



Cody Phillips, Staff Attorney
<https://cacoastkeeper.org/>

Southern California Water Dialogue

January 22, 2025



Who Will Pay For Climate Change?

Who Is Protected?
Who is Paying the Price Now?

HISTORICAL CONTEXT

WATER RIGHTS



1850 - Act for the Government and Protection of Indians

1851 - California Land Claims Act

1913 - Alien Land Law

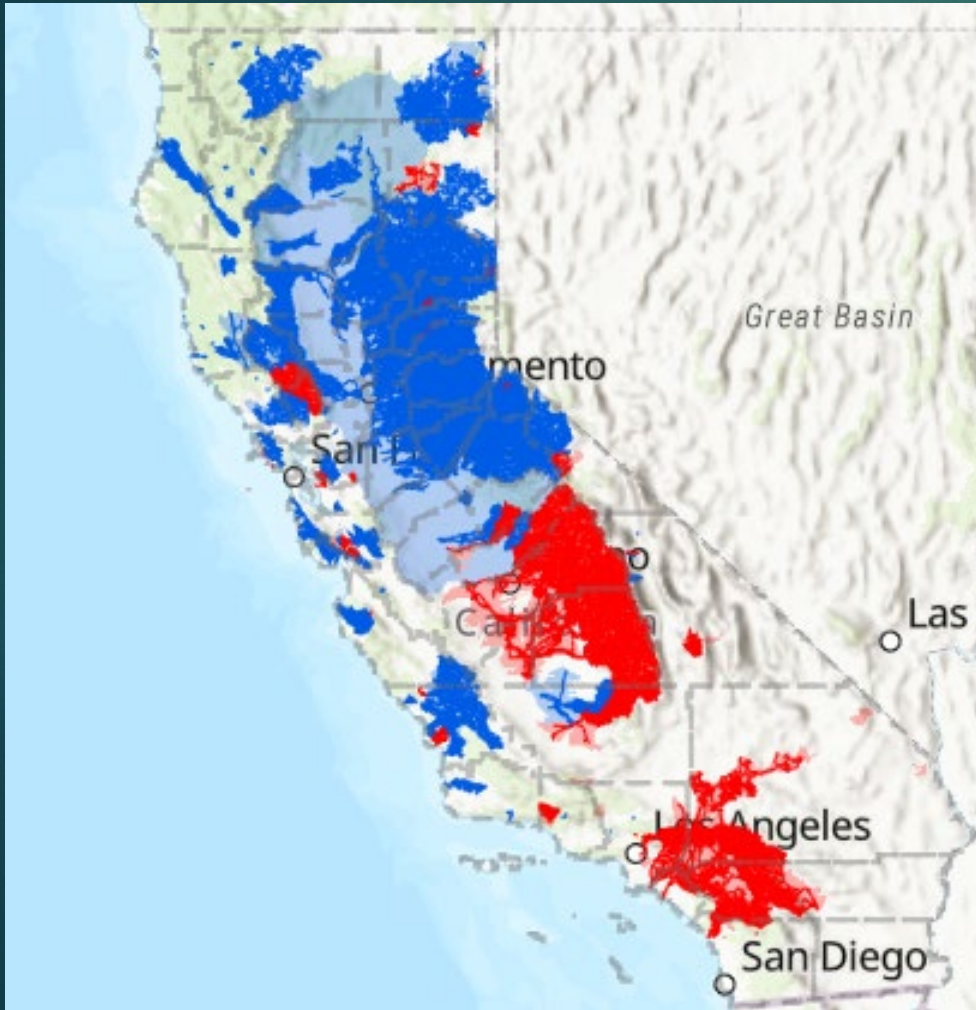
1914 - Water Commission Act

1928 - Waste and Unreasonable Use

1983 - *National Audubon Society* Decision

1991 - §1707 Instream Flow

The Result is Reliance on an Imbalanced, Unsustainable System



https://www.waterboards.ca.gov/waterrights/water_issues/programs/fully_appropriated_streams/



<https://www.sfchronicle.com/california/article/merced-river-water-california-19962746.php>

An Imbalanced System Leads to a Bare Minimum Approach

these regulations were limited to providing bare minimum instream flows to address a drought emergency and fall short of providing minimum flows required to support and recover fish species, especially as California prepares for a hotter and drier climate.

