

AMENDED IN SENATE JUNE 11, 2026
AMENDED IN ASSEMBLY MARCH 19, 2026
california legislature—2025–26 regular session

ASSEMBLY BILL

No. 2728

Introduced by Assembly Member Soria

February 20, 2026

An act to *add Article 4.8 (commencing with Section 53759.5) to Chapter 4 of Part 1 of Division 2 of Title 5 of the Government Code, and to amend Sections 12405, 12410, and 12415 Section 10730* of the Water Code, relating to water.

legislative counsel's digest

AB 2728, as amended, Soria. ~~Open and Transparent Water Data Act.~~
Groundwater: de minimis extractors: fees: exemption.

Existing law authorizes a groundwater sustainability agency to impose fees, including, but not limited to, permit fees and fees on groundwater extraction or other regulated activity, to fund the costs of a groundwater sustainability program, and investigations, inspections, compliance assistance, enforcement, and program administration, as provided. Existing law prohibits a groundwater sustainability agency from imposing those fees on a de minimis extractor, as defined, unless the agency has regulated the user, as provided.

This bill would authorize a local government, including, but not limited to, a groundwater sustainability agency, that imposes a fee, levy, charge, or exaction for groundwater monitoring or management, upon making specified findings, to exempt de minimis extractors, including the above-described regulated users, from the payment of the fee, levy, charge, or exaction, as provided.

~~Existing law, the Open and Transparent Water Data Act, requires the Department of Water Resources, the State Water Resources Control Board, and the Department of Fish and Wildlife to coordinate and integrate existing water and ecological data from local, state, and federal agencies for specified purposes, including, among others, improving the management of the state’s water resources.~~

~~This bill would specify for purposes of that provision that improving the management of the state’s water resources includes improving the efficacy of management actions.~~

~~The act requires the Department of Water Resources, in consultation with the California Water Quality Monitoring Council, the State Water Resources Control Board, and the Department of Fish and Wildlife, in accordance with a specified schedule, to create, operate, and maintain a statewide integrated water data platform that, among other things, integrates existing water and ecological data information from multiple databases.~~

~~This bill would require, by August 1, 2027, the Department of Water Resources to make available on the platform specified information from state and federal agencies, including information on hatchery production, release, and escapement.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~yes-no~~. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Article 4.8 (commencing with Section 53759.5)
 2 is added to Chapter 4 of Part 1 of Division 2 of Title 5 of the
 3 Government Code, to read:

4
 5 Article 4.8. De Minimis Extractors
 6

7 53759.5. (a) For purposes of Article XIII C and Article XIII
 8 D of the California Constitution and this article, a local
 9 government, including, but not limited to, a groundwater
 10 sustainability agency, that imposes a fee, levy, charge, or exaction
 11 for groundwater monitoring or management may exempt de
 12 minimis extractors from paying the fee, levy, charge, or exaction
 13 upon making both of the following findings:

1 (1) *The groundwater monitoring or management activities for*
2 *which the fee, levy, charge, or exaction is imposed directly benefit*
3 *parties other than de minimis extractors.*

4 (2) *Any benefits received by de minimis extractors as a*
5 *consequence of providing the groundwater monitoring or*
6 *management activities occur incidentally and without additional*
7 *cost to the parties upon whom the fee, levy, charge, or exaction is*
8 *imposed.*

9 (b) *For purposes of this section, “de minimis extractor” has*
10 *the same meaning as in Section 10721 of the Water Code.*

11 (c) *This section is declaratory of existing law, and does not limit*
12 *the ability of a local government to establish other exemptions*
13 *from any fee, levy, charge, or exaction when otherwise permissible*
14 *under Article XIII C or XIII D of the California Constitution.*

