

CONCURRENCE IN SENATE AMENDMENTS

AB 1894 (Blanca Rubio)

As Amended May 28, 2026

Majority vote

SUMMARY

Prevents a public agency from prohibiting groundwater replenishment due to invasive mussels unless there is substantial, documented evidence of a proven health and safety risk as a result of the invasive mussels.

Senate Amendments

Provides that water deliveries for groundwater replenishment are made in compliance with an approved invasive mussel control plan.

COMMENTS

On October 17, 2024, Department of Water Resources (DWR) staff discovered golden mussels in the Port of Stockton. Soon after the initial discovery, the golden mussel was quickly found at additional sites within the Sacramento-San Joaquin Delta (Delta). The golden mussel is a freshwater bivalve native to the rivers and creeks of China and Southeast Asia, but it has established itself outside of its native range in several countries. The presence of the species poses a significant and immediate threat to the ecological health of the Delta and all waters of the state, water conveyance systems, infrastructure, and water quality. Economic impacts include costly repairs and maintenance (e.g., boats, water infrastructure, hydroelectric facilities), reduced water flow affecting food production, water delivery to homes, and flood control. According to the Administration's budget change proposal regarding golden mussels, "if allowed to spread further, golden mussel will affect every household in California, and every sector of our economy."

In 2025, the County of Los Angeles (County), fearing mussel infestation from imported water, prohibited water imports from infested waters, prioritizing protection of infrastructure over groundwater recharge. As a result, several agencies within the County have been unable to recharge groundwater with imported water from the State Water Project to replenish groundwater supplies. However, the disruption of groundwater recharge will likely put strain on local agencies and the communities they serve.

Los Angeles County Department of Public Works and *Los Angeles County Flood Control District (LACFCD)* own and operate spreading basins onto which the County spreads water, including stormwater. Imported water for groundwater replenishment is delivered through the flood control channels and diverted and spread at spreading grounds through agreements between water agencies and the County. At least two of the agreements between LACFCD and local agencies contain language granting LACFCD discretion to "allow, disallow, or restrict the spreading of imported water at the spreading grounds." The two agreements may be indicative of arrangements LACFCD has with other local agencies and also include the following provisions:

"[LACFCD] shall have full power and authority, at its sole and absolute discretion, to withdraw, modify, or revoke any permission granted in response to a written request when, in [LACFCD's] sole opinion, the spreading [...] cannot or should not be performed due to [LACFCD's] operational and/or maintenance concerns, problems, or difficulties."

"[LACFCD] reserves the right to prohibit or to terminate the spreading of imported water at any time, without prior notice, in connection with any emergency that may exist."

"[The entity conducting the spreading] shall be responsible for and shall fully compensate and reimburse [LACFCD] immediately upon request in connection with any damage to [LACFCD's] property or facilities caused directly or indirectly by the replenishment connection or any water flowing therefrom."

"[LACFCD] reserves the right to cease the spreading of supplemental water at any time [...] if, in the judgment of [LACFCD], such action shall be warranted by, and in connection with any emergency condition."

According to the author's office, the imported water deliveries of Burbank Water and Power were suspended on May 14, 2025, due to the presence of quagga mussels in the imported water system. Burbank Water and Power has an approved quagga control plan. The San Gabriel Valley agencies' imported water deliveries were suspended on September 24, 2025, due to County concerns about the infestation of Santa Fe Spreading Basins and San Gabriel Canyon Spreading Grounds with golden mussel. These water agencies are in the process of finalizing a golden mussel control plan to submit to the Department of Fish and Wildlife (CDFW).

Additionally, the San Gabriel Groundwater Basin went through a groundwater adjudication many decades ago and is governed by a court-mandated Physical Solution under the 1973 Main San Gabriel Judgment that expressly relies on the continued delivery of imported water to offset native overdraft and maintain basin sustainability. Imported water is not discretionary; it is a foundational element of the Physical Solution adopted by the Court to protect groundwater reliability, prevent further overdraft, and ensure long-term basin management.

On March 24, 2026, the County claims to have "officially lifted its prohibition to allow for the gradual reintroduction of imported water to support groundwater recharge operations in the San Gabriel and San Fernando Valleys" with additional monitoring and interim safeguards. Sponsors of this measure indicate that this has not been the case in practice, but negotiations and agreements for pilot projects are underway between some water agencies and the County to treat water for golden mussels before the water is moved through infrastructure to the spreading grounds. There is still concern among water agencies that spreading will be prohibited in the future and agencies are currently developing additional agreements or language to clarify how spreading would be conducted under the risk of invasive mussels.

