



**[ Union of  
Concerned Scientists**



### ***For Immediate Release***

**October 9, 2023: Sacramento - SB 389 Signed by Governor Newsom**

Governor Gavin Newsom has signed SB 389 into law. SB 389 by Senator Ben Allen (D – Santa Monica) gives the State Water Resources Control Board (Water Board) the power to verify pre-1914 and riparian water rights.

With the Governor’s signature, the Water Board gains a tool for promptly investigating and determining whether senior water right claims are inflated or represent the amounts that the claimants have the right to divert and use. In allowing the Water Board to verify these claimed water rights, more water could be made available for more junior water rights holders and for fishery or other beneficial uses of water in times of scarcity.

The Water Code amendments in SB 389 help address a 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 system for the benefit of all users and the ecology of California’s many beautiful streams.**

**We thank Governor Newsom for taking this modest but wise step to help our state adapt to climate change and advance more equitable water rights for all Californians.**

“Gov. Newsom did the right thing by signing SB 389 because it will provide a modest improvement to California’s outdated and inequitable water rights system. The bill will enable the Water Board to manage everyone under the same rules and ensure that users are not using more water than they should, which is particularly important during the state's dry years.” **Dr. Amanda Fencl, Western States Senior Climate Scientist, Union of Concerned Scientists**

“SB 389 is a common-sense change that will help balance the needs of fish, water, and people. This legislation gives the Water Board the basic tools needed to regulate legal water use in California.” **Walter Redgie Collins, Legal and Policy Director, California Trout**

“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 toward better management of our water resources and bringing California in line with other Western States.” **Cody Phillips, Policy Analyst with California Coastkeeper Alliance**

“SB 389 is a meaningful step towards greater equity and fairness for California water rights.” **Jann Dorman, Executive Director, Friends of the River**

“The signing of SB 389 by Governor Newsom represents a significant step towards strengthening government supervision of water rights, curbing their abuse, and effectively managing California's volatile water resources. We are optimistic that this action demonstrates the government's commitment to implementing further measures that recognize and address the water crises that are plaguing the state, with the ultimate goal of achieving sustainable water management and securing water resources.” **Andy Hattala, Water Policy Lead, The Climate Reality Project California Coalition**

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