15 *SEC. 2. Section 10730 of the Water Code is amended to read:*

16 10730. (a) *A groundwater sustainability agency may impose*
17 *fees, including, but not limited to, permit fees and fees on*
18 *groundwater extraction or other regulated activity, to fund the costs*
19 *of a groundwater sustainability program, including, but not limited*
20 *to, preparation, adoption, and amendment of a groundwater*
21 *sustainability plan, and investigations, inspections, compliance*
22 *assistance, enforcement, and program administration, including a*
23 *prudent reserve. A groundwater sustainability agency shall not*
24 *impose a fee pursuant to this subdivision on a de minimis extractor*
25 *unless the agency has regulated the users user pursuant to this part.*
26 *part, and may exempt regulated de minimis extractors from*
27 *payment of any fee in accordance with Section 53759.5 of the*
28 *Government Code.*

29 (b) (1) ~~Prior to~~ *Before* *imposing or increasing a fee, a*
30 *groundwater sustainability agency shall hold at least one public*
31 *meeting, at which oral or written presentations may be made as*
32 *part of the meeting.*

33 (2) *Notice of the time and place of the meeting described in*
34 *paragraph (1) shall include a general explanation of the matter to*
35 *be considered and a statement that the data required by this section*
36 *is available. The notice shall be provided by publication published*
37 *pursuant to Section 6066 of the Government Code, by posting*
38 *notice posted on the Internet Web site internet website of the*
39 *groundwater sustainability agency, and by mail mailed to any*
40 *interested party who files a written request with the agency for*

1 mailed notice of the meeting on new or increased fees. A written
 2 request for ~~a mailed notices shall be~~ *notice is* valid for one year
 3 from the date that the request is made and may be renewed by
 4 making a written request on or before April 1 of each year.

5 (3) At least 20 days ~~prior to~~ *before* the meeting, the groundwater
 6 sustainability agency shall make available to the public *the* data
 7 upon which the proposed fee is based.

8 (c) Any action by a groundwater sustainability agency to impose
 9 or increase a fee shall be taken only by ordinance or resolution.

10 (d) (1) As an alternative method for the collection of fees
 11 imposed pursuant to this section, a groundwater sustainability
 12 agency may adopt a resolution requesting collection of the fees in
 13 the same manner as ordinary municipal ad valorem taxes.

14 (2) A resolution described in paragraph (1) shall be adopted and
 15 furnished to the county auditor-controller and board of supervisors
 16 on or before August 1 of each year that the alternative collection
 17 of the fees is being requested. The resolution shall include a list
 18 of parcels and the amount to be collected for each parcel.

19 (e) The power granted by this section is in addition to any
 20 powers a groundwater sustainability agency has under any other
 21 law.

22 ~~SECTION 1. Section 12405 of the Water Code is amended to~~
 23 ~~read:~~

24 ~~12405. The department, the state board, and the Department~~
 25 ~~of Fish and Wildlife shall coordinate and integrate existing water~~
 26 ~~and ecological data from local, state, and federal agencies. The~~
 27 ~~purposes for integrating water and ecological data include, but are~~
 28 ~~not limited to, providing adequate information to implement the~~
 29 ~~Sustainable Groundwater Management Act (Part 2.74 (commencing~~
 30 ~~with Section 10720)), improving the management of the state's~~
 31 ~~water resources, including the efficacy of management actions,~~
 32 ~~and bringing greater transparency to water transfers and the market.~~

33 ~~SEC. 2. Section 12410 of the Water Code is amended to read:~~

34 ~~12410. (a) The department, in consultation with the California~~
 35 ~~Water Quality Monitoring Council, the state board, and the~~
 36 ~~Department of Fish and Wildlife, shall create, operate, and maintain~~
 37 ~~a statewide integrated water data platform in accordance with~~
 38 ~~Section 12415 and the following schedule:~~

39 ~~(1) By January 1, 2018, the department shall do both of the~~
 40 ~~following:~~

