

Michael Claiborne

[Cal Wat Code § 106.3](#)

Deering's California Codes are current through all 870 Chapters of the 2019 Regular Session.

Deering's California Codes Annotated > WATER CODE (§§ 1 – 150010) > Division 1 General State Powers Over Water (Chs. 1 – 9) > Chapter 1 General State Policy (§§ 100 – 113)

§ 106.3. State policy regarding safe, clean, affordable, and accessible water

(a) It is hereby declared to be the established policy of the state that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes.

(b) All relevant state agencies, including the department, the state board, and the State Department of Public Health, shall consider this state policy when revising, adopting, or establishing policies, regulations, and grant criteria when those policies, regulations, and criteria are pertinent to the uses of water described in this section.

(c) This section does not expand any obligation of the state to provide water or to require the expenditure of additional resources to develop water infrastructure beyond the obligations that may exist pursuant to subdivision (b).

(d) This section shall not apply to water supplies for new development.

(e) The implementation of this section shall not infringe on the rights or responsibilities of any public water system.

History

Added [Stats 2012 ch 524 § 1 \(AB 685\)](#), effective January 1, 2013.

Annotations

Research References & Practice Aids

Hierarchy Notes:

[Cal Wat Code Div. 1, Ch. 1](#)

[Cal Health & Saf Code § 116765](#)

Deering's California Codes are current through Chapters 1-8, 10-13, 16-18, and 21-23 of the 2019 Regular Session, including all legislation effective June 26, 2019 or earlier.

Deering's California Codes Annotated > HEALTH AND SAFETY CODE (§§ 1 — 151003) > Division 104 Environmental Health (Pts. 1 — 15) > Part 12 Drinking Water (Chs. 1 — 7) > Chapter 4.6 Safe and Affordable Drinking Water (Arts. 1 — 6) > Article 1 Findings and Declarations (§ 116765)

116765. Legislative findings and declarations

The Legislature finds and declares all of the following:

- (a)**Every Californian should enjoy the same degree of protection from environmental and health hazards. Every community should be a healthy environment in which to live, work, play, and learn.
- (b)**No single group of people should bear a disproportionate share of the negative environmental consequences and adverse health impacts arising from industrial, governmental, or commercial operations or policies.
- (c)**Concentrated environmental contamination in water creates cumulative health burdens resulting in communities with higher rates of disease such as asthma, heart disease, cancer, neurological and reproductive health effects, birth defects, and obesity.
- (d)**Despite significant improvements in environmental protection over the past several decades, millions of Californians continue to live, work, play, and go to school in unhealthy environments.
- (e)**California was one of the first states in the nation to put environmental justice considerations into law and defines environmental justice as the fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies.
- (f)**California law also declares that it is the established policy of the state that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes.
- (g)**Yet, still more than 1,000,000 Californians do not have access to safe drinking water. In communities where the sole water supply is contaminated with substances like arsenic, manganese, nitrates, or hexavalent chromium, families are often left without safe water. The central valley and central coast regions, where more than 90% of the communities rely on groundwater as a primary source of drinking water, are particularly at risk, but other communities around the state are also at risk. More than 250,000 people in the central valley alone lack access to a consistent source of safe, affordable water.
- (h)**The Safe Drinking Water and Toxic Enforcement Act of 1986 lists lead, arsenic, and hexavalent chromium as substances that can cause cancer and reproductive toxicity.
- (i)**Established state environmental justice law and policies are only effective insofar as they result in true parity.
- (j)**It is the intent of the Legislature that the State of California bring true environmental justice to our state and begin to address the continuing disproportionate environmental burdens in the state by creating a fund to provide safe drinking water in every California community, for every Californian.

Cal Health & Saf Code § 116765

(k)Climate change is exacerbating the water impacts on disadvantaged and environmentally burdened communities by reducing surface water flows, accelerating declining groundwater basins, and contributing to increasing concentrations of environmental contamination.

(l)Enhancing the long-term sustainability of drinking water systems in disadvantaged and environmentally burdened communities increases those communities' resilience to climate change.

(m)Funding for safe and affordable drinking water under this chapter promotes investments in disadvantaged communities, provides important contributions to those communities in adapting to climate change, and is an appropriate expenditure from the Greenhouse Gas Reduction Fund created pursuant to [Section 16428.8 of the Government Code](#).

(n)It is the intent of the Legislature that the state board, in developing the fund expenditure plan pursuant to Article 4 (commencing with Section 116768), strive to ensure all regions of the state receive the same level of consideration for funding pursuant to this chapter, to the extent practicable.

History

Added [Stats 2019 ch 120 § 9 \(SB 200\)](#), effective July 24, 2019.

Annotations

Research References & Practice Aids

Hierarchy Notes:

[Cal Health & Saf Code Div. 104](#)

Deering's California Codes Annotated
Copyright © 2019 Matthew Bender & Company, Inc.
a member of the LexisNexis Group. All rights reserved.

End of Document