



For Immediate Release

September 12, 2023: Sacramento - SB 389 Passes Senate and Advances to the Governor's Desk

The California State Senate today passed SB 389 by Senator Ben Allen (D – Santa Monica) to give the State Water Resources Control Board (Water Board) the power to verify pre-1914 and riparian water rights.

The Water Board presently lacks the tools to promptly investigate and determine whether senior water right claims are inflated or represent the amounts that the claimants have the right to divert and use. Reforms allowing the Water Board to verify these claimed water rights could make water available for more junior water rights holders and, in times of scarcity, continue to provide for fishery and other key beneficial uses.

The Water Code amendment proposed by SB 389 would address this gap in Water Board authority by allowing the Water Board to selectively investigate and determine whether a water right claimant, diverter, or user is diverting or using water under a defensible claim of right. **With this authority, the Water Board will have the ability to better manage the water system, benefitting all users and protecting the ecology of California's many beautiful streams.**

"SB 389 aims to ensure the Water Board has the information it needs to be able to operate the system responsibly and fairly for all users. Giving the board the power of verification is not punitive; it is information gathering...it's just good accounting." - **Matthew Baker, Policy Director, Planning and Conservation League**

"California's current water rights system is outdated and inequitable. This bill provides a modest update by giving the Water Board accurate information about everyone's water rights and usage, independent of when those rights were established, so it can more effectively manage our water resources." - **Dr. Amanda Fencl, Western States Senior Climate Scientist, Union of Concerned Scientists**

"The success of SB 389 represents a pragmatic and common sense march towards remaking the water rights system so that it works for fish, water and people." **Redgie Collins, Legal and Policy Director, CalTrout**

"SB 389 is a long overdue first step to addressing a broken water rights system that historically has not prioritized rural communities and communities of color. Enforcing water protection cannot be realized without accurate knowledge of water availability, usage, and modernized

water rights,” said **Marquis King Mason, Advocacy Partnership Coordinator, California Environmental Voters**. “But our work isn’t done yet - we are determined and excited to continue building support for water rights reform. ”

“SB 389 is an essential step as we work toward a sustainable and just water future in California.” **Keiko Mertz, M.S., Policy Director, Friends of the River**

"SB 389 does not solve the water crises, nor the water volatility faced by California. However, it enumerates powers and enables oversight of water rights essential to the establishment of better and more sustainable water management." **Andy Hattala, Water Policy Lead, The Climate Reality Project California Coalition**

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