

EXHIBIT 9-A

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June 6, 2023

The Honorable Dianne Feinstein
United States Senate
331 Hart Senate Office Building
Washington, DC 20510

Dear Senator Feinstein:

On behalf of the Monterey Peninsula Water Management District (MPWMD), thank you for the opportunity to review the Support to Rehydrate the Environment, Agriculture, and Municipalities Act (STREAM Act) and for your consistent and strong support of initiatives to improve water security and drought resilience in California. MPWMD supports many components of your bill, particularly those that will strengthen federal support for water reuse and recycling projects, as well as groundwater recharge.

As you know, MPWMD and our partner, Monterey One Water, have secured support through the Bureau of Reclamation's (Reclamation) Title XVI water reclamation and reuse program for the Pure Water Monterey project, the current phase of which will produce up to 5,750-acre feet per year of new water by recycling wastewater and other source waters. The purpose of this project is to replenish the Seaside Groundwater Basin with purified recycled water for potable domestic supply and reduce pumping from the over-drafted Salinas Valley Groundwater Basin by increasing recycled water production for irrigation. It will also strengthen the resiliency of regional water supplies and enhance habitats in the watershed by restoring flows and removing pollutants. The STREAM Act will help advance similar critically needed new investments in water reclamation and reuse.

We also appreciate your efforts to expand and strengthen the federal support for vitally important multi-benefit water supply projects, including groundwater recharge projects, for the benefit of our environment and California's communities, farms, and businesses. When combined with previously enacted provisions of the Infrastructure Investment and Jobs Act, which you helped secure, provisions of the STREAM Act will make it easier for Reclamation to invest in critically needed non-federal water supply projects, like those we are pursuing in our area.

Thank you again for your decades of leadership on California water. We look forward to working with you and your staff on this bill as it moves through the legislative process.

Sincerely,

A handwritten signature in blue ink that reads "David J. Stoldt". The signature is fluid and cursive, with the first name "David" being the most prominent.

David J. Stoldt
General Manager
Monterey Peninsula Water Management District



VIA EMAIL

June 26, 2023

Lt. Colonel Timothy W. Shebesta
Commander
San Francisco District
U.S. Army Corps of Engineers
450 Golden Gate Ave, 4th Floor
San Francisco, CA 94102

RE: Request Support Under Section 219/Environmental Infrastructure for the
Monterey Peninsula Stormwater Diversion and Recycling Program

Dear Colonel Shebesta:

Monterey Peninsula Water Management District (MPWMD) requests assistance from the U.S. Army Corps of Engineers (Corps) for the *Monterey Peninsula Stormwater Diversion and Recycling Program* in the Monterey Peninsula, California, which the Corps is authorized to support under section 8375(a)(292) of Public Law 117-263 (includes the Water Resources Development Act of 2022) and the State of California's Environmental Infrastructure authority, Section 5039 of the Water Resources Development Act of 2007 (P.L. 110-114).

Specifically, MPWMD would like to explore opportunities to partner with the Corps on a series of projects we have grouped together under the *Monterey Peninsula Stormwater Diversion and Recycling Program*. This first component of this program would augment water supply in the City of Monterey via a diversion to sanitary sewer and removal of urban stormwater and dry weather flows that are currently discharged to the Monterey Bay National Marine Sanctuary. This would partially restore natural drainage patterns and treat any urban pollutants that are associated with the diverted flows. The project would utilize the existing storage capacity of Lake El Estero to detain both wet and dry weather runoff for diversion when demand for recycled water is greatest. Stored lake water would be diverted for recycling at the Pure Water Monterey project. This would help the City of Monterey recover 110 to 140 acre-feet of water per year. Two other City of Monterey projects are included and would augment the recycled water.

The second near-term component of this program is a diversion project in Roberts Lake, in the City of Seaside. The project would include permitting, design, and construction of facilities that would enable water to flow into a wet well from the lake and be pumped approximately 180 feet to a sanitary sewer pump station wet well. The water would then be pumped to the Pure Water Monterey project for treatment and re-use as potable supply or irrigation. This would assist in recovery 124 acre-feet of potable water (after purification) per year.

Lt. Colonel Shebesta

Page 2 of 2

June 26, 2023

These investments will assist the communities of the Monterey Peninsula mitigate the deleterious impacts of recurring and more frequent drought conditions facing the Peninsula. It will further allow these communities to efficiently collect rainfall and wet-weather runoff – such as that which occurred from the historic storms that battered the State in late 2022 and early 2023.

The proposed projects under the *Monterey Peninsula Stormwater Diversion and Recycling Program* meet the eligibility criteria of both section 8375(a)(292) of Public Law 117-263 and Section 5039 of P.L. 110-114, both of which authorize the Corps to assist non-Federal interests, like MPWMD in carrying out water-related environmental infrastructure and resource protection and development projects. Water-related environmental infrastructure improvements under both authorities can, as you know, include water and wastewater treatment and related facilities, including water supply facilities. And, as you are also aware, the Corps may provide assistance to support all aspects of project development and implementation under these two authorities, including project planning, design, and construction.

MPWMD understands the cost share for the non-Federal interest shall not be less than 25 percent. We are aware that the non-Federal sponsor is responsible for supplying all lands, easements, rights-of-ways, relocations and disposal areas (LERRD) necessary for construction and subsequent operation and maintenance of the project. We also understand as the non-Federal sponsor, MPWMD is responsible for 100 percent of the cost to operate, maintain, repair, replace, or rehabilitate the completed project(s).

This letter constitutes an expression of intent and not a contractual obligation. We understand that the non-Federal interest or the Corps may opt to discontinue the project development process prior to the execution of the Project Partnership Agreement (PPA), which occurs at the end of the Planning, Design, and Analysis, prior to award of a construction contract.

If you need additional information, please contact me at (831) 658-5651. We look forward to working with the Corps on this portfolio of projects.

Sincerely,



David J. Stoldt
General Manager

Monterey Peninsula Water Management District



VIA EMAIL

June 26, 2023

Lt. Colonel Kevin P. Arnett
Commander
San Francisco District
U.S. Army Corps of Engineers
450 Golden Gate Ave, 4th Floor
San Francisco, CA 94102

RE: Request Support Under Section 219/Environmental Infrastructure for the
Monterey Peninsula Stormwater Diversion and Recycling Program

Dear Colonel Arnett:

Monterey Peninsula Water Management District (MPWMD) requests assistance from the U.S. Army Corps of Engineers (Corps) for the *Monterey Peninsula Stormwater Diversion and Recycling Program* in the Monterey Peninsula, California, which the Corps is authorized to support under section 8375(a)(292) of Public Law 117-263 (includes the Water Resources Development Act of 2022) and the State of California's Environmental Infrastructure authority, Section 5039 of the Water Resources Development Act of 2007 (P.L. 110-114).

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The second near-term component of this program is a diversion project in Roberts Lake, in the City of Seaside. The project would include permitting, design, and construction of facilities that would enable water to flow into a wet well from the lake and be pumped approximately 180 feet to a sanitary sewer pump station wet well. The water would then be pumped to the Pure Water Monterey project for treatment and re-use as potable supply or irrigation. This would assist in recovery 124 acre-feet of potable water (after purification) per year.

Lt. Colonel Kevin P. Arnett

Page 2 of 2

June 26, 2023

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This letter constitutes an expression of intent and not a contractual obligation. We understand that the non-Federal interest or the Corps may opt to discontinue the project development process prior to the execution of the Project Partnership Agreement (PPA), which occurs at the end of the Planning, Design, and Analysis, prior to award of a construction contract.

If you need additional information, please contact me at (831) 658-5651. We look forward to working with the Corps on this portfolio of projects.

Sincerely,



David J. Stoldt
General Manager

Monterey Peninsula Water Management District



Monterey One Water

Providing Cooperative Water Solutions

ADMINISTRATION OFFICE: 5 Harris Court, Bldg D, Monterey, CA 93940
MAIN: (831) 372-3367 or (831) 422-1001 FAX: (831) 372-6178
WEBSITE: www.montereyonewater.org

March 20, 2023

The Honorable Jimmy Panetta
United States House of Representatives
304 Cannon House Office Building
Washington, DC 20515

Dear Representative Panetta:

The Monterey Peninsula Water Management District is requesting an allocation of \$2,150,000 in the Fiscal Year 2024 Energy and Water Development Appropriations Bill, under Corps of Engineers, Construction. This allocation is for the Monterey Peninsula Stormwater Diversion and Recycling Project in the Monterey Peninsula, California and was authorized under section 8375 of Public Law 117-263. This Project includes multiple opportunities to divert stormwater into the regional wastewater system for increased water recycling, and Monterey One Water requests your support this allocation.

The allocation has two components. The first component would augment water supply via a diversion of runoff flows to the sanitary sewer from the City of Monterey. This diversion would remove of urban stormwater and dry weather flows that are currently discharged to the Monterey Bay National Marine Sanctuary. This would partially restore natural drainage patterns and treat any urban pollutants that are associated with the diverted flows at the regional wastewater treatment facility. The Project would utilize the existing storage capacity of Lake El Estero to detain both wet and dry weather runoff for diversion when demand for recycled water is greatest. Stored lake water would be diverted to the sanitary sewer from April to October for recycling at the Monterey One Water (M1W) Regional Treatment Plant (RTP) to augment water supply through the Pure Water Monterey Project. This could potentially recover 110 to 140 acre-feet of water per year. The City of Monterey is also pursuing two other projects to augment recycled water at the Pure Water Monterey facility.

The second component of this project is a diversion project in Roberts Lake, in the City of Seaside. The project would include permitting, design, and construction of facilities that would enable water to flow into a wet well from the lake and be pumped approximately 180 feet to a sanitary sewer pump station wet well. The water would then be pumped to the Pure Water Monterey Project for treatment and re-use as potable supply or irrigation. This would assist in recovery 124 acre-feet of potable water (after purification) per year.

As a county dependent solely on our limited water resources, investments in additional water supplies are critical. The identified project will help communities within the Monterey Peninsula mitigate the devastating impacts of ongoing drought conditions facing Californians. It would further allow these communities to efficiently collect rainfall and wet-weather runoff – such as from the recent, historic storms that battered the state.

We appreciate your leadership in the halls of Congress and thank you for your consideration of this request.

Sincerely,

Paul A. Sciuto
General Manager
Monterey One Water



Monterey One Water

Providing Cooperative Water Solutions

ADMINISTRATION OFFICE: 5 Harris Court, Bldg D, Monterey, CA 93940

MAIN: (831) 372-3367 or (831) 422-1001

FAX: (831) 372-6178

WEBSITE: www.montereyonewater.org

March 20, 2023

The Honorable Dianne Feinstein
United States Senate
331 Hart Senate Office Building
Washington, DC 20510

The Honorable Alex Padilla
United States Senate
112 Hart Senate Office Building
Washington, DC 20510

Dear Senators Feinstein and Padilla:

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As a county dependent solely on our limited water resources, investments in additional water supplies are critical. The identified project will help communities within the Monterey Peninsula mitigate the devastating impacts of ongoing drought conditions facing Californians through efficient water resource management. It would further allow these communities to efficiently collect rainfall and wet-weather runoff – such as from the recent, historic storms that battered the state.

We appreciate your leadership in the halls of Congress and thank you for your consideration of this request.

Sincerely,

Paul A. Sciuto
General Manager
Monterey One Water



March 14, 2023

The Honorable Dianne Feinstein
United States Senate
331 Hart Senate Office Building
Washington, DC 20510

The Honorable Alex Padilla
United States Senate
112 Hart Senate Office Building
Washington, DC 20510

Dear Senators Feinstein and Padilla:

On behalf of the City of Monterey, I am writing to request your support for Monterey Peninsula Water Management District's request for an allocation of \$2,150,000 in the Fiscal Year 2024 Energy and Water Development Appropriations Bill, under Corps of Engineers, Construction, for the Monterey Peninsula Stormwater Diversion and Recycling Project in the Monterey Peninsula, California, authorized under section 8375 of Public Law 117-263.

The first component of this project would augment water supply in the City of Monterey via a diversion of urban runoff to the sanitary sewer for recycling. The diverted runoff is currently discharged untreated to the Monterey Bay National Marine Sanctuary. The Project would utilize the existing storage capacity of Lake El Estero to detain both wet and dry weather runoff for diversion when demand for recycled water is greatest. Excess stored lake water would be diverted to the sanitary sewer for recycling at the Monterey One Water (M1W) Regional Treatment Plant (RTP) to augment potable water supply through the Pure Water Monterey project. This enables the City of Monterey to recover 110 to 140 acre-feet of water per year. Two other City of Monterey projects are included and would augment recycled water at the Pure Water Monterey project.

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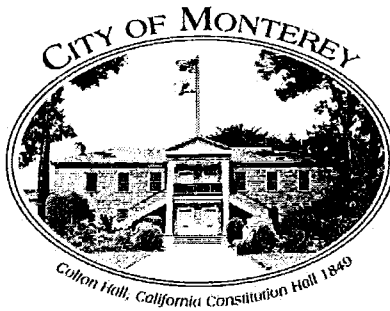
communities to efficiently collect rainfall and wet-weather runoff – such as that from the recent, historic storms that battered the state.

Thank you for your consideration of this request.

Sincerely,

A handwritten signature in black ink, appearing to read "Tyler Williamson". The signature is fluid and cursive, with a prominent initial "T" and a long, sweeping underline.

Tyler Williamson
Mayor



March 14, 2023

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United States House of Representatives
304 Cannon House Office Building
Washington, DC 20515

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Thank you for your consideration of this request.

Sincerely,

Tyller Williamson
Mayor



March 10, 2023

The Honorable Jimmy Panetta
United States House of Representatives
304 Cannon House Office Building
Washington, DC 20515

Dear Representative Panetta:

On behalf of Monterey Peninsula Water Management District (MPWMD), I am writing to request your support for an allocation of \$2,150,000 in the Fiscal Year 2024 Energy and Water Development Appropriations Bill, under Corps of Engineers, Construction, for the Monterey Peninsula Stormwater Diversion and Recycling Project in the Monterey Peninsula, California, authorized under section 8375 of Public Law 117-263.

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Thank you for your consideration of this request.

Sincerely,

A handwritten signature in blue ink that reads "David J. Stoldt". The signature is written in a cursive style with a large, stylized 'D' and 'S'.

David J. Stoldt
General Manager



March 10, 2023

The Honorable Dianne Feinstein
United States Senate
331 Hart Senate Office Building
Washington, DC 20510

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United States Senate
112 Hart Senate Office Building
Washington, DC 20510

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Thank you for your consideration of this request.

Sincerely,

A handwritten signature in blue ink that reads "David J. Stoldt".

David J. Stoldt
General Manager

Monterey Peninsula Stormwater Diversion and Recycling

The Monterey Peninsula storm water strategy involves combining storm water catchments to minimize the number of discharges. This creates fewer and more manageable storm water discharges. This water will be managed primarily by diverting the storm water to the Pure Water Monterey regional water treatment system for the purpose of increasing the volume of the community's recycled water for potable re-use and irrigation. The plan includes a suite of projects covering three small lakes in two cities. This proposal encompasses two of the lakes and related drainages.

Total Funding Request: \$2,150,000

City of Monterey Diversion Projects

Description

This project encompasses a suite of potential dry weather and stormwater diversions that will augment water supply via a diversion to sanitary sewer and remove urban stormwater and dry weather flows that are currently discharged to the Monterey Bay National Marine Sanctuary, thereby partially restoring natural drainage patterns and treating any urban pollutants that are associated with the diverted flows.

The Lake El Estero Diversion project is in the City of Monterey. The project would install a diversion valve from the box culvert on the north side of the lake to divert flows into the sanitary sewer system, instead of discharging into Monterey Bay. The project is estimated to achieve over 100 acre-feet per year (AFY) of water supply from the approximately 3,670-acre tributary drainage area.

The proposed Lake El Estero Diversion Project consists of two components: reconnection of a box culvert at Pearl and Figueroa Street (west of the lake) to divert runoff from Hartnell Gulch watershed to Lake El Estero; and diversion of lake water on the north side of Lake El Estero to sanitary sewer. The Lake El Estero watershed (2,418 acres) includes residential, commercial, institutional, and undeveloped areas tributary to Lake El Estero and the Hartnell Gulch watershed (1,186 acres) includes residential and undeveloped areas tributary to Hartnell Gulch. Drainage in the Hartnell Gulch watershed flows northeastward toward the City center and borders the western edge of the Lake El Estero watershed along Munras Avenue, which becomes Abrego Street to the north. The Lake El Estero watershed flows northward toward the lake. One of the three primary creek channels in the Lake El Estero watershed flows into Laguna Mirada and the other two primary creek channels flow into Washerwoman's Pond. Laguna Mirada and Washerwoman's Pond flow into Lake El Estero through the City of Monterey's underground storm drain network. Currently, a pump station at the north end of Lake El Estero conveys high flows to Monterey Bay so that the lake does not overtop during the wet season.

The Project would utilize the existing storage capacity of Lake El Estero to detain both wet and dry weather runoff for diversion when demand for recycled water is greatest. Stored lake water would be diverted to the sanitary sewer from April to October for recycling at the Monterey One Water (M1W) Regional Treatment Plant (RTP) to augment water supply through the Pure Water Monterey project. A pump is proposed to be installed within the existing pump house on the north side of Lake El Estero to pump lake water to a sanitary sewer manhole, located between Del Monte Avenue and Lake El Estero, which connects to the 21-inch diameter gravity sewer main on Del Monte Ave.

The greatest water supply benefit using current infrastructure at the RTP is to treat and recycle runoff from the Project drainage area during the dry season, April to October, adding to the current lake water recovery mechanisms. Water is currently recovered from Lake El Estero via capture and use because park space and a cemetery surrounding the lake are irrigated with the lake water. If stormwater runoff could be recovered during the wet season, with prior authorization of M1W, then approximately three times the volume of runoff could potentially be recovered through this project. The proposed pump could be designed to accommodate either dry season or wet and dry season pumping. Payment of an adopted interruptible rate would apply.

Dry weather 102-125 AF, wet weather 61 AF per diversion.

Other Potential Projects:

The proposed Monterey Tunnel Stormwater Diversion Project is located at Oliver Street and Scott Street in the City of Monterey. Currently, the catchment discharges to Monterey Bay through two (twin") 51-inch diameters pipes north of Fisherman's Wharf. The Monterey Tunnel project would involve diverting dry weather flows (April to October), including groundwater seepage (currently not quantified), to the sanitary sewer for recycling at the Monterey One Water Regional Treatment Plant to augment water supply.

The Hartnell Gulch Restoration and Runoff Diversion project is a proposed diversion to sanitary sewer and creek restoration project. The project would install a pump to divert underground seepage and dry weather flows into the sanitary sewer. The restoration component would consist of removal of invasive plants, revegetation with native plants, and stabilization of the existing eroded channel. A portion of the approximately 1,100-acre tributary drainage area is in a Disadvantaged Community tract. The project is estimated to achieve between 20 to 100 ac-ft/yr of water supply.

Coast Guard Pier Diversion and San Carlos Beach Storage are presently in concept stage, but could contribute to overall City of Monterey diversion.

Benefits

Net Water Volume Recovered: 110 to 140 acre-feet/year

Water Quality Benefits: Treatment of pollutants in diverted urban stormwater and dry weather flows that currently discharge to Monterey Bay National Marine Sanctuary.

Natural Drainage System Benefits: Removal of urban stormwater and dry weather flows that currently discharge to Monterey Bay, thereby partially restoring natural drainage patterns.

Habitat or Open Space Benefits: Diversion to the sanitary sewer is anticipated to reduce overflow volumes from the Lake to the beach.

