

Date of Hearing: June 16, 2026

ASSEMBLY COMMITTEE ON WATER, PARKS, AND WILDLIFE

Diane Papan, Chair

SB 1139 (Laird) – As Amended March 23, 2026

SENATE VOTE: 38-0

SUBJECT: Monterey Peninsula Water Management District: nonfunctional turf: noncompliance and enforcement

SUMMARY: Authorizes the Monterey Peninsula Water Management District (MPWMD) to enforce the prohibition on the use of potable water for the irrigation of nonfunctional turf, including by imposing civil liability and penalties pursuant to a locally adopted ordinance or policy.

EXISTING LAW:

- 1) Establishes MPWMD as a special district in the Monterey Peninsula area for the collection, conservation, storage, reclamation, treatment, disposal, distribution, and delivery of water and sewage (Chapter 527, Statutes of 1977).
- 2) Authorizes MPWMD to, among other powers, adopt rules and regulations; ensure that sufficient water is available for present and future beneficial uses; prevent, control, and abate water waste; and restrict the use of water during a drought or threatened water shortage (§§ 256, 325, 328, 332, Chapter 527, Statutes of 1977).
- 3) Prohibits the use of potable water for the irrigation of nonfunctional turf on certain commercial, industrial, and institutional (CII) properties beginning January 1, 2027 [Water Code § 10608.14 (a)].
- 4) Provides that noncompliance by any person or entity with the prohibition on irrigation of nonfunctional turf is subject to civil liability or penalties, as specified:
 - a) As set forth for the violation of a regulation or order adopted by the State Water Resources Control Board; or
 - b) As imposed by an urban retail water supplier pursuant to a locally adopted ordinance or policy [Water Code § 10608.14 (f)].
- 5) Authorizes a public water system, a city, county, or city and county to enforce the prohibition on irrigation of nonfunctional turf, and provides that to avoid duplication of enforcement, any entity that is not a retail public water system shall notify the retail public water system 30 days prior to enforcement against a property served by that retail public water system [Water Code § 10608.14 (g)].
- 6) Defines various terms, including:
 - a) “Functional turf” as a ground cover surface of turf located in a recreational use area or community space. Turf enclosed by fencing or other barriers to permanently preclude human access for recreation or assembly is not functional turf.

- b) “Nonfunctional turf” as any turf that is not functional turf, including turf located within street rights-of-way and parking lots.
- c) “Public water system” as a system for the provision of water for human consumption through pipes or other constructed conveyances that has 15 or more service connections or regularly serves an average of at least 25 individuals daily at least 60 days out of the year, including, among other things, any water system that treats water on behalf of one or more public water systems for the purpose of rendering it safe for human consumption.
- d) “Urban retail water supplier” as a water supplier, either publicly or privately owned, that directly provides potable municipal water to more than 3,000 end users or that supplies more than 3,000 acre-feet of potable water annually at retail for municipal purposes (Water Code § 10608.12).

FISCAL EFFECT: This bill is keyed non-fiscal.

COMMENTS:

- 1) **Purpose of this bill.** According to the author, “[This bill] authorizes [MPWMD] to enforce existing restrictions on the irrigation of nonfunctional turf, closing an unintended implementation gap in critical drought response policy in the Monterey region. MPWMD has historically been responsible for water conservation enforcement within its jurisdiction and maintains direct customer relationships. Despite its established role, current law does not expressly authorize MPWMD to conduct turf irrigation conservation enforcement. By aligning state law with existing local practice, [this bill] ensures consistent implementation of California’s drought response policies, strengthens compliance efforts, and supports long-term water conservation in one of the state’s most water-constrained regions.”
- 2) **Background.** MPWMD was established by the MPWMD Law (Chapter 527, Statutes of 1977) to, among other activities, serve as a water wholesaler—a water agency that provides water to other water systems, rather than retail customers—for the Monterey Peninsula region. MPWMD’s territory includes the cities of Carmel-by-the-Sea, Del Rey Oaks, Monterey, Pacific Grove, Sand City, and Seaside, in addition to unincorporated areas of Monterey County. In creating MPWMD, the Legislature recognized that “water problems in the Monterey Peninsula area require integrated management” and that “within the Monterey Peninsula area which will be served by [MPWMD], the water service is principally supplied by a privately owned water supplier which does not have the facilities nor the ability to perform functions which are normally performed by public agencies.” As a result, MPWMD was granted water conservation enforcement powers greater than those possessed by other wholesalers (see Existing Law #2).

Current MPWMD water conservation activities. Like many water wholesalers, MPWMD provides education, water saving equipment distribution, and rebates for water saving devices. Unlike many other water wholesalers, MPWMD provides many of these services (including issuing rebate checks) directly to retail customers, rather than passing through a water retailer. MPWMD also has a regulatory relationship with retail customers, including inspecting properties upon construction, renovation, or sale. MPWMD has issued regulations establishing permanent water conservation standards and water supply shortage response actions, including rules prohibiting water waste; these regulations apply to all retail water

users in MPWMD’s territory. Under these regulations, MPWMD has issued “fix-it” notices, enforcement letters, and fines to individual violators. Through its water conservation activities, MPWMD has provided the primary enforcement of water waste rules throughout its service area.

Irrigation of nonfunctional turf. During the 2021-23 drought, California policymakers sought to identify opportunities for water conservation and efficiency. In a 2022 report, the Pacific Institute estimated that as much as 400,000 acre-feet per year of water is used to irrigate non-functional turf at CII facilities in California.¹ In an effort to reduce water waste, the Legislature passed AB 1572 (Friedman, Chapter 849, Statutes of 2023), which prohibited the use of potable water to irrigate nonfunctional turf on CII properties (other than cemeteries) and properties of homeowners’ associations, common interest developments, and community service organizations or similar entities. The prohibition phases in through 2031, with properties owned by the Department of General Services required to be in compliance by January 1, 2027. Current law grants enforcement authority to local governments and to retail water suppliers, intentionally excluding water wholesalers, which generally do not have direct relationships with retail water customers. However, under the MPWMD Law, MPWMD has the primary responsibility for water conservation enforcement in its service territory. This bill would grant enforcement authority for nonfunctional turf irrigation rules to MPWMD.

- 3) **Arguments in support.** MPWMD, the sponsor of this bill, writes, “[MPWMD] has a longstanding role in conservation activities, including requiring retrofits on a change in title, providing water rebates for water efficient fixtures, defining and enforcing water waste, and regulating water efficient landscapes. . . . Despite its clear authority, direct customer relationships, and established enforcement role, MPWMD is not expressly authorized to enforce AB 1572. As a result, an unintended water conservation enforcement gap exists in the Monterey area. . . . [This bill] ensures effective enforcement of nonfunctional turf water conservation requirements and supports consistent implementation of California’s drought response policies.”
- 4) **Related legislation.** AB 1572 (Friedman), Chapter 849, Statutes of 2023, prohibits the use of potable water to irrigate nonfunctional turf located on CII properties.

AB 1329 (Mello), Chapter 527, Statutes of 1977, creates the MPWMD and grants it the authority to enforce water conservation regulations.

REGISTERED SUPPORT / OPPOSITION:

Support

Monterey Peninsula Water Management District (sponsor)
Association of California Water Agencies (ACWA)

Opposition

¹ Heather Cooley, Anne Thebo, Sonali Abraham, Morgan Shimabuku, Peter Gleick, and Sarah Diringer, *The Untapped Potential of California’s Urban Water Supply: Water Efficiency, Water Reuse, and Stormwater Capture*, Pacific Institute, 2022.

None on file

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