According to the Author

"Right now, water agencies in [the County] are being blocked from delivering imported water needed to replenish groundwater despite complying with state law and developing approved plans to address invasive mussels. These disruptions undermine the court-ordered management of the Main San Gabriel Groundwater Basin and threaten the primary drinking water source for more than 1.5 million residents, many in disadvantaged communities.

[This bill] ensures that critical water decisions affecting the entire state are made consistently at the state level and not through a patchwork of conflicting local rules. By aligning policy with science and existing law, this bill protects our water supply, supports emergency response needs, and upholds California's commitment to the human right to water while prioritizing strategies to mitigate the threats of the invasive golden mussel."

Arguments in Support

A coalition of southern California water agencies write in support of this bill. They note that "water agencies and communities throughout [the County] rely on the combination of imported and local water supplies. Some agencies, including Burbank Water and Power, are 100% reliant on imported water deliveries." They fear that interruptions for water deliveries could jeopardize "basin stability and drinking water reliability for over 1.5 million residents in the San Gabriel region, of which, approximately 60% are identified as disadvantaged communities." They believe this bill "would assist with ending the prolonged interruption of imported supplies and establish clarification of the adherence of state law and regulatory guidelines when it comes to the preventing, controlling, and eradicating of the newly immersed invasive golden mussel, along with other invasive species."

Arguments in Opposition

The County writes in opposition, expressing concern that this bill would "limit local authority to protect critical flood control infrastructure from invasive mussels." The County believes that accepting potentially infested water could "increase the risk of contamination, interfere with flood control operations, and complicate the County's ability to meet federal obligations," as well as result in "significant unfunded costs."

Valley Ag Water Coalition (VAWC) expresses an oppose unless amended position. VAWC further notes that this bill would likely create impractical and burdensome constraints for even routine operational decisions, unless those actions are expressly authorized in state law. VAWC writes "Local agencies are often best positioned to respond quickly and effectively to invasive species threats based on regional conditions, infrastructure vulnerabilities, and water supply needs. [This bill's] broad preemption of local authority would undermine that ability and could ultimately increase risks to water supply reliability rather than reduce them."

FISCAL COMMENTS

According to the Assembly Appropriations Committee, this bill will have "minor and absorbable costs to [CDFW], the Department of Parks and Recreation's Division of Boating and Waterways, and the State Water Resources Control Board."

VOTES:

ASM WATER, PARKS, AND WILDLIFE: 13-0-0

YES: Papan, Jeff Gonzalez, Alanis, Alvarez, Ávila Farías, Bains, Bennett, Boerner, Caloza, Gallagher, Hart, Muratsuchi, Rogers

ASM APPROPRIATIONS: 14-0-1

YES: Wicks, Hoover, Arambula, Calderon, Caloza, Dixon, Fong, Mark González, Krell, Pacheco, Pellerin, Solache, Ta, Tangipa

ABS, ABST OR NV: Muratsuchi

ASSEMBLY FLOOR: 74-0-6

YES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Ávila Farías, Bains, Bauer-Kahan, Berman, Boerner, Bryan, Calderon, Carrillo, Castillo, Connolly, Davies, DeMaio, Dixon, Elhawary, Ellis, Flora, Fong, Gabriel, Gallagher, Garcia, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Johnson, Kalra, Krell, Lackey, Lee, Lowenthal, Macedo, McKinnor, Nguyen, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta, Tangipa, Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas

ABS, ABST OR NV: Arambula, Bennett, Bonta, Caloza, Chen, Muratsuchi

SENATE FLOOR: 40-0-0

YES: Allen, Alvarado-Gil, Archuleta, Arreguín, Ashby, Becker, Blakespear, Cabaldon, Caballero, Cervantes, Choi, Cortese, Dahle, Durazo, Gonzalez, Grayson, Grove, Hurtado, Jones, Laird, Limón, McGuire, McNerney, Menjivar, Niello, Ochoa Bogh, Padilla, Pérez, Reyes, Richardson, Rubio, Seyarto, Smallwood-Cuevas, Stern, Strickland, Umberg, Valladares, Wahab, Weber Pierson, Wiener

UPDATED

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