Community Benefits: Drainage area within the Hartnell Gulch watershed contains a Disadvantaged Community (DAC).

Cost

\$800,000

Roberts Lake Diversion – Seaside

Description

The Roberts Lake Diversion project is in the City of Seaside. A Pilot Project would include permitting, design, and construction of facilities that would enable water to flow into a wet well from the lake and be pumped approximately 180 feet to a sanitary sewer pump station wet well. The water would then be pumped to the Pure Water Monterey project for treatment and re-use as potable supply or irrigation. The following facilities are anticipated to be required:

- Pre-cast concrete wet well 6-feet in diameter for one or two low lift submersible pumps connected to a screened inlet from the lake. The proposed pump could be designed to accommodate either only dry season flows or also wet pumping to further reduce discharges to the bay and to assist with flood control if needed (i.e., lower lake levels prior to predicted large storm events).
- A force main (up to 6-inch in diameter) measuring approximately 180 linear feet from the northeast corner of lake to the nearest, existing City of Seaside pump station wet well at intersection of Del Monte Blvd and Canyon Del Rey Blvd (called the Del Monte Pump Station).
- A valve vault to enable remote flow monitoring and shutoff would also be needed.
- Electrical, instrumentation and finished grading, paving, and landscaping.

The pump station discharges through a 12-inch connects to the 21-inch diameter gravity sewer main on Del Monte Ave. The existing pump station has three pumps (2 duty and 1 standby) with a firm capacity of 1.75 mgd, and typical dry weather flows of 150-175 gallons per minute. The pump station has capacity to divert 800 to 1,000 gallons per minute of lake water during the dry season.

Watershed characteristics, includes portions of former Fort Ord, Del Rey Oaks, and Highway 68:

- Estimated Dry Weather Runoff: 87 to 124 acre-feet per year (AFY)
- Estimated Wet Weather Runoff: 1,359 AFY

Benefits:

Net Water Volume Recovered: 124 acre-feet/year (dry weather) water available for advanced purification for potable reuse.

Water Quality Benefits: Treatment of pollutants in diverted urban stormwater and dry weather flows that currently discharge to Monterey Bay National Marine Sanctuary.

Habitat or Open Space Benefits: Diversion to the sanitary sewer is anticipated to reduce overflow volumes from the Lake to the beach.

Cost

Estimate \$1,350,000

The total time from initial funding of soft costs to commissioning and start up is approximately 2 years.

State



June 27, 2023

The Honorable Luz Rivas
Chair, Assembly Committee on Natural Resources
1020 N Street, Room 164
Sacramento, CA 95814

RE: SB 867 (Allen) – Drought and Water Resilience, Wildfire and Forest Resilience, Coastal Resilience, Extreme Heat Mitigation, Biodiversity and Nature-Based Climate Solutions, Climate Smart Agriculture, and Park Creation and Outdoor Access Bond Act of 2023.

Position: SUPPORT IF AMENDED

Dear Assemblymember Rivas,

The Association of California Water Agencies (ACWA) and the undersigned organizations wish to express our support-if-amended position on SB 867. We greatly appreciate the author’s amendments that identify funding for many critical water and natural resources issues. We urge the author and Committee to continue to draft amendments that would make additional investments in California’s water infrastructure system.

ACWA represents over 460 public water agencies throughout California that deliver over 90% of the water used for agricultural, commercial, and residential purposes. ACWA supports efforts to advance a general obligation bond related to climate change and water and is appreciative of Senator Allen’s leadership on this issue over the years.

California’s changing climate creates increased risks of drought, floods, intense rain events, and sea level rise that will present unique challenges to public water agencies and their ability to reliably provide water to California’s farms and cities. The State is currently underprepared to manage a water system with a decreasing snowpack, less frequent precipitation, and weather extremes. Adapting to climate change will require California to urgently and significantly

rehabilitate and modify existing water facilities, improve operational flexibility, and make generational investments in new water infrastructure.

Additional above- and below-ground storage capacity must be developed to capture precipitation, especially in extreme weather events such as atmospheric rivers, and to mitigate disappearing snowpack. In addition, new and enhanced conveyance facilities are essential for moving collected and stored water, connecting suppliers with different supply sources, transferring water among water users, recharging groundwater, and storing water for multi-beneficial purposes, including environmental benefits. State investment in water infrastructure is crucial to providing the reliable delivery of safe water to California residents, businesses, and agriculture. In addition, climate resilience projects have also been shown to stimulate local economies and create jobs.

The undersigned organizations are pleased to continue to work with Senator Allen on this critical issue to provide funding as identified in the attached document. These amendments would improve California's capacity to adapt to the effects of climate change.

We thank you for your consideration of the amendments and urge the Committee to make these investments now. If you have any questions, please do not hesitate to contact ACWA State Relations Director, Adam Quiñonez at adamq@acwa.com or (916) 441-4545.

Sincerely,

Adam Quiñonez
State Relations Director
Association of California Water Agencies

Bruce Kamilos, P.E.
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Walnut Valley Water District

Attachment: SB 867 ACWA Amendments, 05/04/2023, Version: As Amended on 4/19/23

cc: The Honorable Benjamin Allen
Honorable Members, Assembly Committee on Natural Resources
Paige Brokaw, Senior Consultant, Assembly Committee on Natural Resources
Casey Dunn, Consultant, Assembly Republican Caucus

SB 867 ACWA Amendments
05/04/2023
Version: As Amended on 4/19/23

SECTION 1. The people of California find and declare all of the following:

(a) California's changing climate creates increased risk of catastrophic wildfires, drought, severe heat events, and sea level rise, as well as impacts to agriculture, water supply and water quality, and the health of the forests, watershed, and wildlife.

(b) These risks and impacts vary by region and can overwhelm the resources of local governments that must cope with severe climate change-related events.

(c) Reducing vulnerability to fire, flood, drought, and other climate change-related events requires a statewide investment to increase climate resilience of communities and natural systems.

(d) Governor Gavin Newsom has issued several reports and executive orders that have created a roadmap to climate resiliency in California that will help guide and direct investments.

(e) The California's Water Supply Strategy Adapting to a Hotter, Drier Future outlines actions needed to take in order to recycle and reuse at least 800,000 acre-feet of water per year by 2030, make available up to 500,000 acre-feet of water through more efficient water use and conservation, and make new water available for use by capturing storm water and desalinating brackish water in groundwater basins.

(f) The Water Resilience Portfolio serves as a blueprint for equipping California to cope with more extreme droughts and floods and rising temperatures, while addressing longstanding challenges that include declining fish populations, over-reliance on groundwater and lack of safe drinking water in many communities.

(g) The California's Wildfire and Forest Resilience Action Plan outlines a strategy to increase the pace and scale of forest health projects, strengthen protection of communities, and manage forests, to achieve the state's economic and environmental goals and drive innovation and measure progress.

(h) The Extreme Heat Action Plan outlines a strategy to protect communities from rising temperatures in order to accelerate readiness and protection of communities most impacted by extreme heat, including through cooling schools and homes, supporting community resilience centers, and expanding nature-based solutions.

(i) California's strategy for achieving the first-in-the-nation 30x30 conservation goal is described in the Pathways to 30x30: Accelerating Conservation of California's Nature report, which outlines a vision to conserve an additional 6,000,000 acres of lands and 500,000 acres of coastal waters needed to reach 30 percent.

(j) Executive Order No. N-82-20 outlines a strategy to expand nature-based solutions across California. The executive order calls for restoring nature and landscape health to deliver on our

climate change goals and other critical priorities, including improving public health and safety, securing our food and water supplies, and achieving greater equity across California.

(k) Governor Gavin Newsom signed Senate Bill 1 of the 2021–22 Regular Session (Chapter 236 of the Statutes of 2021) that directed the California Coastal Commission to take sea level rise into account in its planning, policies, and activities, and established a cross-government group tasked with educating the public and advising local, regional, and state government on feasible sea level rise mitigation efforts.

SEC. 2. Division 50 (commencing with Section 90000) is added to the Public Resources Code, to read:

DIVISION 50. DROUGHT, FLOOD, AND WATER RESILIENCE, WILDFIRE AND FOREST RESILIENCE, COASTAL RESILIENCE, EXTREME HEAT MITIGATION, BIODIVERSITY AND NATURE-BASED CLIMATE SOLUTIONS, CLIMATE SMART AGRICULTURE, PARK CREATION AND OUTDOOR ACCESS, AND CLEAN ENERGY BOND ACT of 2024

CHAPTER 1. General Provisions

90000. This division shall be known, and may be cited, as the Drought, Flood, and Water Resilience, Wildfire and Forest Resilience, Coastal Resilience, Extreme Heat Mitigation, Biodiversity and Nature-Based Climate Solutions, Climate Smart Agriculture, Park Creation and Outdoor Access, and Clean Energy Bond Act of 2024.

90100. For purposes of this division, the following definitions apply:

(a) “Disadvantaged community” means a community with a median household income of less than 80 percent of the area average.

(b) “Economically distressed areas” has the same meaning set forth in Section 79702 of the Water Code.

(c) “Severely disadvantaged community” means a community with a median household income of less than 60 percent of the area average.

(d) “Socially disadvantaged farmer or rancher” has the same meaning set forth in Section 512 of the Food and Agricultural Code.

(e) “Tribe” means a federally recognized Native American tribe or a nonfederally recognized Native American tribe listed on the California Tribal Consultation List maintained by the Native American Heritage Commission.

(f) “Vulnerable population” means a subgroup of population within a region or community that faces a disproportionately heightened risk or increased sensitivity to impacts of climate change and that lacks adequate resources to cope with, adapt to, or recover from such impacts.

90500. (a) The proceeds of bonds issued and sold pursuant to this division, exclusive of refunding bonds issued and sold pursuant to Section 95012, shall be deposited in the Drought, Flood, and Water Resilience, Wildfire and Forest Resilience, Coastal Resilience, Extreme Heat

Mitigation, Biodiversity and Nature-Based Climate Solutions, Climate Smart Agriculture, Park Creation and Outdoor Access, and Clean Energy Fund, which is hereby created in the State Treasury. Moneys in the fund shall be available, upon appropriation by the Legislature, for purposes of this division.

(b) Proceeds of bonds issued and sold pursuant to this division shall be allocated according to the following schedule:

(1) Eight billion eight hundred ~~five billion two hundred~~ million dollars (~~\$5,200,000,000~~ 8,800,000,000) for drought, flood, and water resilience programs, in accordance with Chapter 2 (commencing with Section 91000).

(2) Three billion two hundred twenty five million dollars (~~\$3,000,000,000~~ 3,225,000,000) for wildfire and forest resilience programs, in accordance with Chapter 3 (commencing with Section 91500).

(3) Two billion dollars (\$2,000,000,000) for coastal resilience programs, in accordance with Chapter 4 (commencing with Section 92000).

(4) Five hundred million dollars (\$500,000,000) for extreme heat mitigation programs, in accordance with Chapter 5 (commencing with Section 92500).

(5) Two billion dollars (\$2,000,000,000) for biodiversity protection and nature-based climate solution programs, in accordance with Chapter 6 (commencing with Section 93000).

(6) Three hundred million dollars (\$300,000,000) for climate smart agriculture programs, in accordance with Chapter 7 (commencing with Section 93500).

(7) Five hundred million dollars (\$500,000,000) for park creation and outdoor access programs, in accordance with Chapter 8 (commencing with Section 94000).

(8) Two billion dollars (\$2,000,000,000) for clean energy programs, in accordance with Chapter 9 (commencing with Section 94500).

CHAPTER 2. Drought, Flood and Water Resilience

91000. The sum of eight billion eight hundred ~~five billion two hundred~~ million dollars (~~\$5,200,000,000~~ 8,800,000,000) shall be available, upon appropriation by the Legislature, for drought, flood, and water resilience programs.

91010. Of the funds made available by Section 91000, five billion four hundred million dollars (~~\$5,400,000,000~~ two billion two hundred fifty million dollars (~~\$2,250,000,000~~)) shall be available, upon appropriation by the Legislature, to protect and increase California water supply and water quality.

91011. Of the funds made available by Section 91010, ~~four~~ six hundred million dollars (~~\$400,000,000~~ 600,000,000) shall be available, upon appropriation by the Legislature, to the State Water Resources Control Board for projects that improve water quality or help provide clean, safe, and reliable drinking water. Eligible projects include, but are not limited to, any of the following:

(a) Competitive grants for projects that help to provide clean, safe, and reliable drinking water to disadvantaged communities.

(b) Competitive grants for projects that increase water quality monitoring and remediation of perfluoroalkyl and polyfluoroalkyl substances.

(c) Innovative projects to increase the affordability of safe drinking water for severely disadvantaged communities.

(d) Projects that implement countywide drought and water shortage contingency plans adopted pursuant to Chapter 10 (commencing with Section 10609.40) of Part 2.55 of Division 6 of the Water Code.

(e) Competitive grants or loans for projects that prevent, reduce, or treat the contamination of groundwater, including constituents of emerging concern, that serves as a major source of drinking water for a community.

91012. (a) Of the funds made available by Section 91010, one billion four hundred million dollars (~~\$400,000,000~~ 1,000,000,000) shall be available, upon appropriation by the Legislature, to the Department of Water Resources for projects related to groundwater storage, banking, conjunctive use, recharge, or other groundwater projects that improve water resilience. Projects funded pursuant to this subdivision shall provide multiple benefits, such as improved water quality and supply, improved flood water management, and provision of wildlife habitat.

(b) Of the funds made available by subdivision (a), five ~~two~~ hundred million dollars (~~\$200,000,000~~ 500,000,000) shall be available for projects that increase groundwater storage.

(c) Of the funds made available by subdivision (a), five ~~two~~ hundred million dollars (~~\$200,000,000~~ 500,000,000) shall be available for projects that support groundwater banking, conjunctive use, recharge, or other groundwater projects that improve water resilience.

91013. Of the funds made available by Section 91010, three hundred million dollars (\$300,000,000) shall be available, upon appropriation by the Legislature, to the Department of Conservation's Multibenefit Land Repurposing Program for groundwater sustainability projects that provide wildlife habitat, drought resilience, improve flood water management, and support implementation of the Sustainable Groundwater Management Act (Part 2.74 (commencing with Section 10720) of Division 6 of the Water Code).

91014. Of the funds made available by Section 91010, seven hundred and fifty ~~three hundred~~ million dollars (~~\$750,000,000~~ 300,000,000) shall be available, upon appropriation by the Legislature, to the State Water Resources Control Board for grants and projects related to water reuse and recycling.

91015. Of the funds made available by Section 91010, three hundred and fifty million dollars (~~\$350,000,000~~ one hundred million dollars (~~\$100,000,000~~)) shall be available, upon appropriation by the Legislature, to the Department of Water Resources for competitive grants for projects related to contaminant and salt removal projects, including, but not limited to, groundwater and seawater desalination and associated treatment, storage, conveyance, and distribution facilities.

91016. Of the funds made available by Section 91010, ~~five~~ ~~three~~ hundred million dollars (~~\$300,000,000~~~~\$500,000,000~~) shall be available, upon appropriation by the Legislature, to the California Water Commission for projects under the Water Storage Investment Program.

91016.1 Of the funds made available by Section 91010, two hundred and fifty million dollars (\$250,000,000) shall be available, upon appropriation by the Legislature, to the Department of Water Resources for projects that capture and store flood flows, including, but not limited to, storage tanks, inflatable dams, and other projects that increase water storage capacity.

91017. Of the funds made available by Section 91010, ~~one~~ ~~five~~ hundred million dollars (~~\$100,000,000~~~~\$500,000,000~~) shall be available, upon appropriation by the Legislature, to the Department of Water Resources for projects that increase water conservation in agricultural and urban areas.

91018. Of the funds made available by Section 91010, one hundred million dollars (\$100,000,000) shall be available, upon appropriation by the Legislature, to the Department of Water Resources and the State Water Resources Control Board to improve water data management and to implement Section 144 of the Water Code to reactivate existing stream gages and deploy new gages.

91019. (a) Of the funds made available by Section 91010, ~~two hundred fifty~~ ~~eight hundred~~ million dollars (~~\$250,000,000~~~~\$800,000,000~~) shall be available, upon appropriation by the Legislature, to the Natural Resources Agency and the Department of Water Resources for competitive grants for regional conveyance projects or repairs to existing conveyances. Priority shall be given to projects that provide one or more of the following benefits:

- (1) Improvements in regional or interregional water supply or water supply reliability.
- (2) Increased ground water recharge or mitigation of conditions of groundwater overdraft, salinity intrusion, water quality degradation, or subsidence.
- (3) Adaptation to the impacts of hydrologic changes.
- (4) Improvements in water security from drought, natural disasters, or other events that could interrupt water supplies.
- (5) Providing safe drinking water for disadvantaged communities and economically distressed areas.

(b) Of the funds made available by subdivision (a), one hundred million dollars (\$100,000,000) shall be available to the Natural Resources Agency for implementation of the settlement agreement to restore the San Joaquin River referenced in Section 2080.2 of the Fish and Game Code and allocated as follows:

- (1) Fifty million dollars (\$50,000,000) shall be available for restoration of capacity of the Friant-Kern Canal that was lost due to subsidence, consistent with the water management goal under the Stipulation of Settlement entered September 13, 2006, in Natural Resources Defense Council v. Rodgers. For the purposes of awarding funding under this paragraph, a cost share

from nonstate sources of not less than 50 percent of the total costs of the project shall be required.

(2) Fifty million dollars (\$50,000,000) shall be available to implement the restoration goal of the Stipulation of Settlement entered September 13, 2006, in Natural Resources Defense Council v. Rodgers, including funding for restoration projects identified in paragraph 11 of the Stipulation of Settlement, and funding to support the work of the Restoration Administrator and Technical Advisory Committee. The Restoration Administrator and Technical Advisory Committee shall use these funds in part to review and provide input regarding the implementation of projects identified in paragraph 11 of the Stipulation of Settlement.

91019.1. (a) Of the funds made available by Section 91010, five hundred million dollars (\$500,000,000) shall be made available, upon appropriation by the Legislature, to the Department of Water Resources for projects that enhance the delivery of water or increase the energy resilience of the State Water Project.

91020. Of the funds made available by Section 91000, ~~two one~~ billion ~~one six~~ hundred ~~fifty~~ million dollars (~~\$1,650,000,000~~ \$2,100,000,000) shall be available, upon appropriation by the Legislature, to reduce flood risk and improve stormwater management.

91021. Of the funds made available by Section 91020, one billion dollars (\$1,000,000,000) shall be available, upon appropriation by the Legislature, to the Natural Resources Agency and its departments, boards, and conservancies for flood management projects. Priority shall be given to projects designed and implemented to achieve the objectives of both flood safety and ecosystem functions, while providing additional benefits. At least 40 percent of the allocation made pursuant to this section shall benefit disadvantaged communities or vulnerable populations. Eligible projects include, but are not limited to, the following:

(a) Projects that implement the Central Valley Flood Protection Plan. To the maximum extent feasible, projects shall provide ecosystem benefits and groundwater recharge. The Department of Water Resources shall adopt guidelines and incentives to encourage cost-effective groundwater recharge and ecosystem benefits as part of flood risk reduction and management.

(b) Projects that implement the Coastal Watershed Flood Risk Reduction Program.

(c) Projects in the Sacramento-San Joaquin Delta to increase flood protection and climate resiliency.

(d) Projects that implement the Flood Control Subventions Program.

(e) Projects related to the systemwide evaluation, repair, rehabilitation, reconstruction, expansion, or replacement of levees, weirs, bypasses, and facilities of the State Plan of Flood Control.

