

DELTA STEWARDSHIP COUNCIL: JANUARY 2023 LEGISLATIVE REPORT

Bills of Interest

AB 30 (WARD D) ATMOSPHERIC RIVERS: RESEARCH, MITIGATION, AND CLIMATE FORECASTING PROGRAM.

Introduced: 12/5/2022

Status: 12/6/2022-From printer. May be heard in committee January 5.

Is Fiscal: Y

Location: 12/6/2022-A. PRINT

Summary: Current law establishes the Atmospheric Rivers: Research, Mitigation, and Climate Forecasting Program in the Department of Water Resources. Current law requires the department, upon an appropriation for purposes of the program, to research climate forecasting and the causes and impacts that climate change has on atmospheric rivers, to operate reservoirs in a manner that improves flood protection, and to reoperate flood control and water storage facilities to capture water generated by atmospheric rivers. This bill would rename that program the Atmospheric Rivers Research and Forecast Improvement Program: Enabling Climate Adaptation Through Forecast-Informed Reservoir Operations and Hazard Resiliency (AR/FIRO) Program. The bill would require the department to research, develop, and implement new observations, prediction models, novel forecasting methods, and tailored decision support systems to improve predictions of atmospheric rivers and their impacts on water supply, flooding, post-wildfire debris flows, and environmental conditions.

Highlight – New bill or amended since last Council meeting

AB 45 (BOERNER HORVATH D) COASTAL RESOURCES: COASTAL DEVELOPMENT PERMITS: BLUE CARBON DEMONSTRATION PROJECTS: NEW DEVELOPMENT: GREENHOUSE GAS EMISSIONS.

Introduced: 12/5/2022

Status: 12/6/2022-From printer. May be heard in committee January 5.

Is Fiscal: Y

Location: 12/5/2022-A. PRINT

Summary: The California Coastal Act of 1976, among other things, requires anyone wishing to perform or undertake any development in the coastal zone, except as specified, in addition to obtaining any other permit required by law from any local government or from any state, regional, or local agency, to obtain a coastal development permit from the California Coastal Commission, as provided. This bill would authorize the commission to authorize blue carbon demonstration projects, as defined, in order to demonstrate and quantify the carbon sequestration potential of these projects to help inform the state's natural and working lands and climate resilience strategies. The bill would, among other things, authorize the commission to require an applicant with a project that impacts coastal wetland, subtidal, intertidal, or marine habitats or ecosystems to build or contribute to a blue carbon demonstration project.

AB 62 (MATHIS R) STATEWIDE WATER STORAGE: EXPANSION.

Introduced: 12/6/2022

Status: 1/4/2023-Read first time.

Is Fiscal: Y

Location: 12/6/2022-A. PRINT

Summary: Would establish a statewide goal to increase above- and below-ground water storage capacity by a total of 3,700,000 acre-feet by the year 2030 and a total of 4,000,000 acre-feet by the year 2040. The bill would require the State Water Resources Control Board, in consultation with the Department of Water Resources, to design and implement measures to increase statewide water storage to achieve the statewide goal. The bill would require the state board, beginning July 1, 2027,

and on or before July 1 every 2 years thereafter until January 1, 2043, in consultation with the department, to prepare and submit a report to the Legislature on the progress made in designing and implementing measures to achieve the statewide goal.

AB 64 (MATHIS R) FISH AND WILDLIFE: BEAVER.

Introduced: 12/6/2022

Status: 1/4/2023-Read first time.

Is Fiscal: N

Location: 12/6/2022-A. PRINT

Summary: Current law defines the beaver as a furbearing mammal. Existing law provides various programs related to habitat protection and wildlife conservation. This bill would state the intent of the Legislature to enact subsequent legislation that would improve beaver management and conservation across the state. The bill would make related findings and declarations.

AB 66 (MATHIS R) NATURAL RESOURCES AGENCY: WATER STORAGE PROJECTS: PERMIT APPROVAL.

Introduced: 12/6/2022

Status: 1/4/2023-Read first time

Is Fiscal: Y

Location: 12/6/2022-A. PRINT

Summary: Current law establishes the Natural Resources Agency, composed of departments, boards, conservancies, and commissions responsible for the restoration, protection, and management of the state's natural and cultural resources. Current law establishes in the agency the Department of Water Resources, which manages and undertakes planning with regard to water resources in the state. This bill would require the agency, and each department, board, conservancy, and commission within the agency, to approve the necessary permits for specified projects within 180 days from receiving a permit application,

and would deem those permits approved if approval does not occur within this time period.

AB 225 (GRAYSON D) REAL PROPERTY: ENVIRONMENTAL HAZARDS BOOKLET.

Introduced: 1/11/2023

Status: 1/12/2023-From printer. May be heard in committee February 11.

Is Fiscal: Y

Location: 1/11/2023-A. PRINT

Summary: Current law requires the Department of Real Estate to develop a booklet to educate and inform consumers on, among other things, common environmental hazards that are located on, and affect, real property. Current law requires the types of common environmental hazards to include, but not be limited to, asbestos, radon gas, lead-based paint, formaldehyde, fuel and chemical storage tanks, and water and soil contamination. This bill would express the intent of the Legislature that when the booklet is next updated, as existing resources permit or as private resources are made available, it be updated to include 3 new sections on wildfires, climate change, and sea level rise, as specified. The bill would require the State Department of Public Health to seek the advice and assistance of departments within the Natural Resources Agency in the writing of the booklet, as specified.

ACA 2 (ALANIS R) PUBLIC RESOURCES: WATER AND WILDFIRE RESILIENCY ACT OF 2023.

Introduced: 12/6/2022

Status: 12/6/2022-From printer. May be heard in committee January 5.

Is Fiscal: Y

Location: 12/5/2022-A. PRINT

Summary: Would establish the Water and Wildfire Resiliency Fund within the State Treasury, and would require the Treasurer to annually transfer an amount equal to 3% of all state revenues that may be appropriated as described from the General Fund to the Water and Wildfire Resiliency Fund. The measure would require the moneys in the fund to be appropriated by the Legislature and would require that

50% of the moneys in the fund be used for water projects, as specified, and that the other 50% of the moneys in the fund be used for forest maintenance and health projects, as specified.

SB 23 (CABALLERO D) WATER SUPPLY AND FLOOD RISK REDUCTION PROJECTS: EXPEDITED PERMITTING.

Introduced: 12/6/2022

Status: 1/18/2023-Referred to Com. on RLS.Is Fiscal: N

Location: 12/5/2022-S. RLS.

Summary: The California Safe Drinking Water Act provides for the operation of public water systems and imposes on the State Water Resources Control Board various duties and responsibilities for the regulation and control of drinking water in the state, including, among other things, overseeing the issuance and enforcement of public water system permits, as provided. Current law authorizes specified works of improvement for the control, conservation, and utilization of destructive flood waters and the reclamation and protection of lands that are susceptible to overflow by flood waters. This bill would express the intent of the Legislature to enact subsequent legislation to expedite the regulatory permitting process for water supply and flood risk reduction projects, as provided.

SB 66 (HURTADO D) WATER: PREDICTIVE MODELS AND DATA COLLECTION.

Introduced: 1/5/2023

Status: 1/18/2023-Referred to Com. on RLS.

Is Fiscal: N

Location: 1/5/2023-S. RLS.

Summary: Current law requires the Department of Water Resources, as part of updating The California Water Plan every five years, to conduct a study to determine the amount of water needed to meet the state's future needs and to recommend programs, policies, and facilities to meet those needs. This bill would state the intent of the Legislature to ensure that reliable predictive models and data collection systems are used to properly forecast and allocate surface water.