- 1 ~~(A) Make public the protocols developed pursuant to Section~~
2 ~~12406.~~
- 3 ~~(B) Publish a strategic plan for data management to guide the~~
4 ~~implementation of this part.~~
- 5 ~~(2) By April 1, 2018, the department shall release any request~~
6 ~~for proposals necessary for the development of a statewide~~
7 ~~integrated water data platform.~~
- 8 ~~(3) (A) By September 1, 2019, the department shall make~~
9 ~~available existing water and ecological data held by state agencies~~
10 ~~on the platform.~~
- 11 ~~(B) The department shall quarterly add the information described~~
12 ~~in subparagraph (A) not available as of September 1, 2019, that~~
13 ~~becomes available at a later date.~~
- 14 ~~(4) (A) By August 1, 2020, the department shall make available~~
15 ~~on the platform available water and ecological data related to~~
16 ~~California water supply and management that is held by the~~
17 ~~following agencies:~~
- 18 ~~(i) The United States Bureau of Reclamation.~~
19 ~~(ii) The United States Fish and Wildlife Service.~~
20 ~~(iii) The National Oceanic and Atmospheric Administration.~~
21 ~~(iv) The United States Geological Survey.~~
22 ~~(v) The United States Forest Service.~~
- 23 ~~(B) The department shall quarterly add the information described~~
24 ~~in subparagraph (A) not available as of August 1, 2020, that~~
25 ~~becomes available at a later date.~~
- 26 ~~(5) By August 1, 2020, the department shall make available on~~
27 ~~the platform any other existing information listed in Section 12415.~~
- 28 ~~(6) By August 1, 2027, the department shall make available on~~
29 ~~the platform any other existing information listed in subdivision~~
30 ~~(b) of Section 12415.~~
- 31 ~~(b) The department may partner with an existing nonprofit~~
32 ~~organization, with a new nonprofit organization that the department~~
33 ~~creates, organized under paragraph (3) of subsection (c) of Section~~
34 ~~501 of Title 26 of the United States Code, or with another state~~
35 ~~agency to create, operate, or maintain, or any combination thereof,~~
36 ~~the platform.~~
- 37 ~~(c) Notwithstanding subdivision (a), the department may enter~~
38 ~~into an agreement with an existing nonprofit organization, with a~~
39 ~~new nonprofit organization that the department creates, organized~~
40 ~~under paragraph (3) of subsection (c) of Section 501 of Title 26~~

1 of the United States Code, or with another state agency for that
2 nonprofit organization or state agency to create, operate, or
3 maintain, or any combination thereof, the platform.

4 (d) The Department of Technology is deemed to have delegated
5 to the department any authority over the implementation of this
6 part granted to it pursuant to Section 11546 of the Government
7 Code.

8 (e) Nothing in subdivision (a) shall prevent a state agency from
9 disseminating, managing, or publishing data separately from the
10 platform.

11 SEC. 3. Section 12415 of the Water Code is amended to read:

12 12415. The statewide integrated water data platform created
13 pursuant to Section 12410 shall, at a minimum, do all of the
14 following:

15 (a) Integrate existing water and ecological data information
16 from multiple autonomous databases managed by federal, state,
17 and local agencies and academia using consistent and standardized
18 formats.

19 (b) Integrate the following datasets, as available:

20 (1) The department's information on State Water Project
21 reservoir operations, groundwater use, groundwater levels, urban
22 water use, and land use.

23 (2) The state board's data on water rights, water diversions, and
24 water quality through California Environmental Data Exchange
25 Network (CEDEN).

26 (3) The Department of Fish and Wildlife's information on fish
27 abundance, fish distribution, and hatchery production, release, and
28 escapement.

29 (4) The United States Geological Survey's streamflow
30 conditions information through the National Water Information
31 System.

32 (5) The United States Bureau of Reclamation's federal Central
33 Valley Project operations information.

34 (6) The United States Fish and Wildlife Service's, United States
35 Forest Service's, and National Oceanic and Atmospheric
36 Administration Fisheries' fish abundance and hatchery production,
37 release, and escapement information.

38 (c) Provide data on completed water transfers and exchanges,
39 including publicly available or voluntarily provided data on the

- 1 volume, price, and delivery method, identity of the buyers and
- 2 sellers, and the water right associated with the transfer or exchange.
- 3 ~~(d) Provide documentation of data quality and data formats~~
- 4 ~~through metadata.~~
- 5 ~~(e) Adhere to data protocols developed by state agencies~~
- 6 ~~pursuant to Section 12406.~~
- 7 ~~(f) Be able to receive both spatial and time series data from~~
- 8 ~~various sources.~~

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