpful or beneficial. However, if certain conditions are met, using floodwater for groundwater recharge does not require a specific legal right. These conditions include receiving notice from a local or regional agency that there is a risk of flooding, and filing a report with the State Water Resources Control Board once the diversion is finished. This applies to diversions that began before January 1, 2029. This bill would extend these requirements to diversions that began before June 1, 2032. It would also add additional conditions that must be met for the diversion to be allowed, such as the local agency declaring that the diversion is in line with specific plans or emergency operations plans. The diversion must also stop within 90 days unless it is renewed, and the final report must include information about the methods used to predict and prevent flooding. Finally, the diversion must not harm any prior water rights holders in the area.	Support Based on Metropolitan Policy Principles for Modernization of Water Rights Administration 2023 Water Rights Principles, adopted April 2023 and 2024 Legislative Priorities and Principles, adopted January 2024	SB 1390 has been amended to clarify which agencies may make the declaration that flood flow conditions exist and when they are required to declare they no longer exist. The amendments include language to protect Metropolitan’s SWP supplies, which also supports our operations to maintain water quality standards in the Delta. .