91022. Of the funds made available by Section 91020, ~~eight hundred and fifty four~~ hundred million dollars (~~\$400,000,000~~ \$850,000,000) shall be available, upon appropriation by the Legislature, to the Department of Water Resources for competitive grants for projects that enhance dam safety and reservoir operations and protect public benefits. Eligible projects

include, but are not limited to, dam safety projects at high hazard dams in poor condition, new spillways and repairs at existing dams to facilitate implementation of Forecast-Informed Reservoir Operations, and reservoir seismic retrofit projects. A grant cost share of at least 50 percent shall be required for projects funded pursuant to this section.

91023. Of the funds available by Section 91020, two hundred fifty million dollars (\$250,000,000) shall be available, upon appropriation by the Legislature, to the State Water Resources Control Board for grants for multibenefit storm water management projects. Preference shall be given to multibenefit and natural infrastructure projects.

91030. Of the funds made available by Section 91000, one billion dollars (\$1,000,000,000) shall be available, upon appropriation by the Legislature, to improve watershed resilience and to protect and restore rivers, lakes, and streams.

91031. (a) Of the funds made available by Section 91030, three hundred million dollars (\$300,000,000) shall be available, upon appropriation by the Legislature, to the Department of Water Resources for grants and direct expenditures related to integrated regional water management to improve climate resilience on a watershed basis.

(b) The Department of Water Resources shall develop standards and provide technical and financial support for the development of watershed climate risk assessments that do all of the following:

- (1) Identify watershed scale climate resilience targets related to water supply, water quality, habitat protection and enhancement, flood protection, and other climate resilience targets appropriate for the watershed.
- (2) Provide investment and implementation plans for projects to achieve the targets in the most cost-effective manner.
- (3) Include uniform analytic standards to facilitate project selection and performance evaluation.
- (4) Provide for the deployment of appropriate instrumentation, measurement, and monitoring to allow for evaluation of project effectiveness in achieving progress toward resilience targets.
- (5) Include consideration of equity and environmental justice needs.
- (6) Include requirements for adaptive management and refinement in project selection and implementation.
- (7) Build on and coordinate with existing integrated regional water management plans.

(c) The Department of Water Resources may select pilot watersheds to test methods to improve watershed climate resilience and guide the implementation of this section including, but not limited to, both of the following:

- (1) Development of standard models and analytic approaches that improve climate risk assessment, and project selection and evaluation.
- (2) Methods to reduce the cost of achieving climate resilience targets and outcomes.

(d) (1) The Department of Water Resources shall make grants to public agencies for the implementation of projects identified in watershed climate risk assessments based on both of the following:

(A) The severity of the identified climate risk.

(B) The potential to reduce that risk in the most cost-effective manner.

(2) The Department of Water Resources shall consider the extent the project achieves multiple benefits, addresses equity issues, and provides a model for other watersheds.

(3) Existing plans that provide equivalent climate risk assessment may be used as the basis to fund grants that improve regional climate resilience, including conjunctive use projects, groundwater recharge projects, and other projects that provide increased water supply flexibility or other resilience benefits.

(e) The Department of Water Resources shall develop guidelines to improve governance of integrated regional water management plans and for program implementation of watershed climate resilience that facilitate multiple benefit projects, allow program funds to be used as matching funds for other funding sources, and requires detailed reporting on project outcomes and progress toward achieving climate risk targets.

91032. (a) Of the funds made available by Section 91030, six hundred million dollars (\$600,000,000) shall be available, upon appropriation by the Legislature, for projects that protect and restore rivers, streams, lakes, and watersheds. Projects shall improve climate resilience, water supplies, or water quality. To the extent feasible, preference shall be given to natural infrastructure projects. At least 40 percent of the allocation made pursuant to this section shall benefit disadvantaged communities or vulnerable populations. The funds made available pursuant to this section shall be allocated to any of the following:

(1) Projects that protect and restore rivers, streams, and lakes to improve fish and wildlife habitat.

(2) Multibenefit watershed protection or restoration projects that improve climate resilience within the Los Angeles River Watershed and the San Gabriel River Watershed that are implemented pursuant to Section 79508 of the Water Code.

(3) Multibenefit urban stream and river parkway projects under the Urban Streams Restoration Program established pursuant to Section 7048 of the Water Code that protect and restore riparian habitats, improve climate resilience, enhance natural drainages, protect and restore watersheds, and provide public access.

(4) Projects that are included in the Lake Tahoe Environmental Improvement Program.

(b) Of the funds made available by subdivision (a), seventy-five million dollars (\$75,000,000) shall be available pursuant to Division 22.8 (commencing with Section 32600) for projects that improve the climate resiliency or the protection of the Los Angeles River Watershed or are consistent with the Lower Los Angeles River Revitalization Plan.

(c) (1) Of the funds made available by subdivision (a), seventy-five million dollars (\$75,000,000) shall be available pursuant to Division 23 (commencing with Section 33000) for projects that improve the climate resiliency or the protection of the Los Angeles River Watershed and are a part of the revitalization plan developed by the Upper Los Angeles River and Tributaries Working Group pursuant to Section 33220 or the Los Angeles River Master Plan.

(2) Of the funds made available by paragraph (1), forty million dollars (\$40,000,000) shall be allocated for projects that include, but are not limited to, projects that protect or enhance the Los Angeles River, parkway projects that include connectivity to parks and open space in neighboring communities within the San Fernando Valley, including Aliso Creek, and the Tujunga Wash, and projects along the Arroyo Seco waterway.

(d) Of the funds made available by subdivision (a), fifty million dollars (\$50,000,000) shall be available for projects that improve the climate resiliency or for the protection of the San Mateo Creek Watershed in the San Francisco Bay Area.

91033. Of the funds made available by Section 91030, one hundred million dollars (\$100,000,000) shall be available, upon appropriation by the Legislature, to implement the Salton Sea Management Program 10-year Plan to provide air quality, public health, and habitat benefits.

91040. Of the funds made available by Section 91000, three hundred million dollars (\$300,000,000) shall be available, upon appropriation by the Legislature, to the Wildlife Conservation Board for projects pursuant to the guidelines of the Stream Flow Enhancement Program, including the acquisition of water or water rights, acquisition of land that includes water rights or contractual rights to water, and short- or long-term water transfers and leases.

91050. Projects funded pursuant to this chapter shall be consistent with the policies and guidelines established by the Water Resilience Portfolio, California's Water Supply Strategy, the Central Valley Flood Protection Plan, and the Sustainable Groundwater Management Act (Part 2.74 (commencing with Section 10720) of Division 6 of the Water Code), if applicable.

CHAPTER 3. Wildfire and Forest Resilience

91500. The sum of three billion dollars (\$3,000,000,000) shall be available, upon appropriation by the Legislature, for wildfire prevention, including reducing community wildfire risk and restoring the health and resilience of forests.

91510. (a) Of the funds made available by Section 91500, ~~two hundred seventy-five~~ five hundred million dollars (~~\$275,000,000~~ 500,000,000) shall be available, upon appropriation by the Legislature, to the Office of Emergency Services for a prehazard mitigation grant program. The Office of Emergency Services shall coordinate with the Department of Forestry and Fire Protection in administering these moneys. The grant program shall assist local and state agencies to leverage additional funds, including matching grants from federal agencies. Funds may be used to provide loans, rebates, direct assistance, and matching funds for projects that prevent wildfires, increase resilience, reduce the risk of wildfires to communities, or increase community hardening. Eligible projects include, but are not limited to, any of the following:

(1) Grants to local agencies, state agencies, joint powers authorities, and tribes for projects that reduce wildfire risks to people and property consistent with an approved community wildfire protection plan.

(2) Grants to local agencies, state agencies, joint powers authorities, tribes, resource conservation districts, fire safe councils, and nonprofit organizations for structure hardening of critical community infrastructure, evacuation centers, structure hardening projects that reduce the risk of wildfire for entire neighborhoods and communities, water delivery system improvements for fire suppression purposes for communities in high fire hazard severity zones or very high fire hazard severity zones, as designated by the Director of Forestry and Fire Protection pursuant to Article 9 (commencing with Section 4201) of Chapter 1 of Part 2 of Division 4 or by a local agency pursuant to Chapter 6.8 (commencing with Section 51175) of Part 1 of Division 1 of Title 5 of the Government Code, wildfire buffers, and incentives to remove structures that significantly increase hazard risk.

(3) Grants, in coordination with the Public Utilities Commission, to local agencies, state agencies, special districts, joint powers authorities, tribes, and nonprofit organizations for zero-emission backup power, energy storage, and microgrids for critical community infrastructure in order to provide continuity of electrical service, reduced wildfire ignitions, and to safeguard communities from disruption due to public safety power shutoffs, wildfire, or air pollution caused by wildfire, extreme heat, or other disaster.

(b) The Office of Emergency Services and the Department of Forestry and Fire Protection shall prioritize prehazard mitigation grant funding applications from local agencies based on the Fire Risk Reduction Community list, upon development of that list, pursuant to Section 4290.1.

(c) The Office of Emergency Services and the Department of Forestry and Fire Protection shall provide technical assistance to disadvantaged communities, severely disadvantaged communities, or vulnerable populations, including those with access and functional needs, socially disadvantaged farmers or ranchers, and economically distressed areas to ensure the grant program reduces the vulnerability of those most in need.

91520. Of the funds made available by Section 91500, two billion five hundred million dollars (\$2,500,000,000) shall be available, upon appropriation by the Legislature, to the Natural Resources Agency and to its departments, boards, and conservancies for projects and grants to improve local fire prevention capacity, improve forest health and resilience, and reduce the risk of wildfire spreading into populated areas from wildlands. Where appropriate, projects may include activities on lands owned by the United States. The funding made available by this section shall be allocated as follows:

(a) Three hundred million dollars (\$300,000,000) shall be available to the Department of Conservation's Regional Forest and Fire Capacity Program to increase regional capacity to prioritize, develop, and implement projects that improve forest health and fire resilience, implement community fire preparedness demonstration projects, facilitate greenhouse gas emissions reductions, and increase carbon sequestration in forests and other landscapes across regions and throughout the state. The funding shall be allocated based, to the extent feasible, on the Wildfire and Forest Resilience Action Plan.

(b) Five hundred million dollars (\$500,000,000) shall be available to implement regional strategies, including, but not limited to, strategies developed by forest collaboratives as defined in Section 4810 or regional entities as defined in Section 4208 through block grants and direct appropriations by the Legislature.

(c) Three hundred million dollars (\$300,000,000) shall be available to the Department of Forestry and Fire Protection for long-term forest health projects, including improved forest management, prescribed fire, cultural fire, forest watershed restoration, and activities that promote long-term carbon storage and sequestration.

(d) Five hundred million dollars (\$500,000,000) shall be available to the Department of Forestry and Fire Protection for local fire prevention grants consistent with Article 2.5 (commencing with Section 4124) of Chapter 1 of Part 2 of Division 4 and for grants to conduct workforce development for fire prevention and wildfire resiliency work.

(e) Twenty-five million dollars (\$25,000,000) shall be available to the Department of Forestry and Fire Protection for the creation of a prescribed fire training center consistent with the proposal developed pursuant to Section 4477.

(f) Five hundred million dollars (\$500,000,000) shall be available for watershed improvement projects in forests and other habitats, including, but not limited to, redwoods, conifers, oak woodlands, mountain meadows, chaparral, and coastal forests. Projects shall involve the restoration of natural ecosystem functions in very high and high fire hazard areas and provide multiple benefits, including, but not limited to, prescribed fire, cultural fire, habitat protection, fuel reduction, watershed protection, carbon sequestration, protection of older fire-resistant trees, or improved forest health. The Natural Resources Agency shall give preference to projects that include matching funds or in-kind work, as determined appropriate, from beneficiaries of the watershed that may include, but are not limited to, water districts, public utilities, local agencies, or private users. The Natural Resources Agency shall ensure long-term benefits for projects funded pursuant to this subdivision, including through an ongoing commitment to future maintenance and a commitment to long-term forest resilience that reduces fire risk.

(g) One hundred million dollars (\$100,000,000) shall be available to conduct fuel reduction, structure hardening, create defensible space, reforestation, and targeted acquisitions to improve forest health and fire resilience on state-owned lands.

(h) Seventy-five million dollars (\$75,000,000) shall be available to the Sierra Nevada Conservancy for watershed improvement, forest health, biomass utilization, and forest restoration workforce development. At least 50 percent of the funds made available by this subdivision shall be available to the Sierra Nevada Watershed Improvement Program created by Section 33345.1.

(i) Fifty million dollars (\$50,000,000) shall be available to the California Tahoe Conservancy for watershed improvement, forest health, biomass utilization, and forest restoration workforce development.

(j) Seventy-five million dollars (\$75,000,000) shall be available to the Santa Monica Mountains Conservancy for watershed improvement, fire resilience, chaparral and forest restoration, and restoration workforce development.

(k) Seventy-five million dollars (\$75,000,000) shall be available to the State Coastal Conservancy for watershed improvement, fire resilience, forest health, and restoration workforce development.

91530. Of the funds made available by Section 91500, one hundred fifty million dollars (\$150,000,000) shall be available, upon appropriation by the Legislature, to the State Air Resources Board, in consultation with the Natural Resources Agency and the Department of Forestry and Fire Protection, to incentivize new projects in California that provide long-term capital infrastructure to convert forest and other vegetative waste removed for wildfire mitigation to uses that maximize reductions in greenhouse gas emissions, provide local air quality benefits, and increase local community resilience against climate change impacts.

91540. Of the funds made available by Section 91500, seventy-five million dollars (\$75,000,000) shall be available, upon appropriation by the Legislature, to the Department of Forestry and Fire Protection to enhance California's fire prevention, fuel management, and fire response, as follows:

(a) Ten million dollars (\$10,000,000) shall be available to improve water quality at the Department of Forestry and Fire Protection facilities to enhance safe human use and consumption.

(b) Twenty million dollars (\$20,000,000) shall be available to upgrade existing infrastructure and for new Department of Forestry and Fire Protection facilities for suppression and fuel reduction crews.

(c) Twenty million dollars (\$20,000,000) shall be available for the purchase of Type 3 engines and related equipment to be used for fire suppression and fuel reduction.

(d) Five million dollars (\$5,000,000) shall be available to enhance the Department of Forestry and Fire Protection's communications centers and mobile communications, including the capacity to provide culturally relevant and multilingual communication services.

(e) Twenty million dollars (\$20,000,000) shall be available to the Department of Forestry and Fire Protection for grants to assist local agencies with equipment for wildland firefighting, fire prevention, and fuel management.

91550. Projects funded pursuant to this chapter shall be consistent with the policies and guidelines established by the California Wildfire and Forest Resilience Action Plan, and by the Natural Resources Agency and the Department of Forestry and Fire Protection, if applicable.

CHAPTER 4. Coastal Resilience

92000. The sum of two billion dollars (\$2,000,000,000) shall be available, upon appropriation by the Legislature, to increase coastal and ocean resiliency and to protect coastal lands, waters, communities, natural resources, and urban waterfronts from climate impacts. Eligible projects

include, but are not limited to, projects to restore coastal wetlands and projects to address sea level rise.

92010. Of the funds made available by Section 92000, five hundred million dollars (\$500,000,000) shall be available, upon appropriation by the Legislature, for projects identified by the State Coastal Conservancy for coastal resilience projects and programs identified in the 2023–2027 Strategic Plan. The funds made available pursuant to this section may be allocated to any of the following:

- (a) Grants through the Climate Ready Program pursuant to Section 31113.
- (b) Projects to protect coastal lands and restore habitats, including subtidal habitats, wetlands, riparian areas, redwood forests, oak woodlands, and other important wildlife habitats, including projects to protect and restore healthy sea otter populations.
- (c) Natural infrastructure projects that use existing natural areas to minimize coastal flooding, erosion, and runoff.
- (d) Projects to restore coastal land for public uses on surplus land for formerly fossil-fueled powerplants.
- (e) Projects that are consistent with the San Francisco Bay Restoration Authority Act (Title 7.25 (commencing with Section 66700) of the Government Code), including, but not limited to, projects that address sea level rise, flood management, and wetland restoration.
- (f) Projects for purposes of the San Francisco Bay Area Conservancy Program established pursuant to Chapter 4.5 (commencing with Section 31160) of Division 21.
- (g) Lower cost coastal accommodation grants consistent with the Lower Cost Coastal Accommodations Program established pursuant to Section 31412.

92015. Of the funds made available by Section 92000, five hundred million dollars (\$500,000,000) shall be available, upon appropriation by the Legislature, to the State Coastal Conservancy for the purpose of coastal and combined flood management projects and activities for developed shoreline areas, including areas with critical infrastructure, including transportation and port infrastructure at risk of current flooding and flooding due to sea level rise. Funds shall be allocated to multibenefit projects that improve public safety, including shoreline resilience projects designed to address flooding, sea level rise, and shoreline stability that include engineering with nature or nature-based features. These funds shall be available to local agencies as matching funds for federally funded coastal flood risk management and flood risk management projects.

92020. Of the funds made available by Section 92000, three hundred twenty-five million dollars (\$325,000,000) shall be available, upon appropriation by the Legislature, for deposit into the California Ocean Protection Trust Fund for grants to increase resilience from the impacts of climate change. Preference shall be given to projects that conserve, protect, and restore marine wildlife and healthy ocean and coastal ecosystems, including, but not limited to, estuarine habitat, kelp forests, eelgrass meadows, native oyster beds, or that maintain the state's system of marine protected areas, and support sustainable fisheries. Funding may be used to purchase

and install ocean current mapping infrastructure and new maritime research infrastructure to reduce emissions.

92030. Of the funds made available by Section 92000, two hundred fifty million dollars (\$250,000,000) shall be available, upon appropriation by the Legislature, to implement the California Sea Level Rise Mitigation and Adaptation Act of 2021 (Division 20.6.5 (commencing with Section 30970)).

92040. Of the funds made available by Section 92000, two hundred fifty million dollars (\$250,000,000) shall be available, upon appropriation by the Legislature, to the Department of Parks and Recreation to implement the Sea Level Rise Adaptation Strategy to address the impacts of sea level rise in coastal state parks, support continued access and recreational opportunities, and protect coastal natural and cultural resources.

92050. Of the funds made available by Section 92000, twenty-five million dollars (\$25,000,000) shall be available, upon appropriation by the Legislature, for projects identified by the Natural Resource Agency and the Invasive Species Council of California to implement projects to protect and restore island ecosystems by mitigating the threat of island invasive species and advancing biosecurity initiatives.

92060. Of the funds made available by Section 92000, twenty-five million dollars (\$25,000,000) shall be available, upon appropriation by the Legislature, for projects identified by the Department of Fish and Wildlife to advance climate-ready fisheries management by expanding opportunities for experimentation and adaptive cooperative management, modernizing electronic fisheries data management systems, and increasing the use of electronic technologies to facilitate more nimble decisionmaking and timely management responses under changing ocean conditions.

92070. Of the funds made available by Section 92000, twenty-five million dollars (\$25,000,000) shall be available, upon appropriation by the Legislature, for projects identified by the Department of Fish and Wildlife to support the restoration and management of kelp ecosystems. Funds shall be used to support ongoing research, restoration, and monitoring activities of kelp ecosystems and for the implementation of an adaptive kelp management plan.

92080. Of the funds made available by Section 92000, one hundred million dollars (\$100,000,000) shall be allocated, upon appropriation by the Legislature, to the State Coastal Conservancy for grants to remove or upgrade outdated or obsolete dams and water infrastructure. Projects may also install infrastructure to increase climate resilience, enhance sediment supply, improve wildlife and fish passage, and modernize water infrastructure, including related planning, permitting, habitat restoration, and recreational improvements. Funds for planning, monitoring, and implementation of projects pursuant to this section may exceed 10 percent of the funds allocated if the State Coastal Conservancy determines there is a need for the additional funding.

