Lawmakers vote to strengthen water oversight

[Water, from B1]

this oversight authority to "make sure the system is working and that we actually have enough water for everybody."

"This is essential to their ability to ensure that we have a sustainable water system in our state," Allen said.

The legislation says state water regulators may investigate claims of pre-1914 or riparian water rights, issue an order for information and, after a hearing, curb any unauthorized water use.

If an investigation reveals that a water supplier has been taking more water than it is entitled to, the State Water Board can use its enforcement powers to make that stop.

The bill is among a list of reform proposals that experts have suggested to improve oversight and management of California's water rights system.

The bill is long overdue and provides the water board "clear and unchallengeable authority to enforce the water rights system," said Jennifer Harder, a law professor at University of the Pacific's McGeorge School of Law.

She noted that prominent advocates of the change included the late Clifford Lee, a retired deputy attorney general who last year helped lead a group of experts in presenting reform proposals, as well as Jonas Minton, a water policy expert and environmentalist who organized the group. Both men died last year.

Lee and Minton believed the bill "was a critical first step to ensuring a sensible



BRIAN VAN DER BRUG Los Angeles Times

THE LEGISLATION, which is expected to be sent to Gov. Gavin Newsom for signing, authorizes the state to investigate even pre-1914 water rights claims.

and cohesive water rights system" for California in the 21st century, Harder said. "The passage of this bill is a tribute to their memories.'

The bill doesn't actually give water regulators new powers, but it adds specificity to what was previously a vague section of the state's water law, said Nell Green Nylen, a senior research fellow at the UC Berkelev School of Law's Wheeler Water Institute.

The water board has previously gathered information about such water rights just as the bill describes, Green Nylen said. But because this power wasn't spelled out in the law before now, she said, the agency "has almost certainly been hesitant to use it, fearing lawsuits and political backlash.'

"Imagine if a large segment of California taxpayers were not convinced the state's Franchise Tax Board had the power to audit highearning residents," she said. "That wouldn't be a good situation."

Green Nylen and other legal experts recently published a state-funded report with recommendations for legislative and policy changes to improve oversight and management of water rights. She said the legislation partially addresses one of their recommendations and should make it easier for the board to exercise its authority more frequently.

California's complex system of water rights took shape starting in the mid-1800s, when settlers saw the state's water as abundant, and when a Gold Rush prospector could stake claim to river flows simply by nailing a notice to a tree.

State officials are now working on a project to modernize California's water rights information system by digitizing millions of paper records. Officials have said that even those extensive records in many cases don't include original documents that show proof of pre-1914 water rights, which were grandfathered in under the 1913 Water Commission Act. That act established a permit process for rights from then on.

Some other bills that would reform water laws have stalled in the Legislature but may still be voted on next year. They include Assembly Bill 460, which would strengthen the water board's enforcement powers to stop illegal water diversions and increase fines for violators, and AB 1563, which would require local groundwater management agencies to weigh in on applications for well-drilling permits.

Some Californians would like to see deeper changes,

arguing that the current water rights system should be dismantled. Those who are pushing for such an overhaul argue the water rights system is antiquated and unjust, with roots in California's history of violence against Indigenous people and racism that prevented nonwhite people from securing rights in the 1800s and early 1900s.

They also argue the system shortchanges environmental needs and won't be sufficient for dealing with scarcity in the future.

The bill that was approved focuses on ensuring that those with senior water rights are obeying the rules and have valid rights, but that measure, like other proposals in the Legislature, doesn't address the system's inequities or negative consequences, said Max Gomberg, a former water board official who works with environmental advocates and has criticized the Newsom administration's policies.

"It's the whole system that needs to be redone," Gomberg said.

'There is no good reason to have continued priority for stuff that was just claimed over 100 years ago, not when we face all these issues of scarcity," Gomberg said. "Everyone who is not one of those water rights holders would benefit from a change in the system."

He said he'd like to see the water rights system scrapped and replaced with a new framework that prioritizes the needs of communities. the environment and "basic food security." He suggested that a ballot measure would be one way to remake the system.

"I think there is no effective and equitable climate adaptation in the West this goes beyond California without remaking it," Gomberg said. "If it doesn't get remade, every other thing that we do to try to adjust to our changing and aridifying climate will be insufficient.' Last year, a coalition of

tribes and environmental groups sought to challenge how the state manages water by filing a civil rights complaint with the Environmental Protection Agency, accusing the state water board of discriminatory practices and mismanagement contributing to the ecological deterioration of the Sacramento-San Joaquin River Delta.

The EPA announced in August that it has begun an investigation.

In their complaint, the tribes and environmental groups said the decline of the ecosystem in the delta is 'rooted in white supremacy' because the rights of tribes were ignored when the water rights system was established, and because people of color were prevented from securing water rights well into the early 20th cen-

tury. They argued that out-ofdate water quality standards in the delta have led to collapsing fish populations and worsening toxic algae blooms, and demanded that the water board update water quality standards.

