
The California Delta, Photo courtesy of Flickr's Rick C

Yesterday was a most interesting, and potentially-momentous, day for water policy in California. Taking center stage at the state Capitol in Sacramento was a joint hearing of California State Senate and Assembly environmental committees to consider a package of bills addressing the chronic environmental ills that have befallen the California Delta and failures in state water policy generally.

The day-long legislative hearing possessed a sense of urgency: after three years of continuous policy debates, stakeholder meetings and blue ribbon advisory reports, the California Legislature has only four weeks left in its 2009 legislative session to consider these bills. Most of this year's legislative session was consumed with contentious debates over California budget issues, and state legislators are only now turning to policy issues. And environmental and water matters–especially those affecting the Delta–are at the top of this year's policy agenda, for the Legislature and Schwarzenegger Administration alike. There's well-founded concern that the next month presents California policymakers with a narrow window of political opportunity, since 2010 is a major election year in California; Governor Schwarzenegger will be a lame-duck, termed out of office; and state legislators' attention in 2010 is likely to be focused on their own efforts at re-election.

Passions ran high at yesterday's hearing, and views of both legislators and the scores of testifying witnesses varied widely. It's no better than even money whether the state Capitol debate will coalesce around legislation that halts the environmental decline of the Delta while simultaneously preserving a water supply upon which two-thirds of California's 38 million residents depend. And, even if such legislation makes it to the Governator's desk, it's far from certain that he'll sign it.

Meanwhile, across the street from the state Capitol building yesterday, California's Little Hoover Commission was holding hearings on California's seriously flawed water governance structure. (The Little Hoover Commission is an independent state oversight body, whose mission is to investigate state government operations and recommend reforms to promote efficiency and improved government service.) There's widespread consensus that California's system of administering water rights is dysfunctional. For example, many entities that divert water from state rivers, streams and groundwater basins have no obligation to report how much water they're using. And even where a reporting obligation exists on paper, it's not

enforced by California's water regulators. Testimony received at yesterday's Little Hoover Commission hearing further revealed that California's State Water Resources Control Board, the regulatory body currently charged with overseeing the state's water allocation system, actually has fewer staff and less funding for this work than it did four decades ago. And California is the only state in the Western U.S. that doesn't regulate groundwater on a statewide basis. (As one witness put it, "It's the Wild, Wild West in California when it comes to water.")

Unlike many political institutions in California, the Little Hoover Commission enjoys bipartisan support and broad public respect. It's asking the right questions about what's wrong with California's system of water rights and allocation. Hopefully, the Commission will formulate some meaningful and overdue reforms for statewide water policy. And then it will be up to California policymakers to adopt those reforms.

Fixing California's Delta and reforming statewide water policy are both daunting tasks. Both are essential to California's long-term environmental and economic prosperity. The jury is out as to whether either task can or will be accomplished. At a minimum, it will be great spectator sport to watch California policymakers try to pull it off.