92090. Projects funded pursuant to this chapter shall be consistent with the policies and guidelines established by the California Coastal Commission, the Ocean Protection Council, the

State Lands Commission, the San Francisco Bay Conservation and Development Commission, and the State Coastal Conservancy, if applicable.

CHAPTER 5. Extreme Heat Mitigation

92500. The sum of five hundred million dollars (\$500,000,000) shall be available, upon appropriation by the Legislature, to address extreme heat in communities.

92510. Of the funds made available by Section 92500, one hundred million dollars (\$100,000,000) shall be available, upon appropriation by the Legislature, to the Office of Planning and Research's Extreme Heat and Community Resilience Program to fund projects to reduce the urban heat island effect and other extreme heat impacts from climate change. Projects shall benefit disadvantaged communities and vulnerable populations.

92520. Of the funds made available by Section 92500, one hundred fifty million dollars (\$150,000,000) shall be available, upon appropriation by the Legislature, to the Natural Resources Agency to provide funds to state agencies identified in the extreme heat action plan, and any subsequent updates, in order to implement the plan and mitigate the impacts of extreme heat.

92530. Of the funds made available by Section 92500, fifty million dollars (\$50,000,000) shall be available, upon appropriation by the Legislature, to the Office of Planning and Research's Adaptation Planning Grant Program for regional climate resilience planning and demonstration projects.

92540. Of the funds made available by Section 92500, fifty million dollars (\$50,000,000) shall be available, upon appropriation by the Legislature, to the Strategic Growth Council's Community Resilience Centers Program for the construction or retrofit of facilities to serve as community resilience centers that mitigate the public health impacts of extreme heat and other emergency situations exacerbated by climate change. Projects shall benefit disadvantaged communities and vulnerable populations.

92550. Of the funds made available by Section 92500, one hundred million dollars (\$100,000,000) shall be available, upon appropriation by the Legislature, to the Natural Resources Agency for competitive grants for urban greening. Projects shall benefit disadvantaged communities and vulnerable populations. These funds shall support projects that mitigate the urban heat island effect, rising temperatures, and extreme heat impacts. Eligible projects may include, but are not limited to, investments that support an expanded urban greening program that supports the creation of green recreational parks in park-poor communities.

92560. Of the funds made available by Section 92500, fifty million dollars (\$50,000,000) shall be available, upon appropriation by the Legislature, to the Department of Forestry and Fire Protection to protect or augment California's urban forests pursuant to Section 4799.12. Projects shall contribute to mitigating the urban heat island effect and extreme heat impacts. Projects shall benefit disadvantaged communities and vulnerable populations.

92570. (a) At least 10 percent of the funds available pursuant to this chapter shall be allocated for grants that provide outreach and technical assistance that directly benefit disadvantaged communities and vulnerable populations. An eligible applicant is a nonprofit organization, technical assistance provider, or tribe.

(b) Projects funded pursuant to this chapter shall be consistent with the policies and guidelines established by the Protecting Californians From Extreme Heat: A State Action Plan to Build Community Resilience, and the Office of Planning and Research's Extreme Heat and Community Resilience Program, if applicable.

CHAPTER 6. Protect Biodiversity and Accelerating Nature-Based Climate Solutions

93000. The sum of two billion dollars (\$2,000,000,000) shall be available, upon appropriation by the Legislature, for the protection of California's biodiversity and to protect nature and restore landscape health to achieve California's climate change goals.

93010. Of the funds made available by Section 93000, one billion dollars (\$1,000,000,000) shall be available, upon appropriation by the Legislature, to the Wildlife Conservation Board for existing grant programs to protect and enhance fish and wildlife habitat and achieve the state's biodiversity and conservation goals. Eligible programs include, but are not limited to, any of the following:

- (a) Land acquisition.
- (b) Habitat enhancement and restoration.
- (c) Rangeland, grazing land, and grassland protection.
- (d) Inland wetland conservation.
- (e) Ecosystem restoration on agricultural lands.
- (f) Climate adaptation and resiliency.
- (g) Monarch butterfly and pollinator rescue.
- (h) Purposes of reimbursing the General Fund, pursuant to the Natural Heritage Preservation Tax Credit Act of 2000 (Division 28 (commencing with Section 37000)).

93020. Of the funds made available by Section 93000, five hundred million dollars (\$500,000,000) shall be available, upon appropriation by the Legislature, to reduce the risks of climate change impacts upon communities, fish and wildlife, and natural resources allocated in accordance with the following schedule:

- (a) Baldwin Hills Conservancy, fifty million dollars (\$50,000,000).
- (b) California Tahoe Conservancy, fifty million dollars (\$50,000,000).
- (c) Coachella Valley Mountains Conservancy, twenty-five million dollars (\$25,000,000).
- (d) Sacramento-San Joaquin Delta Conservancy, fifty million dollars (\$50,000,000).

(e) San Diego River Conservancy, seventy-five million dollars (\$75,000,000).

(f) San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy, seventy-five million dollars (\$75,000,000).

(g) San Joaquin River Conservancy, twenty-five million dollars (\$25,000,000).

(h) Santa Monica Mountains Conservancy, seventy-five million dollars (\$75,000,000).

(i) Sierra Nevada Conservancy, seventy-five million dollars (\$75,000,000).

93030. (a) Of the funds made available by Section 93000, four hundred million dollars (\$400,000,000) shall be available, upon appropriation by the Legislature, to the Natural Resources Agency and its departments, boards, and conservancies to protect and restore biodiversity, expand access to nature, and mitigate and build resilience to climate change using nature-based solutions, whenever possible. Eligible projects shall contribute to the goals established in the Pathways to 30x30 document, and biodiversity strategies established pursuant to Executive Order No. N-82-20. Eligible projects include any of the following:

(1) Projects to accelerate regionally led conservation.

(2) Strategic land acquisitions and voluntary conservation easements.

(3) Projects to enhance or restore the fish and wildlife habitat on public lands and coastal waters.

(4) Tribal nature-based solutions.

(5) Floodplain and wetland restoration.

(6) Projects to improve forest and chaparral habitat.

(7) Reintroduction of migratory salmon to historic habitats and climate refugia.

(b) Of the funds made available by subdivision (a), two hundred million dollars (\$200,000,000) shall be available for projects to improve habitat connectivity.

(c) At least 10 percent of the funds made available by this section shall be available to provide grants for the purchase of facilities, equipment, and software and for projects and technical assistance by scientific academic institutions and nonprofits to better map, catalog, and understand the biodiversity in strategic areas of the state to further the purposes of this chapter.

93040. Of the funds made available by Section 93000, fifty million dollars (\$50,000,000) shall be available, upon appropriation by the Legislature, to the Department of Fish and Wildlife for nature-based solutions that improve the climate resilience of fish and wildlife habitat and improve fish and wildlife passage.

93050. Of the funds made available by Section 93000, fifty million dollars (\$50,000,000) shall be available, upon appropriation by the Legislature, to the Department of Fish and Wildlife to accredited California zoos and aquariums to advance conservation of California's species

biodiversity to help ensure the viability and recovery of California's endangered and declining species, including, but not limited to, wildlife health monitoring and biodiversity reserve management.

93060. Projects funded pursuant to this chapter shall be consistent with the policies and guidelines established by the Wildlife Conservation Board, the Pathways to 30x30 document, the Natural and Working Lands Climate Smart Strategy, California's 2022 Scoping Plan for Achieving Carbon Neutrality, and the California Climate Adaptation Strategy, if applicable.

CHAPTER 7. Climate Smart Agriculture for Sustainability and Resiliency

93500. The sum of three hundred million dollars (\$300,000,000) shall be available, upon appropriation by the Legislature, for improving climate resilience of agricultural lands.

93510. Of the funds made available by Section 93500, one hundred fifty million dollars (\$150,000,000) shall be available, upon appropriation by the Legislature, to the Department of Food and Agriculture's Office of Environmental Farming and Innovation for improvements in climate resilience of agricultural lands and ecosystem health and allocated to eligible projects as follows:

(a) (1) Fifty million dollars (\$50,000,000) shall be available to the healthy soils grant program to promote practices on farms and ranches that improve soil health, accelerate atmospheric carbon removal or soil carbon sequestration, enhance groundwater recharge, and improve habitat.

(2) At least 40 percent of the funds allocated pursuant to this subdivision shall be allocated to projects that provide direct and meaningful benefits to socially disadvantaged farmers and ranchers.

(b) (1) Twenty-five million dollars (\$25,000,000) shall be available for the State Water Efficiency and Enhancement Program to promote onfarm water use efficiency and reduce emissions of greenhouse gases.

(2) At least 40 percent of the funds allocated pursuant to this subdivision shall be allocated to projects that provide direct and meaningful benefits to socially disadvantaged farmers and ranchers.

(c) Twenty-five million dollars (\$25,000,000) shall be available to the pollinator habitat program.

(d) Fifty million dollars (\$50,000,000) shall be available to establish the Environmental Farming Incentive Program to address natural resource concerns on agricultural lands. Eligible projects include, but are not limited to, improved water and air quality, conserved groundwater and surface water, improved or created wildlife habitat, wildlife-friendly farming and ranching practices, drought and climate resilience, and other conservation practices.

93520. Of the funds made available by Section 93500, twenty-five million dollars (\$25,000,000) shall, upon appropriation by the Legislature, be deposited in the Invasive Species Account established pursuant to Section 7706 of the Food and Agricultural Code for purposes of funding invasive species projects and activities recommended by the Invasive Species Council of

California. Preference shall be given to projects that restore and protect biodiversity and ecosystem health.

93530. Of the funds made available by Section 93500, one hundred twenty-five million dollars (\$125,000,000) shall be available, upon appropriation by the Legislature, to the Department of Conservation for projects for the protection, restoration, and enhancement of farmland and rangeland, including, but not limited to, the acquisition of fee title or easements on agricultural lands, and onfarm improvements that provide any of the following benefits:

- (a) Climate resilience.
- (b) Soil health.
- (c) Atmospheric carbon removal.
- (d) Soil carbon sequestration.
- (e) Erosion control.
- (f) Floodwater management.
- (g) Watershed restoration.
- (h) Habitat conservation.
- (i) Water quality.
- (j) Water retention.

93540. Projects funded pursuant to this chapter shall be consistent with the policies and guidelines established by the Department of Food and Agriculture and the Natural and Working Lands Climate Smart Strategy, if applicable.

CHAPTER 8. Park Creation and Outdoor Access

94000. The sum of five hundred million dollars (\$500,000,000) shall be available, upon appropriation by the Legislature, for the creation and protection of parks, outdoor access, and educational institutions.

94010. Of the funds made available by Section 94000, four hundred million dollars (\$400,000,000) shall be available, upon appropriation by the Legislature, to the Natural Resources Agency and its departments, boards, and conservancies for the reduction of climate impacts on disadvantaged communities and vulnerable populations and the creation, protection, and expansion of outdoor recreation opportunities. Eligible projects include, but are not limited to, any of the following:

- (a) Improvements to city parks, county parks, regional parks, and open-space lands to preserve infrastructure, including natural infrastructure, to promote resilience and adaptation or the promotion and enhancement of natural resources and water conservation and efficiencies on local and regional public park lands and open-space lands.

(b) The creation and expansion of safe neighborhood parks in park-poor neighborhoods in accordance with the Statewide Park Development and Community Revitalization Act of 2008's competitive grant program described in Chapter 3.3 (commencing with Section 5640) of Division 5.

(c) Multiple benefit projects that reduce risks of exposure to toxic or hazardous materials that may increase as a result of wildfires, flooding, sea level rise, or reduced water flows to polluted bodies of water.

(d) Grants consistent with the California Cultural and Historical Endowment Act, established pursuant to Chapter 13 (commencing with Section 20050) of Part 11 of Division 1 of Title 1 of the Education Code, for projects that protect California's cultural and historic resources from climate impacts or inform the public about resiliency to climate change.

(e) Improved public access, including for individuals with disabilities, as defined by the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.), and outdoor recreation at state parks, city parks, county parks, regional parks, and open-space preserves.

94020. Of the funds made available by Section 94000, one hundred million dollars (\$100,000,000) shall be available, upon appropriation by the Legislature, to the Department of Parks and Recreation for the protection, restoration, and enhancement of the natural resource values of the state park system and projects to expand public access for disadvantaged communities, including, but not limited to, the expansion of lower cost coastal accommodation project development.

94030. (a) At least 10 percent of the funds available pursuant to this chapter shall be allocated for grants that provide outreach and technical assistance that directly benefit disadvantaged communities and vulnerable populations. An eligible applicant is a nonprofit organization, technical assistance provider, or tribe.

(b) Projects funded pursuant to this chapter shall be consistent with the policies and guidelines established by the Natural Resources Agency and the Outdoors for All Strategy, if applicable.

CHAPTER 9. Clean Energy

94500. The sum of two billion dollars (\$2,000,000,000) shall be available, upon appropriation by the Legislature, for clean energy projects.

94510. Of the funds made available by Section 94500, five hundred million dollars (\$500,000,000) shall be available, upon appropriation by the Legislature, to support the planning and development of new or expanded high-voltage electrical transmission lines that are necessary to meet the state's clean energy goals and have been identified by the Independent System Operator as required to achieve the state's policies identified in Section 454.53 of the Public Utilities Code.

94520. Of the funds made available by Section 94500, five hundred million dollars (\$500,000,000) shall be available, upon appropriation by the Legislature, to the State Energy Resources Conservation and Development Commission, in coordination with the State Air Resources Board, for grants to assist in obtaining, or as a match for, federal grants related to

regional hubs in the federal Infrastructure Investment and Jobs Act (Public Law 117-58) and federal Inflation Reduction Act of 2022 (Public Law 117-169).

94530. Of the funds made available by Section 94500, five hundred million dollars (\$500,000,000) shall be available, upon appropriation by the Legislature, to the State Energy Resources Conservation and Development Commission for zero-emission vehicle charging infrastructure.

94540. Of the funds made available by Section 94500, five hundred million dollars (\$500,000,000) shall be available, upon appropriation by the Legislature, to the State Energy Resources Conservation and Development Commission for grants to support the Long-Duration Energy Storage Program.

CHAPTER 10. Fiscal Provisions

95000. (a) Bonds in the total amount of nineteen billion three hundred twenty-five million dollars (\$19,325,000,000) ~~fifteen billion five hundred million dollars (\$15,500,000,000)~~, not including the amount of any refunding bonds issued in accordance with Section 95012, may be issued and sold for carrying out the purposes expressed in this division and to reimburse the General Obligation Bond Expense Revolving Fund pursuant to Section 16724.5 of the Government Code. The bonds, when sold, issued, and delivered, shall be and constitute a valid and binding obligation of the State of California, and the full faith and credit of the State of California is hereby pledged for the punctual payment of both the principal of, and interest on, the bonds as the principal and interest become due and payable.

(b) The Treasurer shall cause the issuance and sell the bonds authorized by the committee pursuant to subdivision (a) in the amount determined by the committee to be necessary or desirable pursuant to Section 95003. The bonds shall be issued and sold upon the terms and conditions specified in a resolution to be adopted by the committee pursuant to Section 16731 of the Government Code.

95001. The bonds authorized by this division shall be prepared, executed, issued, sold, paid, and redeemed as provided in the State General Obligation Bond Law (Chapter 4 (commencing with Section 16720) of Part 3 of Division 4 of Title 2 of the Government Code), as amended from time to time, and all of the provisions of that law, except subdivisions (a) and (b) of Section 16727 of the Government Code, apply to the bonds and to this division and are hereby incorporated in this division as though set forth in full in this division.

95002. (a) Solely for the purpose of authorizing the issuance and sale, pursuant to the State General Obligation Bond Law (Chapter 4 (commencing with Section 16720) of Part 3 of Division 4 of Title 2 of the Government Code), of the bonds authorized by this division, the Drought, Flood, and Water Resilience, Wildfire and Forest Resilience, Coastal Resilience, Extreme Heat Mitigation, Biodiversity and Nature-Based Climate Solutions, Climate Smart Agriculture, Park Creation and Outdoor Access, and Clean Energy Bond Finance Committee is hereby created. For purposes of this division, the Drought, Flood, and Water Resilience, Wildfire and Forest Resilience, Coastal Resilience, Extreme Heat Mitigation, Biodiversity and Nature-Based Climate Solutions, Climate Smart Agriculture, Park Creation and Outdoor Access, and Clean Energy Bond

Finance Committee is the “committee,” as that term is used in the State General Obligation Bond Law.

(b) The committee consists of the _____. Notwithstanding any other law, any member may designate a representative to act as that member in that member’s place for all purposes, as though the member were personally present.

(c) The _____ shall serve as the chairperson of the committee.

(d) A majority of the committee may act for the committee.

95003. The committee shall by resolution determine whether or not it is necessary or desirable to issue and sell bonds authorized by this division in order to carry out the actions specified in this division and, if so, the amount of bonds to be issued and sold. Successive issues of bonds may be authorized and sold to carry out those actions progressively, and it is not necessary that all of the bonds authorized to be issued be sold at any one time.

95004. For purposes of the State General Obligation Bond Law (Chapter 4 (commencing with Section 16720) of Part 3 of Division 4 of Title 2 of the Government Code), “board,” as defined in Section 16722 of the Government Code, means the Secretary of the Natural Resources Agency.

95005. There shall be collected each year and in the same manner and at the same time as other state revenue is collected, in addition to the ordinary revenues of the state, a sum in an amount required to pay the principal of, and interest on, the bonds becoming due in that year. It is the duty of all officers charged by law with any duty regarding the collection of the revenue to do and perform each and every act that is necessary to collect that additional sum.

95006. Notwithstanding Section 13340 of the Government Code, there is hereby continuously appropriated from the General Fund in the State Treasury, for the purposes of this division, and without regard to fiscal years, an amount that will equal the total of the following:

(a) The sum annually necessary to pay the principal of, and interest on, bonds issued and sold pursuant to this division, as the principal and interest become due and payable.

(b) The sum that is necessary to carry out Section 95009.

95007. The board may request the Pooled Money Investment Board to make a loan from the Pooled Money Investment Account or any other form of interim financing in accordance with Section 16312 of the Government Code, for the purpose of carrying out this division. The amount of the request shall not exceed the amount of the unsold bonds that the committee has, by resolution, authorized to be sold for the purpose of carrying out this division, excluding any refunding bonds authorized pursuant to Section 95012, less any amount loaned and not yet repaid pursuant to this section and any amount withdrawn from the General Fund pursuant to Section 95009 and not yet returned to the General Fund. The board shall execute those documents required by the Pooled Money Investment Board to obtain and repay the loan. Any amounts loaned shall be deposited in the fund to be allocated in accordance with this division.

95008. Notwithstanding any other provision of this division, or of the State General Obligation Bond Law (Chapter 4 (commencing with Section 16720) of Part 3 of Division 4 of Title 2 of the

Government Code), if the Treasurer sells bonds pursuant to this chapter that include a bond counsel opinion to the effect that the interest on the bonds is excluded from gross income for federal tax purposes under designated conditions or is otherwise entitled to any federal tax advantage, the Treasurer may maintain separate accounts for the bond proceeds invested and for the investment earnings on those proceeds and may use or direct the use of those proceeds or earnings to pay any rebate, penalty, or other payment required under federal law or take any other action with respect to the investment and use of those bond proceeds, as may be required or desirable under federal law in order to maintain the tax-exempt status of those bonds and to obtain any other advantage under federal law on behalf of the funds of this state.

