

Day of Action for Water Justice Lobbying Cheat Sheet

Tips, Roles, and Timeline Overview

- Timeline Overview: 8:30am start for Team Leads, 9:00am for other Team Members, Rally from 12-2pm.
- Roles:
 - o Team Lead – Contact Team members Monday July 3. Emcee each leg meeting, introducing themselves and then facilitating introductions for other team members. They start the meeting with summarizing the coalition statement and why you are there. Assign other speaking topics to other members.
 - o Team Member – You will be given one speaking topic each, on average. Make sure to have lead's phone number. Your team lead will contact you Monday July 3 with information about where and when you will be meeting and who you will be meeting with on Wednesday July 5. Due to the holiday, last minute changes may happen. Thank you in advance for your flexibility.
- Lobbying Tips:
 - o If you have them, bring business cards. Other materials will be provided for you.
 - o Determine what topic you will be speaking on before the meeting, confirm with your team lead. For your topic, make sure to determine if the member has 1) voted on your bill, how they voted or still needs to vote, and 2) thank them for their support if applicable.
 - o Make eye contact, speak slowly and clearly when introducing yourself.
 - o Pause after talking points to ensure the member/staff have time to ask questions.
 - o Don't feel pressured to know everything. Don't know the answer? Say: *"Thank you for that great question, I'm not the best person to answer it. However, I'm more than happy to put you in touch with an expert from our coalition after this meeting who can get you that information."*

Talking Points

SB 389 (Allen) – Surface Water Rights Verification. To obtain a more accurate evaluation of water usage in a given system, SB 389 grants the SWRCB the authority to review, verify, and issue decisions on senior water rights claims not granted via the Water Commission Act of 1913 (the Act), namely pre-1914 appropriative and riparian water rights.

- This bill does not “stack the deck” against rights holders, amendments to the bill specifically call for regulations to be set that will clarify structure and offer some flexibility to the Board.
- The burden of proof is on the right holder, which is reasonable given they are the ones best equipped to provide the best evidence, and the threshold is proving by a “preponderance of evidence” – not beyond a reasonable doubt (a much higher burden).
- This is actually expanding protections to rights holders because they can receive certification from the Board.

AB 1337 (Wicks) – Fair Regulation of Water Rights. Grants the SWRCB authority to curtail any diverter, regardless of the basis for their right, when water is not available under the diverter's priority of right.

- Whenever there is a water shortage, the Water Board must step in and curtail junior right holders to ensure enough water stays in the system to satisfy those with more senior water rights. If junior appropriators do not curtail, the system becomes a free-for-all and even the most senior water rights face uncertainty.
- As CA faces more severe droughts, it is imperative that the Board have the authority to regulate the entire water system.
- There are also serious equity implications here. Pre-1914 rights are the strongest claims to water in the state, yet these claims were unavailable to minorities and are exempt from regulation. These issues are long overdue for legislative reform.

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AB 460 (Bauer-Kahan) – Interim Relief. Gives the State Water Resources Control Board (SWRCB) clear authority to limit water diversions from all rights holders when there is a shortage, both during drought emergency and non-drought emergency years, and increases fines for unauthorized water diversions.

- This bill was brought forward because of an egregious water grab on the Shasta River last year demonstrated the lack of enforcement authority the Board has when it comes to water rights.
- This is now a two-year bill, but we look forward to seeing this move across the finish line in 2024. (Thank if they supported the bill during this legislative session)

Other Topics and Member Org Priority Bills

- If the legislative member opposed Governor Newsom's Infrastructure Trailer Bill Package due to substance or process, please thank them. *Thank you for your recent leadership standing up to the Newsom administration's attempts to steamroll the legislature through trailer bills. We appreciate that the Delta Conveyance Project was removed from the bills and the opportunity to continue to work with the legislature and the Administration on important environmental policy in the future.*
- SB 638 (Eggman) Climate Resiliency and Flood Protection Bond Act of 2024
- AB 1284 (Ramos) Tribal ancestral lands and waters: cogovernance and comanagement agreements.