

Date of Hearing: April 14, 2026

ASSEMBLY COMMITTEE ON WATER, PARKS, AND WILDLIFE

Diane Papan, Chair

AB 2728 (Soria) – As Amended March 19, 2026

SUBJECT: Open and Transparent Water Data Act

SUMMARY: Requires the Department of Water Resources (DWR) to make certain data on fish hatchery production, release, and escapement available on the statewide integrated water data platform by August 1, 2027. Specifically, **this bill**:

- 1) Expands the purposes of the Open and Transparent Water Data Act to include improving the efficacy of management actions.
- 2) Requires DWR to make datasets from the Department of Fish and Wildlife (DFW) related to fish hatchery production, release, and escapement available on the statewide integrated water data platform by August 1, 2027.
- 3) Requires DWR to make datasets from the U.S. Fish and Wildlife Service, U.S. Forest Service, and National Oceanic and Atmospheric Administration related to fish hatchery production, release, and escapement available on the statewide integrated water data platform by August 1, 2027.

EXISTING LAW:

- 1) Requires, under the Open and Transparent Water Data Act, DWR, in consultation with the California Water Quality Monitoring Council (CWQMC), the State Water Resources Control Board (State Water Board), and DFW, to coordinate and integrate existing water and ecological data from local, state, and federal agencies (Water Code §§ 12400 – 12420).
- 2) Requires DWR, in consultation with CWQMC, the State Water Board, and DFW, to create, maintain, and operate a statewide integrated water data platform by September 1, 2019 (Water Code § 12410).
- 3) Requires DWR to make specified ecological and water data from federal, state, and local agencies available on the statewide integrated water data platform beginning September 2019 and no later than August 2020 (Water Code §§ 12410 and 12415).
- 4) Allows DWR to enter into an agreement with a 501(c)(3) nonprofit organization to create, operate, or maintain, or any combination thereof, the platform [Water Code § 124109(c)].

FISCAL EFFECT: Unknown. This bill is keyed fiscal.

COMMENTS:

- 1) **Purpose of this bill.** The author argues that “water and ecological data is crucial to improving management of the state’s water resources,” but that key data on fisheries is either not available, inconsistent, or difficult to find. The author contends that this bill will provide “the public and water managers with additional ecological information necessary to improve

the management of California’s natural resources by including data hatchery production, release and escapement in the State’s compiled water and wildlife information resources.”

- 2) **Background.** Enacted by AB 1755 (Dodd) in 2016, the Open and Transparent Water Data Act requires California state agencies to create, operate, and maintain a statewide integrated water data platform to support sustainable water planning, support business management, advance water equity, and protect vulnerable communities, species and individuals. AB 1755 was an acknowledgement that effective water management in California at all levels was being hindered by a lack of high quality data and information. Since the passage of AB 1755, state agencies have made a great deal of progress in developing publicly available, open access data platforms, though more work remains to be done. State agencies are making the data specified under the Open and Transparent Water Data Act available on two data portals: (1) the California Open Data Portal hosted by the Government Operations Agency and (2) the California Natural Resources Agency Open Data Platform.

The California Water Data Consortium is a nonprofit organization established in 2019 to help state agencies implement the Open and Transparent Water Data Act. The Consortium is currently working with state agencies and other partners to advance projects on groundwater accounting, using remote sensing to estimate water runoff and supplies, the use of telemetry to automate collection of data on water use, and to streamline reporting of water use by local water agencies.

Fish release. This term refers to the number of fish raised at fish hatcheries that are then released into rivers or estuaries to bolster fish populations. In 2023, for example, DFW reported that it had released 23 million fall-run Chinook salmon raised at DFW-managed hatcheries into the wild. This bill requires that data on fish releases is included on the statewide integrated water data platform

Fish escapement. This term refers to the number of anadromous fish (e.g., steelhead and salmon) that escape the ocean fishery and successfully return to spawn on inland rivers and streams. DFW monitors fish escapement for certain salmon runs and this bill requires that this data is included on the statewide integrated water data platform.

- 3) **Related legislation.** AB 734 (Schultz) of 2025 would have required the California Energy Commission (CEC) to make biological resources data it receives during the permitting processes for energy and renewable energy projects available to the public unless disclosure of the data would put species at risk. AB 734 was vetoed by the Governor:

This bill would require [CEC] to publicly release granular biological resources data used in the completion of Environmental Impact Reports, unless [DFW] determines that releasing such data would pose a significant risk of harm to individuals of a species.

Currently, the CEC receives both detailed biological resource maps generated by a project applicant and similar maps that the applicant obtains from [DFW], as part of the environmental impact assessment for proposed energy projects moving through the CEC's site certification permitting programs. The resolution of these maps is governed by data-use guidelines publicly developed by [DFW] to protect the precise location of sensitive species and biological resources, as higher resolution maps risk increasing poaching, collection and habitat disturbance in these locations.

Though this bill is well-intended, the risks associated with this divulgence of information and the added procedural requirement of a [DFW] determination on whether to divulge such information, if found harmful, are unnecessary, add additional process complexity, and likely won't yield additional mitigations or safeguards for species impacted by proposed energy projects.

AB 1755 (Dodd), Chapter 506, Statutes of 2016, enacts the Open and Transparent Water Data Act and requires the DWR, in consultation with the State Water Board, DFW, and the California Water Quality Monitoring Council, to create and maintain a statewide integrated water data platform by August 1, 2020.

REGISTERED SUPPORT / OPPOSITION:

Support

None on file

Opposition

None on file

Analysis Prepared by: Pablo Garza / W., P., & W. / (916) 319-2096