95009. For purposes of carrying out this division, the Director of Finance may authorize the withdrawal from the General Fund of an amount or amounts not to exceed the amount of the unsold bonds that have been authorized by the committee to be sold for the purpose of carrying out this division, excluding refunding bonds authorized pursuant to Section 95012, less any amount loaned pursuant to Section 95007 and not yet repaid and any amount withdrawn from the General Fund pursuant to this section and not yet returned to the General Fund. Any amounts withdrawn shall be deposited in the fund to be allocated in accordance with this division. Any moneys made available under this section shall be returned to the General Fund, with interest at the rate earned by the moneys in the Pooled Money Investment Account, from proceeds received from the sale of bonds for the purpose of carrying out this division.

95010. All moneys deposited in the fund that are derived from premiums and accrued interest on bonds sold pursuant to this division shall be reserved in the fund and shall be available for transfer to the General Fund as a credit to expenditures for bond interest, except that amounts derived from premiums may be reserved and used to pay costs of bond issuance before any transfer to the General Fund.

95011. Pursuant to the State General Obligation Bond Law (Chapter 4 (commencing with Section 16720) of Part 3 of Division 4 of Title 2 of the Government Code), the cost of bond issuance shall be paid or reimbursed out of the bond proceeds, including premiums, if any. To the extent the cost of bond issuance is not paid from premiums received from the sale of bonds, these costs shall be allocated proportionally to each program funded through this division by the applicable bond sale.

95012. The bonds issued and sold pursuant to this division may be refunded in accordance with Article 6 (commencing with Section 16780) of Chapter 4 of Part 3 of Division 4 of Title 2 of the Government Code, which is a part of the State General Obligation Bond Law, as amended. Approval by the voters of the state for the issuance of the bonds under this division shall include approval of the issuance, sale, or exchange of any bonds issued to refund any bonds originally issued under this division or any previously issued refunding bonds. Any bond refunded with the proceeds of a refunding bond as authorized by this section may be legally defeased to the extent permitted by law in the manner and to the extent set forth in the resolution, as amended from time to time, authorizing that refunded bond.

95013. Notwithstanding Section 16727 of the Government Code, funds provided pursuant to this division may be used for grants and loans to nonprofit organizations to repay financing

described in Section 22064 of the Financial Code related to projects that are consistent with the purpose of the respective provisions of this division.

95014. The proceeds from the sale of bonds authorized by this division are not “proceeds of taxes” as that term is used in Article XIII B of the California Constitution, and the disbursement of these proceeds is not subject to the limitations imposed by that article.

95015. Bonds issued under this division shall, whenever practical, be aligned with generally recognized principles and best practice guidelines for financing drought, flood, and water resilience, wildfire and forest resilience, coastal resilience, extreme heat mitigation, biodiversity and nature-based climate solutions, climate smart agriculture, park creation and outdoor access, and clean energy projects.

SEC. 3. Section 2 of this act shall take effect upon the approval by the voters of the Drought, Flood, and Water Resilience, Wildfire and Forest Resilience, Coastal Resilience, Extreme Heat Mitigation, Biodiversity and Nature-Based Climate Solutions, Climate Smart Agriculture, Park Creation and Outdoor Access, and Clean Energy Bond Act of 2024, as set forth in Section 2 of this act.

SEC. 4. (a) Section 2 of this act shall be submitted by the Secretary of State to the voters at the ____, statewide ____ election.

(b) The Secretary of State shall include in the ballot pamphlets mailed pursuant to Section 9094 of the Elections Code the information specified in Section 9084 of the Elections Code regarding Section 2 of this act.

SEC. 5. The provisions of this act are severable. If any provision of this act or its application is held invalid, that invalidity shall not affect other provisions or applications that can be given effect without the invalid provision or application.



June 16, 2023

The Honorable Rebecca Bauer-Kahan
Chair, Assembly Committee on Water, Parks, and Wildlife
1020 N Street, Room 160
Sacramento, CA 95814

RE: SB 867 (Allen) – Drought and Water Resilience, Wildfire and Forest Resilience, Coastal Resilience, Extreme Heat Mitigation, Biodiversity and Nature-Based Climate Solutions, Climate Smart Agriculture, and Park Creation and Outdoor Access Bond Act of 2023.

Position: SUPPORT IF AMENDED

Dear Assemblymember Bauer-Kahan,

The Association of California Water Agencies (ACWA) and the undersigned organizations wish to express our support-if-amended position on SB 867. We greatly appreciate the author’s amendments that identify funding for many critical water and natural resources issues. We urge the author and Committee to continue to draft amendments that would make additional investments in California’s water infrastructure system.

ACWA represents over 460 public water agencies throughout California that deliver over 90% of the water used for agricultural, commercial, and residential purposes. ACWA supports efforts to advance a general obligation bond related to climate change and water and is appreciative of Senator Allen’s leadership on this issue over the years.

California’s changing climate creates increased risks of drought, floods, intense rain events, and sea level rise that will present unique challenges to public water agencies and their ability to reliably provide water to California’s farms and cities. The State is currently underprepared to manage a water system with a decreasing snowpack, less frequent precipitation, and weather extremes. Adapting to climate change will require California to urgently and significantly

rehabilitate and modify existing water facilities, improve operational flexibility, and make generational investments in new water infrastructure.

Additional above- and below-ground storage capacity must be developed to capture precipitation, especially in extreme weather events such as atmospheric rivers, and to mitigate disappearing snowpack. In addition, new and enhanced conveyance facilities are essential for moving collected and stored water, connecting suppliers with different supply sources, transferring water among water users, recharging groundwater, and storing water for multi-beneficial purposes, including environmental benefits. State investment in water infrastructure is crucial to providing the reliable delivery of safe water to California residents, businesses, and agriculture. In addition, climate resilience projects have also been shown to stimulate local economies and create jobs.

The undersigned organizations are pleased to continue to work with Senator Allen on this critical issue to provide funding as identified in the attached document. These amendments would improve California's capacity to adapt to the effects of climate change.

We thank you for your consideration of the amendments and urge the Committee to make these investments now. If you have any questions, please do not hesitate to contact ACWA State Relations Director, Adam Quiñonez at adamq@acwa.com or (916) 441-4545.

Sincerely,

Adam Quiñonez
State Relations Director
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Attachment: SB 867 ACWA Amendments, 05/04/2023, Version: As Amended on 4/19/23

cc: The Honorable Benjamin Allen
Honorable Members, Assembly Committee on Water, Parks, and Wildlife
Pablo Garza, Chief Consultant, Assembly Committee on Water, Parks, and Wildlife
Brent Finkel, Consultant, Assembly Republican Caucus

SB 867 ACWA Amendments
05/04/2023
Version: As Amended on 4/19/23

SECTION 1. The people of California find and declare all of the following:

(a) California's changing climate creates increased risk of catastrophic wildfires, drought, severe heat events, and sea level rise, as well as impacts to agriculture, water supply and water quality, and the health of the forests, watershed, and wildlife.

(b) These risks and impacts vary by region and can overwhelm the resources of local governments that must cope with severe climate change-related events.

(c) Reducing vulnerability to fire, flood, drought, and other climate change-related events requires a statewide investment to increase climate resilience of communities and natural systems.

(d) Governor Gavin Newsom has issued several reports and executive orders that have created a roadmap to climate resiliency in California that will help guide and direct investments.

(e) The California's Water Supply Strategy Adapting to a Hotter, Drier Future outlines actions needed to take in order to recycle and reuse at least 800,000 acre-feet of water per year by 2030, make available up to 500,000 acre-feet of water through more efficient water use and conservation, and make new water available for use by capturing storm water and desalinating brackish water in groundwater basins.

(f) The Water Resilience Portfolio serves as a blueprint for equipping California to cope with more extreme droughts and floods and rising temperatures, while addressing longstanding challenges that include declining fish populations, over-reliance on groundwater and lack of safe drinking water in many communities.

(g) The California's Wildfire and Forest Resilience Action Plan outlines a strategy to increase the pace and scale of forest health projects, strengthen protection of communities, and manage forests, to achieve the state's economic and environmental goals and drive innovation and measure progress.

(h) The Extreme Heat Action Plan outlines a strategy to protect communities from rising temperatures in order to accelerate readiness and protection of communities most impacted by extreme heat, including through cooling schools and homes, supporting community resilience centers, and expanding nature-based solutions.

(i) California's strategy for achieving the first-in-the-nation 30x30 conservation goal is described in the Pathways to 30x30: Accelerating Conservation of California's Nature report, which outlines a vision to conserve an additional 6,000,000 acres of lands and 500,000 acres of coastal waters needed to reach 30 percent.

(j) Executive Order No. N-82-20 outlines a strategy to expand nature-based solutions across California. The executive order calls for restoring nature and landscape health to deliver on our

climate change goals and other critical priorities, including improving public health and safety, securing our food and water supplies, and achieving greater equity across California.

(k) Governor Gavin Newsom signed Senate Bill 1 of the 2021–22 Regular Session (Chapter 236 of the Statutes of 2021) that directed the California Coastal Commission to take sea level rise into account in its planning, policies, and activities, and established a cross-government group tasked with educating the public and advising local, regional, and state government on feasible sea level rise mitigation efforts.

SEC. 2. Division 50 (commencing with Section 90000) is added to the Public Resources Code, to read:

DIVISION 50. DROUGHT, FLOOD, AND WATER RESILIENCE, WILDFIRE AND FOREST RESILIENCE, COASTAL RESILIENCE, EXTREME HEAT MITIGATION, BIODIVERSITY AND NATURE-BASED CLIMATE SOLUTIONS, CLIMATE SMART AGRICULTURE, PARK CREATION AND OUTDOOR ACCESS, AND CLEAN ENERGY BOND ACT of 2024

CHAPTER 1. General Provisions

90000. This division shall be known, and may be cited, as the Drought, Flood, and Water Resilience, Wildfire and Forest Resilience, Coastal Resilience, Extreme Heat Mitigation, Biodiversity and Nature-Based Climate Solutions, Climate Smart Agriculture, Park Creation and Outdoor Access, and Clean Energy Bond Act of 2024.

90100. For purposes of this division, the following definitions apply:

(a) “Disadvantaged community” means a community with a median household income of less than 80 percent of the area average.

(b) “Economically distressed areas” has the same meaning set forth in Section 79702 of the Water Code.

(c) “Severely disadvantaged community” means a community with a median household income of less than 60 percent of the area average.

(d) “Socially disadvantaged farmer or rancher” has the same meaning set forth in Section 512 of the Food and Agricultural Code.

(e) “Tribe” means a federally recognized Native American tribe or a nonfederally recognized Native American tribe listed on the California Tribal Consultation List maintained by the Native American Heritage Commission.

(f) “Vulnerable population” means a subgroup of population within a region or community that faces a disproportionately heightened risk or increased sensitivity to impacts of climate change and that lacks adequate resources to cope with, adapt to, or recover from such impacts.

90500. (a) The proceeds of bonds issued and sold pursuant to this division, exclusive of refunding bonds issued and sold pursuant to Section 95012, shall be deposited in the Drought, Flood, and Water Resilience, Wildfire and Forest Resilience, Coastal Resilience, Extreme Heat

Mitigation, Biodiversity and Nature-Based Climate Solutions, Climate Smart Agriculture, Park Creation and Outdoor Access, and Clean Energy Fund, which is hereby created in the State Treasury. Moneys in the fund shall be available, upon appropriation by the Legislature, for purposes of this division.

(b) Proceeds of bonds issued and sold pursuant to this division shall be allocated according to the following schedule:

(1) Eight billion eight hundred ~~five billion two hundred~~ million dollars (~~\$5,200,000,000~~ 8,800,000,000) for drought, flood, and water resilience programs, in accordance with Chapter 2 (commencing with Section 91000).

(2) Three billion two hundred twenty five million dollars (~~\$3,000,000,000~~ 3,225,000,000) for wildfire and forest resilience programs, in accordance with Chapter 3 (commencing with Section 91500).

(3) Two billion dollars (\$2,000,000,000) for coastal resilience programs, in accordance with Chapter 4 (commencing with Section 92000).

(4) Five hundred million dollars (\$500,000,000) for extreme heat mitigation programs, in accordance with Chapter 5 (commencing with Section 92500).

(5) Two billion dollars (\$2,000,000,000) for biodiversity protection and nature-based climate solution programs, in accordance with Chapter 6 (commencing with Section 93000).

(6) Three hundred million dollars (\$300,000,000) for climate smart agriculture programs, in accordance with Chapter 7 (commencing with Section 93500).

(7) Five hundred million dollars (\$500,000,000) for park creation and outdoor access programs, in accordance with Chapter 8 (commencing with Section 94000).

(8) Two billion dollars (\$2,000,000,000) for clean energy programs, in accordance with Chapter 9 (commencing with Section 94500).

CHAPTER 2. Drought, Flood and Water Resilience

91000. The sum of eight billion eight hundred ~~five billion two hundred~~ million dollars (~~\$5,200,000,000~~ 8,800,000,000) shall be available, upon appropriation by the Legislature, for drought, flood, and water resilience programs.

91010. Of the funds made available by Section 91000, five billion four hundred million dollars (~~\$5,400,000,000~~ two billion two hundred fifty million dollars (~~\$2,250,000,000~~)) shall be available, upon appropriation by the Legislature, to protect and increase California water supply and water quality.

91011. Of the funds made available by Section 91010, ~~four~~ six hundred million dollars (~~\$400,000,000~~ 600,000,000) shall be available, upon appropriation by the Legislature, to the State Water Resources Control Board for projects that improve water quality or help provide clean, safe, and reliable drinking water. Eligible projects include, but are not limited to, any of the following:

(a) Competitive grants for projects that help to provide clean, safe, and reliable drinking water to disadvantaged communities.

(b) Competitive grants for projects that increase water quality monitoring and remediation of perfluoroalkyl and polyfluoroalkyl substances.

(c) Innovative projects to increase the affordability of safe drinking water for severely disadvantaged communities.

(d) Projects that implement countywide drought and water shortage contingency plans adopted pursuant to Chapter 10 (commencing with Section 10609.40) of Part 2.55 of Division 6 of the Water Code.

(e) Competitive grants or loans for projects that prevent, reduce, or treat the contamination of groundwater, including constituents of emerging concern, that serves as a major source of drinking water for a community.

91012. (a) Of the funds made available by Section 91010, one billion four hundred million dollars (~~\$400,000,000~~ 1,000,000,000) shall be available, upon appropriation by the Legislature, to the Department of Water Resources for projects related to groundwater storage, banking, conjunctive use, recharge, or other groundwater projects that improve water resilience. Projects funded pursuant to this subdivision shall provide multiple benefits, such as improved water quality and supply, improved flood water management, and provision of wildlife habitat.

(b) Of the funds made available by subdivision (a), five ~~two~~ hundred million dollars (~~\$200,000,000~~ 500,000,000) shall be available for projects that increase groundwater storage.

(c) Of the funds made available by subdivision (a), five ~~two~~ hundred million dollars (~~\$200,000,000~~ 500,000,000) shall be available for projects that support groundwater banking, conjunctive use, recharge, or other groundwater projects that improve water resilience.

91013. Of the funds made available by Section 91010, three hundred million dollars (\$300,000,000) shall be available, upon appropriation by the Legislature, to the Department of Conservation's Multibenefit Land Repurposing Program for groundwater sustainability projects that provide wildlife habitat, drought resilience, improve flood water management, and support implementation of the Sustainable Groundwater Management Act (Part 2.74 (commencing with Section 10720) of Division 6 of the Water Code).

91014. Of the funds made available by Section 91010, seven hundred and fifty ~~three hundred~~ million dollars (~~\$750,000,000~~ 300,000,000) shall be available, upon appropriation by the Legislature, to the State Water Resources Control Board for grants and projects related to water reuse and recycling.

91015. Of the funds made available by Section 91010, three hundred and fifty million dollars (~~\$350,000,000~~ one hundred million dollars (~~\$100,000,000~~)) shall be available, upon appropriation by the Legislature, to the Department of Water Resources for competitive grants for projects related to contaminant and salt removal projects, including, but not limited to, groundwater and seawater desalination and associated treatment, storage, conveyance, and distribution facilities.

91016. Of the funds made available by Section 91010, ~~five~~ ~~three~~ hundred million dollars (~~\$300,000,000~~~~\$500,000,000~~) shall be available, upon appropriation by the Legislature, to the California Water Commission for projects under the Water Storage Investment Program.

91016.1 Of the funds made available by Section 91010, two hundred and fifty million dollars (\$250,000,000) shall be available, upon appropriation by the Legislature, to the Department of Water Resources for projects that capture and store flood flows, including, but not limited to, storage tanks, inflatable dams, and other projects that increase water storage capacity.

91017. Of the funds made available by Section 91010, ~~one~~ ~~five~~ hundred million dollars (~~\$100,000,000~~~~\$500,000,000~~) shall be available, upon appropriation by the Legislature, to the Department of Water Resources for projects that increase water conservation in agricultural and urban areas.

91018. Of the funds made available by Section 91010, one hundred million dollars (\$100,000,000) shall be available, upon appropriation by the Legislature, to the Department of Water Resources and the State Water Resources Control Board to improve water data management and to implement Section 144 of the Water Code to reactivate existing stream gages and deploy new gages.

91019. (a) Of the funds made available by Section 91010, ~~two hundred fifty~~ ~~eight hundred~~ million dollars (~~\$250,000,000~~~~\$800,000,000~~) shall be available, upon appropriation by the Legislature, to the Natural Resources Agency and the Department of Water Resources for competitive grants for regional conveyance projects or repairs to existing conveyances. Priority shall be given to projects that provide one or more of the following benefits:

- (1) Improvements in regional or interregional water supply or water supply reliability.
- (2) Increased ground water recharge or mitigation of conditions of groundwater overdraft, salinity intrusion, water quality degradation, or subsidence.
- (3) Adaptation to the impacts of hydrologic changes.
- (4) Improvements in water security from drought, natural disasters, or other events that could interrupt water supplies.
- (5) Providing safe drinking water for disadvantaged communities and economically distressed areas.

(b) Of the funds made available by subdivision (a), one hundred million dollars (\$100,000,000) shall be available to the Natural Resources Agency for implementation of the settlement agreement to restore the San Joaquin River referenced in Section 2080.2 of the Fish and Game Code and allocated as follows:

- (1) Fifty million dollars (\$50,000,000) shall be available for restoration of capacity of the Friant-Kern Canal that was lost due to subsidence, consistent with the water management goal under the Stipulation of Settlement entered September 13, 2006, in Natural Resources Defense Council v. Rodgers. For the purposes of awarding funding under this paragraph, a cost share

from nonstate sources of not less than 50 percent of the total costs of the project shall be required.

(2) Fifty million dollars (\$50,000,000) shall be available to implement the restoration goal of the Stipulation of Settlement entered September 13, 2006, in Natural Resources Defense Council v. Rodgers, including funding for restoration projects identified in paragraph 11 of the Stipulation of Settlement, and funding to support the work of the Restoration Administrator and Technical Advisory Committee. The Restoration Administrator and Technical Advisory Committee shall use these funds in part to review and provide input regarding the implementation of projects identified in paragraph 11 of the Stipulation of Settlement.

91019.1. (a) Of the funds made available by Section 91010, five hundred million dollars (\$500,000,000) shall be made available, upon appropriation by the Legislature, to the Department of Water Resources for projects that enhance the delivery of water or increase the energy resilience of the State Water Project.

91020. Of the funds made available by Section 91000, ~~two one~~ billion ~~one six~~ hundred ~~fifty~~ million dollars (~~\$1,650,000,000~~ \$2,100,000,000) shall be available, upon appropriation by the Legislature, to reduce flood risk and improve stormwater management.