Mill, Deer, and Antelope Creeks

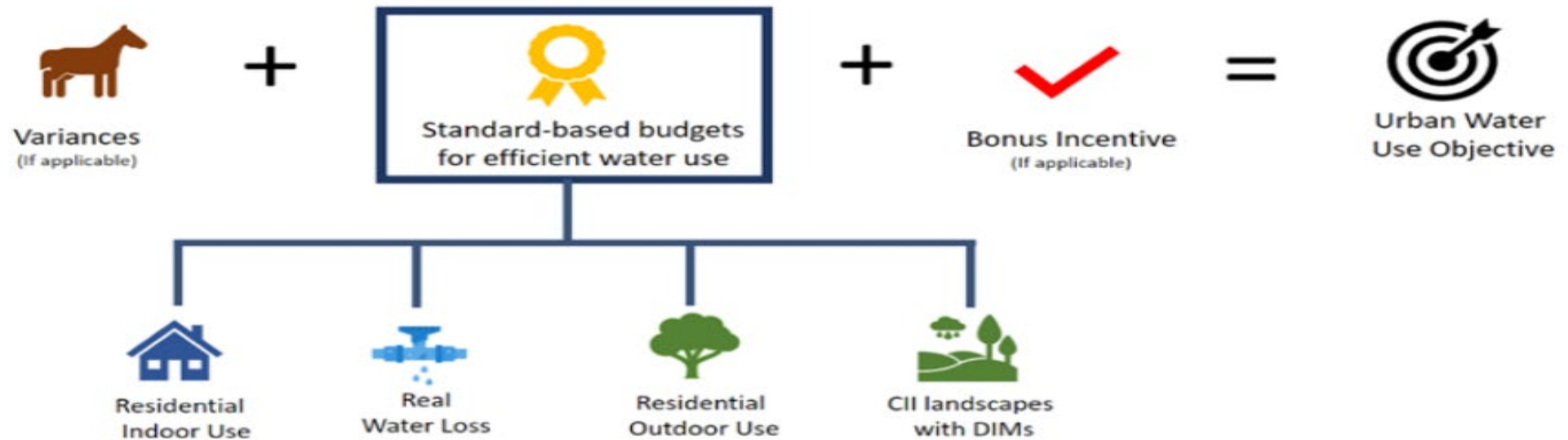
relevant gages (Table 1). These flow recommendations were developed in consultation with the National Marine Fisheries Service (NMFS) and are not intended to set the stage for long-term management considerations, nor should they be construed to provide adequate protections for salmonids over extended periods of time. They only provide drought emergency minimum flow

Scott and Shasta River Watersheds



<https://water.ca.gov/programs/groundwater-management/sgma-groundwater-management>

Conservation and Equity



<https://www.waterboards.ca.gov/conservation/regs/docs/conservation-a-way-of-life.pdf>

AB 755, Papan (2023), Water Demand Analysis

AB 1827, Papan (2024), Higher Use Parcels

Acknowledging History

EXECUTIVE ORDER N-16-22

WHEREAS California is the largest and most diverse state in the nation, shaped by the contributions of all its residents, including California Native Americans, communities of color, immigrants, and descendants of immigrants who call our golden state home, and welcomes all people to pursue bold dreams and renews the California dream for every new generation; and

2023–2025

**CALIFORNIA STATE WATER
RESOURCES CONTROL BOARD**

**RACIAL EQUITY
ACTION PLAN**

AB 2108, Rivas (2022), Water
Policy Environmental Justice



Cody Phillips
Cody@Cacoastkeeper.org