State water officials have said they are committed to working with tribes and have taken various steps to address historical inequities, such as adopting a racial equity plan.



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Los Angeles Times

NOTICE OF COMPLETION AND AVAILABILITY OF DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE LA BREA TAR PITS MASTER PLAN PROJECT

The County of Los Angeles (County), acting as the lead agency pursuant to the California Environmental Quality Act (CEQA), has completed a Draft Environ-mental Impact Report (Draft EIR) for the proposed La Brea Tar Pits Master Plan (project). The Draft EIR is being circulated for review and comment by agencies organizations, and individuals who have interest in the project. La Brea Tar Pits, the George C. Page Museum (Page Museum), and associated facilities are owned by the County but are managed by the non-profit Los Angeles County Museum of Natural History Foundation (Foundation). The County, as Lead Agency, acting through the Foundation, proposes a redevelopme or "reimagining," of the 13-acre La Brea Tar Pits site.

PUBLIC REVIEW PERIOD: The public review period for the Draft EIR will be from September 11 to October 26, 2023 All comments received by the closing of the public review period will be responded to and considered in the Final EIR.

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PROJECT LOCATION: The 13-acre La Brea Tar Pits project site is located within the eastern and northwestern portions of the 23-acre Hancock Park (Assessor's Parcel Number (APN) 5508-016-902), 5801 Wilshire Boulevard, Los Angeles, CA 90036. Cross streets for the project site are Wilshire Boulevard, South Curson Avenue, and West 6th Street.

PROJECT DESCRIPTION: The project would result in upgrades to the 13-acre La Brea Tar Pits site, includ-ing renovations to the Page Museum and the development of a new museum northwest of the Page Museum (40,000 gross square feet). The project would also include improvements to the existing tar pit fa-cilities, modifications to the configuration of the pedestrian paths, and improvements to the recreational areas within the site. Enhanced landscaping would be added throughout the project site, including native vegetation planting and the addition of three biofil-tration features to improve stormwater management. The two existing entrances, at Wilshire Boulevard and South Curson Avenue and at West 6th Street, would both be renovated and the parking lot would be relo cated 50 to 70 feet to the north.

SUMMARY OF SIGNIFICANT ENVIRONMENTAL IM-PACTS: The Draft EIR identifies Less than Significant Impacts with Mitigation for: aesthetics, air quality, ar-chaeological resources, biological resources, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, noise and vibration, recreation, tribal cultural resources, and utilities and service systems. The Draft EIR identifies Significant and Unavoidable environmental impacts for: historical resources, land use and planning, and transportation. The project site is not located on a list of hazardous waste sites compiled pursuant to Gov ernment Code Section 65962.5 (i.e., the Cortese List).

PUBLIC MEETING: You are invited to a community open house to learn more about the proposed La Brea Tar Pits Master Plan on Saturday, September 30, 2023, from 9:00 a.m. to 11:00 a.m. The meeting will be held at the project site outdoors between the Page Museum entrance and the Lake Pit. The address of La Brea Tar Pits is 5801 Wilshire Boulevard, Los Angeles, CA 90036

Franslations into other languages can be made avail able upon request. Please submit translation requests to Inegritto@nhm.org or contact Leslie Negritto at (213) 763-3303. Please provide at least 7 business days to address translation requests.

Disponemos de servicios de traducción a otros idi-omas si lo necesita. Envíe sus solicitudes de traducción a lnegritto@nhm.org o comuníquese con Leslie Negritto al (213) 763-3303. Necesitaremos al menos siete días hábiles para trabajar en las solicitudes de traducción.

DOCUMENT AVAILABILITY AND COMMENTS: During the 45-day public review period, the Draft EIR is avail able at the following locations during each facility's normal operating hours: Page Museum Front Ticketing Counter, 5801 Wilshire Boulevard, Los Angeles, CA 90036 Julian Dixon Library, 4975 Overland Avenue, Culver City, CA 90230 View Park Bebe Moore Campbell Library, 3854 West 54th Street, Los Angeles, CA 90043 West Hollywood Library, 625 North San Vicente Boulevard, West Hollywood, CA 90069 The public is also encouraged to visit the Natural History Museums of Los Angeles County website to review project documents at: https://tarpits.org/reimagine Written comments on the Draft EIR should be post-marked or emailed no later than 5:30 p.m. Pacific Time on Monday, October 26, 2023, and should be addressed to: Leslie Negritto, Chief Operating Officer Natural History Museums of Los Angeles County 900 Exposition Boulevard Los Angeles, California 90007 email: Inegritto@nhm.org PUBLIC HEARING Following the receipt of public comments on the Draft EIR, a Final EIR will be developed and a public hearing on the project and Final EIR will be scheduled before the Los Angeles Board of Supervisors at a time, date, and location to be determined. The public hearing will be properly noticed. 9/11/2023