91021. Of the funds made available by Section 91020, one billion dollars (\$1,000,000,000) shall be available, upon appropriation by the Legislature, to the Natural Resources Agency and its departments, boards, and conservancies for flood management projects. Priority shall be given to projects designed and implemented to achieve the objectives of both flood safety and ecosystem functions, while providing additional benefits. At least 40 percent of the allocation made pursuant to this section shall benefit disadvantaged communities or vulnerable populations. Eligible projects include, but are not limited to, the following:

(a) Projects that implement the Central Valley Flood Protection Plan. To the maximum extent feasible, projects shall provide ecosystem benefits and groundwater recharge. The Department of Water Resources shall adopt guidelines and incentives to encourage cost-effective groundwater recharge and ecosystem benefits as part of flood risk reduction and management.

(b) Projects that implement the Coastal Watershed Flood Risk Reduction Program.

(c) Projects in the Sacramento-San Joaquin Delta to increase flood protection and climate resiliency.

(d) Projects that implement the Flood Control Subventions Program.

(e) Projects related to the systemwide evaluation, repair, rehabilitation, reconstruction, expansion, or replacement of levees, weirs, bypasses, and facilities of the State Plan of Flood Control.

91022. Of the funds made available by Section 91020, ~~eight hundred and fifty four hundred~~ million dollars (~~\$400,000,000~~ \$850,000,000) shall be available, upon appropriation by the Legislature, to the Department of Water Resources for competitive grants for projects that enhance dam safety and reservoir operations and protect public benefits. Eligible projects

include, but are not limited to, dam safety projects at high hazard dams in poor condition, new spillways and repairs at existing dams to facilitate implementation of Forecast-Informed Reservoir Operations, and reservoir seismic retrofit projects. A grant cost share of at least 50 percent shall be required for projects funded pursuant to this section.

91023. Of the funds available by Section 91020, two hundred fifty million dollars (\$250,000,000) shall be available, upon appropriation by the Legislature, to the State Water Resources Control Board for grants for multibenefit storm water management projects. Preference shall be given to multibenefit and natural infrastructure projects.

91030. Of the funds made available by Section 91000, one billion dollars (\$1,000,000,000) shall be available, upon appropriation by the Legislature, to improve watershed resilience and to protect and restore rivers, lakes, and streams.

91031. (a) Of the funds made available by Section 91030, three hundred million dollars (\$300,000,000) shall be available, upon appropriation by the Legislature, to the Department of Water Resources for grants and direct expenditures related to integrated regional water management to improve climate resilience on a watershed basis.

(b) The Department of Water Resources shall develop standards and provide technical and financial support for the development of watershed climate risk assessments that do all of the following:

- (1) Identify watershed scale climate resilience targets related to water supply, water quality, habitat protection and enhancement, flood protection, and other climate resilience targets appropriate for the watershed.
- (2) Provide investment and implementation plans for projects to achieve the targets in the most cost-effective manner.
- (3) Include uniform analytic standards to facilitate project selection and performance evaluation.
- (4) Provide for the deployment of appropriate instrumentation, measurement, and monitoring to allow for evaluation of project effectiveness in achieving progress toward resilience targets.
- (5) Include consideration of equity and environmental justice needs.
- (6) Include requirements for adaptive management and refinement in project selection and implementation.
- (7) Build on and coordinate with existing integrated regional water management plans.

(c) The Department of Water Resources may select pilot watersheds to test methods to improve watershed climate resilience and guide the implementation of this section including, but not limited to, both of the following:

- (1) Development of standard models and analytic approaches that improve climate risk assessment, and project selection and evaluation.
- (2) Methods to reduce the cost of achieving climate resilience targets and outcomes.

(d) (1) The Department of Water Resources shall make grants to public agencies for the implementation of projects identified in watershed climate risk assessments based on both of the following:

(A) The severity of the identified climate risk.

(B) The potential to reduce that risk in the most cost-effective manner.

(2) The Department of Water Resources shall consider the extent the project achieves multiple benefits, addresses equity issues, and provides a model for other watersheds.

(3) Existing plans that provide equivalent climate risk assessment may be used as the basis to fund grants that improve regional climate resilience, including conjunctive use projects, groundwater recharge projects, and other projects that provide increased water supply flexibility or other resilience benefits.

(e) The Department of Water Resources shall develop guidelines to improve governance of integrated regional water management plans and for program implementation of watershed climate resilience that facilitate multiple benefit projects, allow program funds to be used as matching funds for other funding sources, and requires detailed reporting on project outcomes and progress toward achieving climate risk targets.

91032. (a) Of the funds made available by Section 91030, six hundred million dollars (\$600,000,000) shall be available, upon appropriation by the Legislature, for projects that protect and restore rivers, streams, lakes, and watersheds. Projects shall improve climate resilience, water supplies, or water quality. To the extent feasible, preference shall be given to natural infrastructure projects. At least 40 percent of the allocation made pursuant to this section shall benefit disadvantaged communities or vulnerable populations. The funds made available pursuant to this section shall be allocated to any of the following:

(1) Projects that protect and restore rivers, streams, and lakes to improve fish and wildlife habitat.

(2) Multibenefit watershed protection or restoration projects that improve climate resilience within the Los Angeles River Watershed and the San Gabriel River Watershed that are implemented pursuant to Section 79508 of the Water Code.

(3) Multibenefit urban stream and river parkway projects under the Urban Streams Restoration Program established pursuant to Section 7048 of the Water Code that protect and restore riparian habitats, improve climate resilience, enhance natural drainages, protect and restore watersheds, and provide public access.

(4) Projects that are included in the Lake Tahoe Environmental Improvement Program.

(b) Of the funds made available by subdivision (a), seventy-five million dollars (\$75,000,000) shall be available pursuant to Division 22.8 (commencing with Section 32600) for projects that improve the climate resiliency or the protection of the Los Angeles River Watershed or are consistent with the Lower Los Angeles River Revitalization Plan.

(c) (1) Of the funds made available by subdivision (a), seventy-five million dollars (\$75,000,000) shall be available pursuant to Division 23 (commencing with Section 33000) for projects that improve the climate resiliency or the protection of the Los Angeles River Watershed and are a part of the revitalization plan developed by the Upper Los Angeles River and Tributaries Working Group pursuant to Section 33220 or the Los Angeles River Master Plan.

(2) Of the funds made available by paragraph (1), forty million dollars (\$40,000,000) shall be allocated for projects that include, but are not limited to, projects that protect or enhance the Los Angeles River, parkway projects that include connectivity to parks and open space in neighboring communities within the San Fernando Valley, including Aliso Creek, and the Tujunga Wash, and projects along the Arroyo Seco waterway.

(d) Of the funds made available by subdivision (a), fifty million dollars (\$50,000,000) shall be available for projects that improve the climate resiliency or for the protection of the San Mateo Creek Watershed in the San Francisco Bay Area.

91033. Of the funds made available by Section 91030, one hundred million dollars (\$100,000,000) shall be available, upon appropriation by the Legislature, to implement the Salton Sea Management Program 10-year Plan to provide air quality, public health, and habitat benefits.

91040. Of the funds made available by Section 91000, three hundred million dollars (\$300,000,000) shall be available, upon appropriation by the Legislature, to the Wildlife Conservation Board for projects pursuant to the guidelines of the Stream Flow Enhancement Program, including the acquisition of water or water rights, acquisition of land that includes water rights or contractual rights to water, and short- or long-term water transfers and leases.

91050. Projects funded pursuant to this chapter shall be consistent with the policies and guidelines established by the Water Resilience Portfolio, California's Water Supply Strategy, the Central Valley Flood Protection Plan, and the Sustainable Groundwater Management Act (Part 2.74 (commencing with Section 10720) of Division 6 of the Water Code), if applicable.

CHAPTER 3. Wildfire and Forest Resilience

91500. The sum of three billion dollars (\$3,000,000,000) shall be available, upon appropriation by the Legislature, for wildfire prevention, including reducing community wildfire risk and restoring the health and resilience of forests.

91510. (a) Of the funds made available by Section 91500, ~~two hundred seventy five~~ five hundred million dollars (~~\$275,000,000~~ 500,000,000) shall be available, upon appropriation by the Legislature, to the Office of Emergency Services for a prehazard mitigation grant program. The Office of Emergency Services shall coordinate with the Department of Forestry and Fire Protection in administering these moneys. The grant program shall assist local and state agencies to leverage additional funds, including matching grants from federal agencies. Funds may be used to provide loans, rebates, direct assistance, and matching funds for projects that prevent wildfires, increase resilience, reduce the risk of wildfires to communities, or increase community hardening. Eligible projects include, but are not limited to, any of the following:

(1) Grants to local agencies, state agencies, joint powers authorities, and tribes for projects that reduce wildfire risks to people and property consistent with an approved community wildfire protection plan.

(2) Grants to local agencies, state agencies, joint powers authorities, tribes, resource conservation districts, fire safe councils, and nonprofit organizations for structure hardening of critical community infrastructure, evacuation centers, structure hardening projects that reduce the risk of wildfire for entire neighborhoods and communities, water delivery system improvements for fire suppression purposes for communities in high fire hazard severity zones or very high fire hazard severity zones, as designated by the Director of Forestry and Fire Protection pursuant to Article 9 (commencing with Section 4201) of Chapter 1 of Part 2 of Division 4 or by a local agency pursuant to Chapter 6.8 (commencing with Section 51175) of Part 1 of Division 1 of Title 5 of the Government Code, wildfire buffers, and incentives to remove structures that significantly increase hazard risk.

(3) Grants, in coordination with the Public Utilities Commission, to local agencies, state agencies, special districts, joint powers authorities, tribes, and nonprofit organizations for zero-emission backup power, energy storage, and microgrids for critical community infrastructure in order to provide continuity of electrical service, reduced wildfire ignitions, and to safeguard communities from disruption due to public safety power shutoffs, wildfire, or air pollution caused by wildfire, extreme heat, or other disaster.

(b) The Office of Emergency Services and the Department of Forestry and Fire Protection shall prioritize prehazard mitigation grant funding applications from local agencies based on the Fire Risk Reduction Community list, upon development of that list, pursuant to Section 4290.1.

(c) The Office of Emergency Services and the Department of Forestry and Fire Protection shall provide technical assistance to disadvantaged communities, severely disadvantaged communities, or vulnerable populations, including those with access and functional needs, socially disadvantaged farmers or ranchers, and economically distressed areas to ensure the grant program reduces the vulnerability of those most in need.

91520. Of the funds made available by Section 91500, two billion five hundred million dollars (\$2,500,000,000) shall be available, upon appropriation by the Legislature, to the Natural Resources Agency and to its departments, boards, and conservancies for projects and grants to improve local fire prevention capacity, improve forest health and resilience, and reduce the risk of wildfire spreading into populated areas from wildlands. Where appropriate, projects may include activities on lands owned by the United States. The funding made available by this section shall be allocated as follows:

(a) Three hundred million dollars (\$300,000,000) shall be available to the Department of Conservation's Regional Forest and Fire Capacity Program to increase regional capacity to prioritize, develop, and implement projects that improve forest health and fire resilience, implement community fire preparedness demonstration projects, facilitate greenhouse gas emissions reductions, and increase carbon sequestration in forests and other landscapes across regions and throughout the state. The funding shall be allocated based, to the extent feasible, on the Wildfire and Forest Resilience Action Plan.

(b) Five hundred million dollars (\$500,000,000) shall be available to implement regional strategies, including, but not limited to, strategies developed by forest collaboratives as defined in Section 4810 or regional entities as defined in Section 4208 through block grants and direct appropriations by the Legislature.

(c) Three hundred million dollars (\$300,000,000) shall be available to the Department of Forestry and Fire Protection for long-term forest health projects, including improved forest management, prescribed fire, cultural fire, forest watershed restoration, and activities that promote long-term carbon storage and sequestration.

(d) Five hundred million dollars (\$500,000,000) shall be available to the Department of Forestry and Fire Protection for local fire prevention grants consistent with Article 2.5 (commencing with Section 4124) of Chapter 1 of Part 2 of Division 4 and for grants to conduct workforce development for fire prevention and wildfire resiliency work.

(e) Twenty-five million dollars (\$25,000,000) shall be available to the Department of Forestry and Fire Protection for the creation of a prescribed fire training center consistent with the proposal developed pursuant to Section 4477.

(f) Five hundred million dollars (\$500,000,000) shall be available for watershed improvement projects in forests and other habitats, including, but not limited to, redwoods, conifers, oak woodlands, mountain meadows, chaparral, and coastal forests. Projects shall involve the restoration of natural ecosystem functions in very high and high fire hazard areas and provide multiple benefits, including, but not limited to, prescribed fire, cultural fire, habitat protection, fuel reduction, watershed protection, carbon sequestration, protection of older fire-resistant trees, or improved forest health. The Natural Resources Agency shall give preference to projects that include matching funds or in-kind work, as determined appropriate, from beneficiaries of the watershed that may include, but are not limited to, water districts, public utilities, local agencies, or private users. The Natural Resources Agency shall ensure long-term benefits for projects funded pursuant to this subdivision, including through an ongoing commitment to future maintenance and a commitment to long-term forest resilience that reduces fire risk.

(g) One hundred million dollars (\$100,000,000) shall be available to conduct fuel reduction, structure hardening, create defensible space, reforestation, and targeted acquisitions to improve forest health and fire resilience on state-owned lands.

(h) Seventy-five million dollars (\$75,000,000) shall be available to the Sierra Nevada Conservancy for watershed improvement, forest health, biomass utilization, and forest restoration workforce development. At least 50 percent of the funds made available by this subdivision shall be available to the Sierra Nevada Watershed Improvement Program created by Section 33345.1.

(i) Fifty million dollars (\$50,000,000) shall be available to the California Tahoe Conservancy for watershed improvement, forest health, biomass utilization, and forest restoration workforce development.

(j) Seventy-five million dollars (\$75,000,000) shall be available to the Santa Monica Mountains Conservancy for watershed improvement, fire resilience, chaparral and forest restoration, and restoration workforce development.

(k) Seventy-five million dollars (\$75,000,000) shall be available to the State Coastal Conservancy for watershed improvement, fire resilience, forest health, and restoration workforce development.

91530. Of the funds made available by Section 91500, one hundred fifty million dollars (\$150,000,000) shall be available, upon appropriation by the Legislature, to the State Air Resources Board, in consultation with the Natural Resources Agency and the Department of Forestry and Fire Protection, to incentivize new projects in California that provide long-term capital infrastructure to convert forest and other vegetative waste removed for wildfire mitigation to uses that maximize reductions in greenhouse gas emissions, provide local air quality benefits, and increase local community resilience against climate change impacts.

91540. Of the funds made available by Section 91500, seventy-five million dollars (\$75,000,000) shall be available, upon appropriation by the Legislature, to the Department of Forestry and Fire Protection to enhance California's fire prevention, fuel management, and fire response, as follows:

(a) Ten million dollars (\$10,000,000) shall be available to improve water quality at the Department of Forestry and Fire Protection facilities to enhance safe human use and consumption.

(b) Twenty million dollars (\$20,000,000) shall be available to upgrade existing infrastructure and for new Department of Forestry and Fire Protection facilities for suppression and fuel reduction crews.

(c) Twenty million dollars (\$20,000,000) shall be available for the purchase of Type 3 engines and related equipment to be used for fire suppression and fuel reduction.

(d) Five million dollars (\$5,000,000) shall be available to enhance the Department of Forestry and Fire Protection's communications centers and mobile communications, including the capacity to provide culturally relevant and multilingual communication services.

(e) Twenty million dollars (\$20,000,000) shall be available to the Department of Forestry and Fire Protection for grants to assist local agencies with equipment for wildland firefighting, fire prevention, and fuel management.

91550. Projects funded pursuant to this chapter shall be consistent with the policies and guidelines established by the California Wildfire and Forest Resilience Action Plan, and by the Natural Resources Agency and the Department of Forestry and Fire Protection, if applicable.

CHAPTER 4. Coastal Resilience

92000. The sum of two billion dollars (\$2,000,000,000) shall be available, upon appropriation by the Legislature, to increase coastal and ocean resiliency and to protect coastal lands, waters, communities, natural resources, and urban waterfronts from climate impacts. Eligible projects

include, but are not limited to, projects to restore coastal wetlands and projects to address sea level rise.

92010. Of the funds made available by Section 92000, five hundred million dollars (\$500,000,000) shall be available, upon appropriation by the Legislature, for projects identified by the State Coastal Conservancy for coastal resilience projects and programs identified in the 2023–2027 Strategic Plan. The funds made available pursuant to this section may be allocated to any of the following:

- (a) Grants through the Climate Ready Program pursuant to Section 31113.
- (b) Projects to protect coastal lands and restore habitats, including subtidal habitats, wetlands, riparian areas, redwood forests, oak woodlands, and other important wildlife habitats, including projects to protect and restore healthy sea otter populations.
- (c) Natural infrastructure projects that use existing natural areas to minimize coastal flooding, erosion, and runoff.
- (d) Projects to restore coastal land for public uses on surplus land for formerly fossil-fueled powerplants.
- (e) Projects that are consistent with the San Francisco Bay Restoration Authority Act (Title 7.25 (commencing with Section 66700) of the Government Code), including, but not limited to, projects that address sea level rise, flood management, and wetland restoration.
- (f) Projects for purposes of the San Francisco Bay Area Conservancy Program established pursuant to Chapter 4.5 (commencing with Section 31160) of Division 21.
- (g) Lower cost coastal accommodation grants consistent with the Lower Cost Coastal Accommodations Program established pursuant to Section 31412.

92015. Of the funds made available by Section 92000, five hundred million dollars (\$500,000,000) shall be available, upon appropriation by the Legislature, to the State Coastal Conservancy for the purpose of coastal and combined flood management projects and activities for developed shoreline areas, including areas with critical infrastructure, including transportation and port infrastructure at risk of current flooding and flooding due to sea level rise. Funds shall be allocated to multibenefit projects that improve public safety, including shoreline resilience projects designed to address flooding, sea level rise, and shoreline stability that include engineering with nature or nature-based features. These funds shall be available to local agencies as matching funds for federally funded coastal flood risk management and flood risk management projects.

92020. Of the funds made available by Section 92000, three hundred twenty-five million dollars (\$325,000,000) shall be available, upon appropriation by the Legislature, for deposit into the California Ocean Protection Trust Fund for grants to increase resilience from the impacts of climate change. Preference shall be given to projects that conserve, protect, and restore marine wildlife and healthy ocean and coastal ecosystems, including, but not limited to, estuarine habitat, kelp forests, eelgrass meadows, native oyster beds, or that maintain the state's system of marine protected areas, and support sustainable fisheries. Funding may be used to purchase

and install ocean current mapping infrastructure and new maritime research infrastructure to reduce emissions.

92030. Of the funds made available by Section 92000, two hundred fifty million dollars (\$250,000,000) shall be available, upon appropriation by the Legislature, to implement the California Sea Level Rise Mitigation and Adaptation Act of 2021 (Division 20.6.5 (commencing with Section 30970)).

92040. Of the funds made available by Section 92000, two hundred fifty million dollars (\$250,000,000) shall be available, upon appropriation by the Legislature, to the Department of Parks and Recreation to implement the Sea Level Rise Adaptation Strategy to address the impacts of sea level rise in coastal state parks, support continued access and recreational opportunities, and protect coastal natural and cultural resources.

92050. Of the funds made available by Section 92000, twenty-five million dollars (\$25,000,000) shall be available, upon appropriation by the Legislature, for projects identified by the Natural Resource Agency and the Invasive Species Council of California to implement projects to protect and restore island ecosystems by mitigating the threat of island invasive species and advancing biosecurity initiatives.

92060. Of the funds made available by Section 92000, twenty-five million dollars (\$25,000,000) shall be available, upon appropriation by the Legislature, for projects identified by the Department of Fish and Wildlife to advance climate-ready fisheries management by expanding opportunities for experimentation and adaptive cooperative management, modernizing electronic fisheries data management systems, and increasing the use of electronic technologies to facilitate more nimble decisionmaking and timely management responses under changing ocean conditions.

