

Date of Hearing: August 5, 2026

ASSEMBLY COMMITTEE ON APPROPRIATIONS

Buffy Wicks, Chair

SB 1085 (Durazo) – As Amended June 17, 2026

Policy Committee:	Water, Parks and Wildlife	Vote:	11 - 0
	Local Government		10 - 0

Urgency: No State Mandated Local Program: Yes Reimbursable: No

SUMMARY:

This bill restores a requirement that cities and counties approving certain projects identify a water system that may supply water for that project and require the completion of a water supply assessment (WSA).

Specifically, this bill, among other things:

- 1) Requires a city or county to comply with specified water supply planning requirements when either of the following occurs:
 - a) An applicant submits to the city or county a preliminary application for a housing development project that meets the conditions for a specified California Environmental Quality Act (CEQA) exemption.
 - b) For a specified project that does not meet the conditions of item a, above, the city or county determines a development application is complete or deemed complete, as specified.
- 2) Requires a city or county, upon receipt of an application that meets the criteria of item 1, above, to identify any water system that meets certain conditions that may supply water for the project, as specified.
- 3) Requires the city or county, within 15 days of receipt of an application that meets the criteria of item 1, above, to request each identified public water system to determine whether the projected water demand associated with the proposed project was included in the most recent urban water management plan.
- 4) For specified housing development projects, requires the public water system to submit the WSA to the city or county no later than 45 days from the date the request was received; specifies that the governing body of each public water system, or the city or county, if either is required to comply with water supply planning requirements, is not required to approve the WSA at a public meeting; and authorizes the city or county to seek a writ of mandamus to compel the public water system to comply with the water supply planning requirements if the public water system fails to submit the WSA.
- 5) States that a WSA is an informational document and not a final agency action subject to judicial review, except as specified.

- 6) States that this statute shall not be construed to subject a project to either (a) discretionary review by a city or county if the project is required to be permitted ministerially or (b) the requirements of CEQA if the project is otherwise exempt pursuant to any other law.

FISCAL EFFECT:

By imposing additional duties on a city or county, the bill imposes a state-mandated local program. However, these local costs are not state-reimbursable because local agencies have general authority to charge and adjust planning and permitting fees to offset any increased local costs associated with the bill.

COMMENTS:

- 1) **Purpose.** According to the author:

In recent years, the Legislature has appropriately focused on removing barriers to housing development, including through CEQA streamlining and exemptions. However, because WSAs are currently triggered by CEQA, these changes have had the unintended effect of removing this key planning tool for projects that still meet large development thresholds. Without a WSA, cities and counties may lack critical information about water demand and long-term supply reliability.

- 2) **Background.** This bill is sponsored by the East Bay Municipal Water District (EBMUD), which sponsored legislation almost 25 years ago to link land use planning with water supply planning. As described by EBMUD, a WSA – which is required for certain types of large residential, commercial, and mixed-use projects – presents an opportunity for early coordination between a water supplier, land use entity, and a developer to help ensure a reliable, long-term water supply and the construction of the necessary infrastructure to support new developments.

Under current law, a city or county, upon determining that a project is subject to CEQA, must request a WSA from a water supplier if the development meets the definition of “project” contained in the Water Code. While the Water Code defines which projects require a WSA, the WSA is triggered when the city or county determines that the project is subject to CEQA review.

Over the past several years, the Legislature has enacted various CEQA exemptions and ministerial approvals to speed up the permitting process and reduce litigation risk for various types of development projects that meet specified requirements, including ministerial approvals for housing developments and CEQA exemptions for housing, commercial, and industrial developments. Most recently, with the enactment of SB 131 (Committee on Budget and Fiscal Review), Chapter 24, Statutes of 2025, and AB 130 (Committee on Budget) Chapter 22, Statutes of 2025, many projects that were previously subject to CEQA are now exempt. EBMUD writes, “Those successful legislative efforts meant that a WSA was no longer required for projects that still met the Water Code criteria but were no longer subject to CEQA.”

This bill ensures that regardless of whether a project is subject to CEQA review, any large residential, commercial, or mixed-use project that meets the definition of “project” contained in WSA law triggers the requirement for a WSA to be completed.

There is no registered opposition registered to this bill.

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