92070. Of the funds made available by Section 92000, twenty-five million dollars (\$25,000,000) shall be available, upon appropriation by the Legislature, for projects identified by the Department of Fish and Wildlife to support the restoration and management of kelp ecosystems. Funds shall be used to support ongoing research, restoration, and monitoring activities of kelp ecosystems and for the implementation of an adaptive kelp management plan.

92080. Of the funds made available by Section 92000, one hundred million dollars (\$100,000,000) shall be allocated, upon appropriation by the Legislature, to the State Coastal Conservancy for grants to remove or upgrade outdated or obsolete dams and water infrastructure. Projects may also install infrastructure to increase climate resilience, enhance sediment supply, improve wildlife and fish passage, and modernize water infrastructure, including related planning, permitting, habitat restoration, and recreational improvements. Funds for planning, monitoring, and implementation of projects pursuant to this section may exceed 10 percent of the funds allocated if the State Coastal Conservancy determines there is a need for the additional funding.

92090. Projects funded pursuant to this chapter shall be consistent with the policies and guidelines established by the California Coastal Commission, the Ocean Protection Council, the

State Lands Commission, the San Francisco Bay Conservation and Development Commission, and the State Coastal Conservancy, if applicable.

CHAPTER 5. Extreme Heat Mitigation

92500. The sum of five hundred million dollars (\$500,000,000) shall be available, upon appropriation by the Legislature, to address extreme heat in communities.

92510. Of the funds made available by Section 92500, one hundred million dollars (\$100,000,000) shall be available, upon appropriation by the Legislature, to the Office of Planning and Research's Extreme Heat and Community Resilience Program to fund projects to reduce the urban heat island effect and other extreme heat impacts from climate change. Projects shall benefit disadvantaged communities and vulnerable populations.

92520. Of the funds made available by Section 92500, one hundred fifty million dollars (\$150,000,000) shall be available, upon appropriation by the Legislature, to the Natural Resources Agency to provide funds to state agencies identified in the extreme heat action plan, and any subsequent updates, in order to implement the plan and mitigate the impacts of extreme heat.

92530. Of the funds made available by Section 92500, fifty million dollars (\$50,000,000) shall be available, upon appropriation by the Legislature, to the Office of Planning and Research's Adaptation Planning Grant Program for regional climate resilience planning and demonstration projects.

92540. Of the funds made available by Section 92500, fifty million dollars (\$50,000,000) shall be available, upon appropriation by the Legislature, to the Strategic Growth Council's Community Resilience Centers Program for the construction or retrofit of facilities to serve as community resilience centers that mitigate the public health impacts of extreme heat and other emergency situations exacerbated by climate change. Projects shall benefit disadvantaged communities and vulnerable populations.

92550. Of the funds made available by Section 92500, one hundred million dollars (\$100,000,000) shall be available, upon appropriation by the Legislature, to the Natural Resources Agency for competitive grants for urban greening. Projects shall benefit disadvantaged communities and vulnerable populations. These funds shall support projects that mitigate the urban heat island effect, rising temperatures, and extreme heat impacts. Eligible projects may include, but are not limited to, investments that support an expanded urban greening program that supports the creation of green recreational parks in park-poor communities.

92560. Of the funds made available by Section 92500, fifty million dollars (\$50,000,000) shall be available, upon appropriation by the Legislature, to the Department of Forestry and Fire Protection to protect or augment California's urban forests pursuant to Section 4799.12. Projects shall contribute to mitigating the urban heat island effect and extreme heat impacts. Projects shall benefit disadvantaged communities and vulnerable populations.

92570. (a) At least 10 percent of the funds available pursuant to this chapter shall be allocated for grants that provide outreach and technical assistance that directly benefit disadvantaged communities and vulnerable populations. An eligible applicant is a nonprofit organization, technical assistance provider, or tribe.

(b) Projects funded pursuant to this chapter shall be consistent with the policies and guidelines established by the Protecting Californians From Extreme Heat: A State Action Plan to Build Community Resilience, and the Office of Planning and Research's Extreme Heat and Community Resilience Program, if applicable.

CHAPTER 6. Protect Biodiversity and Accelerating Nature-Based Climate Solutions

93000. The sum of two billion dollars (\$2,000,000,000) shall be available, upon appropriation by the Legislature, for the protection of California's biodiversity and to protect nature and restore landscape health to achieve California's climate change goals.

93010. Of the funds made available by Section 93000, one billion dollars (\$1,000,000,000) shall be available, upon appropriation by the Legislature, to the Wildlife Conservation Board for existing grant programs to protect and enhance fish and wildlife habitat and achieve the state's biodiversity and conservation goals. Eligible programs include, but are not limited to, any of the following:

- (a) Land acquisition.
- (b) Habitat enhancement and restoration.
- (c) Rangeland, grazing land, and grassland protection.
- (d) Inland wetland conservation.
- (e) Ecosystem restoration on agricultural lands.
- (f) Climate adaptation and resiliency.
- (g) Monarch butterfly and pollinator rescue.
- (h) Purposes of reimbursing the General Fund, pursuant to the Natural Heritage Preservation Tax Credit Act of 2000 (Division 28 (commencing with Section 37000)).

93020. Of the funds made available by Section 93000, five hundred million dollars (\$500,000,000) shall be available, upon appropriation by the Legislature, to reduce the risks of climate change impacts upon communities, fish and wildlife, and natural resources allocated in accordance with the following schedule:

- (a) Baldwin Hills Conservancy, fifty million dollars (\$50,000,000).
- (b) California Tahoe Conservancy, fifty million dollars (\$50,000,000).
- (c) Coachella Valley Mountains Conservancy, twenty-five million dollars (\$25,000,000).
- (d) Sacramento-San Joaquin Delta Conservancy, fifty million dollars (\$50,000,000).

(e) San Diego River Conservancy, seventy-five million dollars (\$75,000,000).

(f) San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy, seventy-five million dollars (\$75,000,000).

(g) San Joaquin River Conservancy, twenty-five million dollars (\$25,000,000).

(h) Santa Monica Mountains Conservancy, seventy-five million dollars (\$75,000,000).

(i) Sierra Nevada Conservancy, seventy-five million dollars (\$75,000,000).

93030. (a) Of the funds made available by Section 93000, four hundred million dollars (\$400,000,000) shall be available, upon appropriation by the Legislature, to the Natural Resources Agency and its departments, boards, and conservancies to protect and restore biodiversity, expand access to nature, and mitigate and build resilience to climate change using nature-based solutions, whenever possible. Eligible projects shall contribute to the goals established in the Pathways to 30x30 document, and biodiversity strategies established pursuant to Executive Order No. N-82-20. Eligible projects include any of the following:

(1) Projects to accelerate regionally led conservation.

(2) Strategic land acquisitions and voluntary conservation easements.

(3) Projects to enhance or restore the fish and wildlife habitat on public lands and coastal waters.

(4) Tribal nature-based solutions.

(5) Floodplain and wetland restoration.

(6) Projects to improve forest and chaparral habitat.

(7) Reintroduction of migratory salmon to historic habitats and climate refugia.

(b) Of the funds made available by subdivision (a), two hundred million dollars (\$200,000,000) shall be available for projects to improve habitat connectivity.

(c) At least 10 percent of the funds made available by this section shall be available to provide grants for the purchase of facilities, equipment, and software and for projects and technical assistance by scientific academic institutions and nonprofits to better map, catalog, and understand the biodiversity in strategic areas of the state to further the purposes of this chapter.

93040. Of the funds made available by Section 93000, fifty million dollars (\$50,000,000) shall be available, upon appropriation by the Legislature, to the Department of Fish and Wildlife for nature-based solutions that improve the climate resilience of fish and wildlife habitat and improve fish and wildlife passage.

93050. Of the funds made available by Section 93000, fifty million dollars (\$50,000,000) shall be available, upon appropriation by the Legislature, to the Department of Fish and Wildlife to accredited California zoos and aquariums to advance conservation of California's species

biodiversity to help ensure the viability and recovery of California's endangered and declining species, including, but not limited to, wildlife health monitoring and biodiversity reserve management.

93060. Projects funded pursuant to this chapter shall be consistent with the policies and guidelines established by the Wildlife Conservation Board, the Pathways to 30x30 document, the Natural and Working Lands Climate Smart Strategy, California's 2022 Scoping Plan for Achieving Carbon Neutrality, and the California Climate Adaptation Strategy, if applicable.

CHAPTER 7. Climate Smart Agriculture for Sustainability and Resiliency

93500. The sum of three hundred million dollars (\$300,000,000) shall be available, upon appropriation by the Legislature, for improving climate resilience of agricultural lands.

93510. Of the funds made available by Section 93500, one hundred fifty million dollars (\$150,000,000) shall be available, upon appropriation by the Legislature, to the Department of Food and Agriculture's Office of Environmental Farming and Innovation for improvements in climate resilience of agricultural lands and ecosystem health and allocated to eligible projects as follows:

(a) (1) Fifty million dollars (\$50,000,000) shall be available to the healthy soils grant program to promote practices on farms and ranches that improve soil health, accelerate atmospheric carbon removal or soil carbon sequestration, enhance groundwater recharge, and improve habitat.

(2) At least 40 percent of the funds allocated pursuant to this subdivision shall be allocated to projects that provide direct and meaningful benefits to socially disadvantaged farmers and ranchers.

(b) (1) Twenty-five million dollars (\$25,000,000) shall be available for the State Water Efficiency and Enhancement Program to promote onfarm water use efficiency and reduce emissions of greenhouse gases.

(2) At least 40 percent of the funds allocated pursuant to this subdivision shall be allocated to projects that provide direct and meaningful benefits to socially disadvantaged farmers and ranchers.

(c) Twenty-five million dollars (\$25,000,000) shall be available to the pollinator habitat program.

(d) Fifty million dollars (\$50,000,000) shall be available to establish the Environmental Farming Incentive Program to address natural resource concerns on agricultural lands. Eligible projects include, but are not limited to, improved water and air quality, conserved groundwater and surface water, improved or created wildlife habitat, wildlife-friendly farming and ranching practices, drought and climate resilience, and other conservation practices.

93520. Of the funds made available by Section 93500, twenty-five million dollars (\$25,000,000) shall, upon appropriation by the Legislature, be deposited in the Invasive Species Account established pursuant to Section 7706 of the Food and Agricultural Code for purposes of funding invasive species projects and activities recommended by the Invasive Species Council of

California. Preference shall be given to projects that restore and protect biodiversity and ecosystem health.

93530. Of the funds made available by Section 93500, one hundred twenty-five million dollars (\$125,000,000) shall be available, upon appropriation by the Legislature, to the Department of Conservation for projects for the protection, restoration, and enhancement of farmland and rangeland, including, but not limited to, the acquisition of fee title or easements on agricultural lands, and onfarm improvements that provide any of the following benefits:

- (a) Climate resilience.
- (b) Soil health.
- (c) Atmospheric carbon removal.
- (d) Soil carbon sequestration.
- (e) Erosion control.
- (f) Floodwater management.
- (g) Watershed restoration.
- (h) Habitat conservation.
- (i) Water quality.
- (j) Water retention.

93540. Projects funded pursuant to this chapter shall be consistent with the policies and guidelines established by the Department of Food and Agriculture and the Natural and Working Lands Climate Smart Strategy, if applicable.

CHAPTER 8. Park Creation and Outdoor Access

94000. The sum of five hundred million dollars (\$500,000,000) shall be available, upon appropriation by the Legislature, for the creation and protection of parks, outdoor access, and educational institutions.

94010. Of the funds made available by Section 94000, four hundred million dollars (\$400,000,000) shall be available, upon appropriation by the Legislature, to the Natural Resources Agency and its departments, boards, and conservancies for the reduction of climate impacts on disadvantaged communities and vulnerable populations and the creation, protection, and expansion of outdoor recreation opportunities. Eligible projects include, but are not limited to, any of the following:

- (a) Improvements to city parks, county parks, regional parks, and open-space lands to preserve infrastructure, including natural infrastructure, to promote resilience and adaptation or the promotion and enhancement of natural resources and water conservation and efficiencies on local and regional public park lands and open-space lands.

(b) The creation and expansion of safe neighborhood parks in park-poor neighborhoods in accordance with the Statewide Park Development and Community Revitalization Act of 2008's competitive grant program described in Chapter 3.3 (commencing with Section 5640) of Division 5.

(c) Multiple benefit projects that reduce risks of exposure to toxic or hazardous materials that may increase as a result of wildfires, flooding, sea level rise, or reduced water flows to polluted bodies of water.

(d) Grants consistent with the California Cultural and Historical Endowment Act, established pursuant to Chapter 13 (commencing with Section 20050) of Part 11 of Division 1 of Title 1 of the Education Code, for projects that protect California's cultural and historic resources from climate impacts or inform the public about resiliency to climate change.

(e) Improved public access, including for individuals with disabilities, as defined by the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.), and outdoor recreation at state parks, city parks, county parks, regional parks, and open-space preserves.

94020. Of the funds made available by Section 94000, one hundred million dollars (\$100,000,000) shall be available, upon appropriation by the Legislature, to the Department of Parks and Recreation for the protection, restoration, and enhancement of the natural resource values of the state park system and projects to expand public access for disadvantaged communities, including, but not limited to, the expansion of lower cost coastal accommodation project development.

94030. (a) At least 10 percent of the funds available pursuant to this chapter shall be allocated for grants that provide outreach and technical assistance that directly benefit disadvantaged communities and vulnerable populations. An eligible applicant is a nonprofit organization, technical assistance provider, or tribe.

(b) Projects funded pursuant to this chapter shall be consistent with the policies and guidelines established by the Natural Resources Agency and the Outdoors for All Strategy, if applicable.

CHAPTER 9. Clean Energy

94500. The sum of two billion dollars (\$2,000,000,000) shall be available, upon appropriation by the Legislature, for clean energy projects.

94510. Of the funds made available by Section 94500, five hundred million dollars (\$500,000,000) shall be available, upon appropriation by the Legislature, to support the planning and development of new or expanded high-voltage electrical transmission lines that are necessary to meet the state's clean energy goals and have been identified by the Independent System Operator as required to achieve the state's policies identified in Section 454.53 of the Public Utilities Code.

94520. Of the funds made available by Section 94500, five hundred million dollars (\$500,000,000) shall be available, upon appropriation by the Legislature, to the State Energy Resources Conservation and Development Commission, in coordination with the State Air Resources Board, for grants to assist in obtaining, or as a match for, federal grants related to

regional hubs in the federal Infrastructure Investment and Jobs Act (Public Law 117-58) and federal Inflation Reduction Act of 2022 (Public Law 117-169).

94530. Of the funds made available by Section 94500, five hundred million dollars (\$500,000,000) shall be available, upon appropriation by the Legislature, to the State Energy Resources Conservation and Development Commission for zero-emission vehicle charging infrastructure.

94540. Of the funds made available by Section 94500, five hundred million dollars (\$500,000,000) shall be available, upon appropriation by the Legislature, to the State Energy Resources Conservation and Development Commission for grants to support the Long-Duration Energy Storage Program.

CHAPTER 10. Fiscal Provisions

95000. (a) Bonds in the total amount of nineteen billion three hundred twenty-five million dollars (\$19,325,000,000) ~~fifteen billion five hundred million dollars (\$15,500,000,000)~~, not including the amount of any refunding bonds issued in accordance with Section 95012, may be issued and sold for carrying out the purposes expressed in this division and to reimburse the General Obligation Bond Expense Revolving Fund pursuant to Section 16724.5 of the Government Code. The bonds, when sold, issued, and delivered, shall be and constitute a valid and binding obligation of the State of California, and the full faith and credit of the State of California is hereby pledged for the punctual payment of both the principal of, and interest on, the bonds as the principal and interest become due and payable.

(b) The Treasurer shall cause the issuance and sell the bonds authorized by the committee pursuant to subdivision (a) in the amount determined by the committee to be necessary or desirable pursuant to Section 95003. The bonds shall be issued and sold upon the terms and conditions specified in a resolution to be adopted by the committee pursuant to Section 16731 of the Government Code.

95001. The bonds authorized by this division shall be prepared, executed, issued, sold, paid, and redeemed as provided in the State General Obligation Bond Law (Chapter 4 (commencing with Section 16720) of Part 3 of Division 4 of Title 2 of the Government Code), as amended from time to time, and all of the provisions of that law, except subdivisions (a) and (b) of Section 16727 of the Government Code, apply to the bonds and to this division and are hereby incorporated in this division as though set forth in full in this division.

95002. (a) Solely for the purpose of authorizing the issuance and sale, pursuant to the State General Obligation Bond Law (Chapter 4 (commencing with Section 16720) of Part 3 of Division 4 of Title 2 of the Government Code), of the bonds authorized by this division, the Drought, Flood, and Water Resilience, Wildfire and Forest Resilience, Coastal Resilience, Extreme Heat Mitigation, Biodiversity and Nature-Based Climate Solutions, Climate Smart Agriculture, Park Creation and Outdoor Access, and Clean Energy Bond Finance Committee is hereby created. For purposes of this division, the Drought, Flood, and Water Resilience, Wildfire and Forest Resilience, Coastal Resilience, Extreme Heat Mitigation, Biodiversity and Nature-Based Climate Solutions, Climate Smart Agriculture, Park Creation and Outdoor Access, and Clean Energy Bond

Finance Committee is the “committee,” as that term is used in the State General Obligation Bond Law.

(b) The committee consists of the _____. Notwithstanding any other law, any member may designate a representative to act as that member in that member’s place for all purposes, as though the member were personally present.

(c) The _____ shall serve as the chairperson of the committee.

(d) A majority of the committee may act for the committee.

95003. The committee shall by resolution determine whether or not it is necessary or desirable to issue and sell bonds authorized by this division in order to carry out the actions specified in this division and, if so, the amount of bonds to be issued and sold. Successive issues of bonds may be authorized and sold to carry out those actions progressively, and it is not necessary that all of the bonds authorized to be issued be sold at any one time.

95004. For purposes of the State General Obligation Bond Law (Chapter 4 (commencing with Section 16720) of Part 3 of Division 4 of Title 2 of the Government Code), “board,” as defined in Section 16722 of the Government Code, means the Secretary of the Natural Resources Agency.

95005. There shall be collected each year and in the same manner and at the same time as other state revenue is collected, in addition to the ordinary revenues of the state, a sum in an amount required to pay the principal of, and interest on, the bonds becoming due in that year. It is the duty of all officers charged by law with any duty regarding the collection of the revenue to do and perform each and every act that is necessary to collect that additional sum.

95006. Notwithstanding Section 13340 of the Government Code, there is hereby continuously appropriated from the General Fund in the State Treasury, for the purposes of this division, and without regard to fiscal years, an amount that will equal the total of the following:

(a) The sum annually necessary to pay the principal of, and interest on, bonds issued and sold pursuant to this division, as the principal and interest become due and payable.

(b) The sum that is necessary to carry out Section 95009.

95007. The board may request the Pooled Money Investment Board to make a loan from the Pooled Money Investment Account or any other form of interim financing in accordance with Section 16312 of the Government Code, for the purpose of carrying out this division. The amount of the request shall not exceed the amount of the unsold bonds that the committee has, by resolution, authorized to be sold for the purpose of carrying out this division, excluding any refunding bonds authorized pursuant to Section 95012, less any amount loaned and not yet repaid pursuant to this section and any amount withdrawn from the General Fund pursuant to Section 95009 and not yet returned to the General Fund. The board shall execute those documents required by the Pooled Money Investment Board to obtain and repay the loan. Any amounts loaned shall be deposited in the fund to be allocated in accordance with this division.

95008. Notwithstanding any other provision of this division, or of the State General Obligation Bond Law (Chapter 4 (commencing with Section 16720) of Part 3 of Division 4 of Title 2 of the

Government Code), if the Treasurer sells bonds pursuant to this chapter that include a bond counsel opinion to the effect that the interest on the bonds is excluded from gross income for federal tax purposes under designated conditions or is otherwise entitled to any federal tax advantage, the Treasurer may maintain separate accounts for the bond proceeds invested and for the investment earnings on those proceeds and may use or direct the use of those proceeds or earnings to pay any rebate, penalty, or other payment required under federal law or take any other action with respect to the investment and use of those bond proceeds, as may be required or desirable under federal law in order to maintain the tax-exempt status of those bonds and to obtain any other advantage under federal law on behalf of the funds of this state.

95009. For purposes of carrying out this division, the Director of Finance may authorize the withdrawal from the General Fund of an amount or amounts not to exceed the amount of the unsold bonds that have been authorized by the committee to be sold for the purpose of carrying out this division, excluding refunding bonds authorized pursuant to Section 95012, less any amount loaned pursuant to Section 95007 and not yet repaid and any amount withdrawn from the General Fund pursuant to this section and not yet returned to the General Fund. Any amounts withdrawn shall be deposited in the fund to be allocated in accordance with this division. Any moneys made available under this section shall be returned to the General Fund, with interest at the rate earned by the moneys in the Pooled Money Investment Account, from proceeds received from the sale of bonds for the purpose of carrying out this division.

95010. All moneys deposited in the fund that are derived from premiums and accrued interest on bonds sold pursuant to this division shall be reserved in the fund and shall be available for transfer to the General Fund as a credit to expenditures for bond interest, except that amounts derived from premiums may be reserved and used to pay costs of bond issuance before any transfer to the General Fund.

95011. Pursuant to the State General Obligation Bond Law (Chapter 4 (commencing with Section 16720) of Part 3 of Division 4 of Title 2 of the Government Code), the cost of bond issuance shall be paid or reimbursed out of the bond proceeds, including premiums, if any. To the extent the cost of bond issuance is not paid from premiums received from the sale of bonds, these costs shall be allocated proportionally to each program funded through this division by the applicable bond sale.

95012. The bonds issued and sold pursuant to this division may be refunded in accordance with Article 6 (commencing with Section 16780) of Chapter 4 of Part 3 of Division 4 of Title 2 of the Government Code, which is a part of the State General Obligation Bond Law, as amended. Approval by the voters of the state for the issuance of the bonds under this division shall include approval of the issuance, sale, or exchange of any bonds issued to refund any bonds originally issued under this division or any previously issued refunding bonds. Any bond refunded with the proceeds of a refunding bond as authorized by this section may be legally defeased to the extent permitted by law in the manner and to the extent set forth in the resolution, as amended from time to time, authorizing that refunded bond.

95013. Notwithstanding Section 16727 of the Government Code, funds provided pursuant to this division may be used for grants and loans to nonprofit organizations to repay financing

described in Section 22064 of the Financial Code related to projects that are consistent with the purpose of the respective provisions of this division.

95014. The proceeds from the sale of bonds authorized by this division are not “proceeds of taxes” as that term is used in Article XIII B of the California Constitution, and the disbursement of these proceeds is not subject to the limitations imposed by that article.

95015. Bonds issued under this division shall, whenever practical, be aligned with generally recognized principles and best practice guidelines for financing drought, flood, and water resilience, wildfire and forest resilience, coastal resilience, extreme heat mitigation, biodiversity and nature-based climate solutions, climate smart agriculture, park creation and outdoor access, and clean energy projects.

SEC. 3. Section 2 of this act shall take effect upon the approval by the voters of the Drought, Flood, and Water Resilience, Wildfire and Forest Resilience, Coastal Resilience, Extreme Heat Mitigation, Biodiversity and Nature-Based Climate Solutions, Climate Smart Agriculture, Park Creation and Outdoor Access, and Clean Energy Bond Act of 2024, as set forth in Section 2 of this act.

SEC. 4. (a) Section 2 of this act shall be submitted by the Secretary of State to the voters at the ____, statewide ____ election.

(b) The Secretary of State shall include in the ballot pamphlets mailed pursuant to Section 9094 of the Elections Code the information specified in Section 9084 of the Elections Code regarding Section 2 of this act.

SEC. 5. The provisions of this act are severable. If any provision of this act or its application is held invalid, that invalidity shall not affect other provisions or applications that can be given effect without the invalid provision or application.



VIA EMAIL

May 18, 2023

Assemblymember Dawn Addis
1021 O Street, Room 5350
Sacramento, CA 95814

RE: AB 1337 (Wicks) – State Water Resources Control Board: Water Diversion Curtailment and
AB 460 (Bauer-Kahan) State Water Resources Control Board: Water Rights and Usage
Position: OPPOSE

Dear Assemblymember Addis:

I am writing to respectfully express the Monterey Peninsula Water Management District's opposition to AB 1337, which, as amended on April 20, 2023, would provide unprecedented statutory authority for the State Water Resources Control Board (State Water Board) to curtail the diversion or use of water under any claim of right during any water year. AB 1337 would overhaul how California has managed and delivered water for more than a century. Reliability in water rights would be severely diminished, and many water agencies would struggle to meet the needs of homes and businesses throughout the state. Accordingly, curtailment authority should remain reserved for emergency drought conditions in order to ensure that this tool is used judiciously and effectively. By limiting curtailment to the most severe and urgent water shortages, the State Water Board can ensure that this tool is used only when necessary and that its impacts are carefully managed.

Our District also opposes AB 460, which would provide expansive new authority for the State Water Board to issue "interim relief orders," on its own motion or upon petition of an interested party, to apply or enforce such things as the Reasonable Use and Public Trust Doctrine. The bill would also eliminate and weaken constitutionally protected rights to judicial review of State Water Board actions. While the District believes that illegal diversions are serious and should not be sanctioned, AB 460 goes far beyond what is needed for the State Water Board to enforce and discourage illegal water diversions. AB 460 is not only contrary to both the State and Federal constitutions, and in conflict with California's Administrative Procedures Act, but it may result in uninformed water management actions that could result in worse outcomes for the fish and wildlife resources that the bill purports to protect.

For these reasons, we respectfully request a "NO" vote when AB 1337 or AB 460 are brought to the floor of the Assembly. For questions about the District's position or comments, please contact me at 831-658-5651 or dstoldt@mpwmd.net.

Sincerely,

A handwritten signature in blue ink that reads "David J. Stoldt".

David J. Stoldt
General Manager
Monterey Peninsula Water Management District



April 20, 2023

The Honorable Anna Caballero
Chair, Senate Governance and Finance Committee
State Capitol, Room 407
Sacramento, CA 95814

RE: SB 867 (Allen) – Drought and Water Resilience, Wildfire and Forest Resilience, Coastal Resilience, Extreme Heat Mitigation, Biodiversity and Nature-Based Climate Solutions, Climate Smart Agriculture, and Park Creation and Outdoor Access Bond Act of 2023.

Position: SUPPORT IF AMENDED

Dear Senator Caballero,

The Association of California Water Agencies (ACWA) and the undersigned organizations wish to express our support-if-amended position on SB 867. We greatly appreciate the author’s amendments that identify funding for many critical water and natural resources issues. We urge the author and Committee to continue to draft amendments that would make additional investments in California’s water infrastructure system.

ACWA represents over 460 public water agencies throughout California that deliver over 90% of the water used for agricultural, commercial, and residential purposes. ACWA supports efforts to advance a general obligation bond related to climate change and water and is appreciative of Senator Allen’s leadership on this issue over the years.

California’s changing climate creates increased risks of drought, floods, intense rain events, and sea level rise that will present unique challenges to public water agencies and their ability to reliably provide water to California’s farms and cities. The State is currently underprepared to manage a water system with a decreasing snowpack, less frequent precipitation, and weather extremes. Adapting to climate change will require California to urgently and significantly

rehabilitate and modify existing water facilities, improve operational flexibility, and make generational investments in new water infrastructure.

Additional above- and below-ground storage capacity must be developed to capture precipitation, especially in extreme weather events such as atmospheric rivers, and to mitigate disappearing snowpack. In addition, new and enhanced conveyance facilities are essential for moving collected and stored water, connecting suppliers with different supply sources, transferring water among water users, recharging groundwater, and storing water for multi-beneficial purposes, including environmental benefits. State investment in water infrastructure is crucial to providing the reliable delivery of safe water to California residents, businesses, and agriculture. In addition, climate resilience projects have also been shown to stimulate local economies and create jobs.

The undersigned organizations are pleased to continue to work with Senator Allen on this critical issue to provide funding for the attached list of priority water infrastructure categories which would improve California's capacity to adapt to the effects of climate change.

We thank you for your consideration of these issues and urge the Committee to make these investments now. If you have any questions, please do not hesitate to contact ACWA State Relations Director, Adam Quiñonez at adamq@acwa.com or (916) 441-4545.

Sincerely,

Adam Quiñonez
State Relations Director
Association of California Water Agencies

Bruce Kamilos, P.E.
General Manager
Elk Grove Water District/Florin Resource
Conservation District

Anthony Goff
General Manager
Calleguas Municipal Water District

Nina Jazmadarian
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Kathleen K. Haff
Chair, Tuolumne County Board of
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Chair, Tuolumne County Water Agency
Tuolumne County Water Agency

David J. Stoldt
General Manager
Monterey Peninsula Water Management
District

Erik Hitchman
General Manager
Walnut Valley Water District

Attachment: Climate Resilience (Drought and Flood) Infrastructure Investments, ACWA
Recommendations

cc: The Honorable Benjamin Allen
Honorable Members, Senate Governance and Finance Committee
Colin Grinnell, Staff Director, Senate Governance and Finance Committee
Ryan Eisberg, Policy Consultant, Senate Republican Caucus



Climate Resilience (Drought and Flood) Infrastructure Investments

ACWA Recommendations

02/22/2023

1. Recycling: (\$1.35 billion)

- a. \$750 million to the State Water Resources Control Board (State Water Board) for competitive grants for water recycling and reuse projects.
- b. \$250 million to the Department of Water Resources (DWR) for competitive grants for brackish and sea water desalination projects.
- c. \$250 million to the State Water Board for competitive grants for multi-benefit storm water management projects.
- d. \$100 million to DWR for competitive grants for salinity management projects to facilitate inland brackish water desalination.

2. Groundwater: (\$1 billion)

- a. \$500 million to DWR for competitive grants for new groundwater storage projects.
- b. \$500 million to DWR for competitive grants for projects that support groundwater banking, conjunctive use, recharge, or other groundwater projects that improve water resilience.

3. Flood Protection: (\$1 billion)

- a. \$400 million to DWR for projects related to the evaluation, repair, rehabilitation, reconstruction, expansion, or replacement of levees, weirs, bypasses, and facilities of the State Plan of Flood Control.
- b. \$250 million to DWR for the Coastal Watershed Flood Risk Reduction Program, including the reduction of flood risk and public safety, enhancements of coastal ecosystems, and promoting natural resources stewardship and public access corridors.
- c. \$200 million to DWR for the State Flood Control Subventions Program.
- d. \$150 million to DWR for projects in the Delta to increase flood protection and climate resiliency.

4. Dam Safety/Reservoir Operations: (\$850 million)

- a. \$850 million to DWR for competitive grants for dam safety projects at high hazard dams, reservoir seismic retrofit projects, and new spillways and repairs at existing dams to facilitate implementation of Forecast Informed Reservoir Operations.

5. Conveyance: (\$800 million)

- a. \$500 million to DWR for competitive grants to support local and regional water conveyance projects.
- b. \$300 million to DWR for Central Valley conveyance projects impacted by subsidence.



6. Surface Water Storage: (\$750 million)

- a. \$500 million inflation adjustment for projects funded by the Water Storage Investment Program.
- b. \$250 million to DWR for competitive grants for new surface water storage projects.

7. Safe Drinking Water: (\$600 million)

- a. \$250 million to the State Water Board for competitive grants for projects that help to provide clean, safe, and reliable drinking water.
- b. \$250 million to the State Water Board for competitive grants to local agencies for water quality monitoring and remediation of PFAS.
- c. \$100 million to the State Water Board for competitive grants to local agencies to address constituents of emerging concern.

8. Regional Watershed Resilience: (\$500 million)

- a. \$500 million for regional and inter-regional watershed resilience programs and projects that increase water infrastructure systems resilience to climate change or natural disasters; provide incentives throughout each watershed to collaborate in managing the region's water resources or setting regional priorities for water infrastructure; improve regional water self-reliance or reduce reliance on the Sacramento-San Joaquin Delta.

9. State Water Project Climate Change Resilience: (\$500 million)

- a. \$500 million to DWR for projects that enhance the delivery of water or increase the State Water Project's energy resilience.

10. Water Conservation: (\$500 million)

- a. \$250 million to DWR for competitive grants to large urban and small water suppliers to improve water efficiency, address leaks, reduce demand, provide water use efficiency-related mapping and training, support turf replacement, and maintain a drought vulnerability tool.
- b. \$250 million to DWR for competitive grants to agricultural water agencies for agricultural water use efficiency infrastructure projects.

Total: \$7.85 billion

SB 23 (Caballero): Water Supply and Flood Risk Reduction Projects: Expedited Permitting SUPPORT



March 30, 2023

The Honorable Dave Min
Senate Natural Resources and Water Committee
1021 O Street, Room 3220
Sacramento, CA 95814

RE: SB 23 (Caballero): Water Supply and Flood Risk Reduction Projects: Expedited Permitting
Position: SUPPORT

Dear Senator Min:

On behalf of the Association of California Water Agencies (ACWA) and the undersigned organizations, we write to express our support for SB 23 (Caballero), which would streamline the permitting process of water supply and flood risk reduction projects while preserving established environmental protections. We believe this legislation is critical to ensuring that California's water infrastructure is modernized and made more resilient to the impacts of climate change.

California faces a range of water management challenges, including droughts, floods, and other natural disasters. While our weather patterns have always been variable, climate change has, and will continue to exacerbate the weather whiplash that is intensifying drought and precipitation events. Addressing these challenges requires a coordinated effort between state and local agencies to construct and maintain water infrastructure projects needed in a 21st century climate. Unfortunately, the current permitting process for water infrastructure projects in California is complex and lengthy, and can be a significant barrier to progress in expanding and improving our water supply and flood risk reduction systems. This can result in delays, higher project costs, and uncertainty for communities, agricultural interests, and businesses that rely on a reliable and sustainable water supply. In addition, this can result in worse environmental outcomes, delaying projects that provide important benefits to aquatic and natural resources.

SB 23 would help address these issues by identifying opportunities to improve and streamline the regulatory permitting process, without shortcutting environmental reviews, so these critical infrastructure projects are built at the pace and scale needed to prepare for climate change. SB 23 would address inefficiencies in the application review process and ensure project proponents and state agencies are meeting reasonable deadlines and moving applications forward in an expeditious manner. The bill would utilize permit streamlining tools already available in existing law that are proven to reduce duplicative planning efforts while still meeting rigorous environmental standards. Finally, the bill would help address state agency resource and staffing issues by allowing project applicants to cover the costs of expediting the environmental review process.

SB 23 builds on recommendations in the Newsom Administration's "*California's Water Supply Strategy, Adapting to a Hotter, Drier Future*," released in August 2022. The Water Supply Strategy highlights that hotter and drier conditions caused by climate change could reduce California's water supplies in the coming decades. To continue to grow and thrive as a state, California will need to make up for a loss of supply by pursuing a wide range of infrastructure projects. An essential part of seeing these projects become reality, according to the Newsom Administration, is modernizing and

accelerating regulatory structures. SB 23 answers this call to action by providing a comprehensive set of ideas that address known sources of project delays. These solutions would advance projects that store more water above and below ground, capture water during high-flow events, improve conveyance, create access to drought-proof water supplies, and improve flood management—all of which are necessary to adapting to changing conditions.

From 2020 to 2022, California experienced the driest three-year period on record. In 2023, this prolonged drought was met with a series of atmospheric rivers and a bomb cyclone that brought significant amounts of rain and snow, leading to widespread flooding, property damage, and evacuation orders for tens of thousands of residents. The need for a generational investment in California’s water systems is evident, and over the last three years, state leaders have earmarked more than \$8 billion to modernize water infrastructure and management. Now action is needed to ensure these investments result in the timely delivery of critical projects. SB 23 is a critical step to providing California with modern, resilient, and sustainable water systems that will meet the needs of generations to come.

For these reasons, we are pleased to support SB 23 and respectfully request your “AYE” vote when the bill is heard in the Senate Natural Resources and Water Committee on April 11.

Sincerely,

Kristopher Anderson, Esq.
Legislative Advocate
Association of California Water Agencies

John Friedenbach
General Manager
Humboldt Bay Municipal Water District

Cathy Lee
General Manager
Carmichael Water District

David Merritt
General Manager
Kings River Conservation District

J.M. Barrett
General Manager
Coachella Valley Water District

Anthony Williams, P.E., QSD
General Manager
North Marin Water District

John Bosler
General Manager/CEO
Cucamonga Valley Water District

Cathy Green
Board President
Orange County Water District

Greg Thomas
General Manager
Elsinore Valley Municipal Water District

Edward A. Castaneda
General Manager
Orchard Dale Water District

Nina Jazmadarian
General Manager
Foothill Municipal Water District

Kyle Swanson
General Manager/CEO
Padre Dam Municipal Water District

Robert S. Grantham
General Manager
Rancho California Water District

Paul Helliker
General Manager
San Juan Water District

Craig Miller
General Manager
Western Municipal Water district

Sean Barclay
General Manager
Tahoe City Public Utility District

Matthew Litchfield
General Manager
Three Valleys Municipal Water District

Don Perkins
General Manager
Tuolumne Utilities District

Gary Arant
General Manager
Valley Center Municipal Water District

Brett Hodgkiss
General Manager
Vista Irrigation District

Erik Hitchman
General Manager
Walnut Valley Water District

Gail Delihant
Senior Director, CA Government Affairs
Western Growers Association

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General Manager
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Tom Coleman
General Manager
Rowland Water District

Kimberly Thorner
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Olivenhain Municipal Water District

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General Manager
McKinleyville Community Services District

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General Manager
Eastern Municipal Water District

Mary Rogren
General Manager
Coastside County Water District

Jennifer Galenti
Director of Operations
California Alliance for Jobs

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General Manager
Turlock Irrigation District

Brenda Bass
Policy Advocate
California Chamber of Commerce

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General Manager
Irvine Ranch Water District

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General Manager
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Water Policy Director
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Anthony Firenzi
Director of Strategic Affairs
Placer County Water Agency

Natalie Rogers
Mayor
City of Santa Rosa

David Coxey
General Manager
Bella Vista Water District

Danielle Blacet-Hyden
Deputy Executive Director
California Municipal Utilities Association

Paul E. Shoenberger, P.E.
General Manager
Mesa Water District

Peter Sanchez
General Manager
Fresno Metropolitan Flood Control District

Chris Reardon
Director, Government Affairs
California Farm Bureau

Heidi Hannaman
Legislative Representative
California Special Districts Association

Hilary Straus
General Manager
Citrus Heights Water District

Mark Krause
General Manager and Chief Engineer
Desert Water Agency

Jim Abercrombie
General Manager
El Dorado Irrigation District

Chris Lee
Interim General Manager
Solano County Water Agency

P. Anthony Thomas
Senior Vice President of Legislative Affairs
California Building Industry Association

Ian LeMay
President
California Fresh Fruit Association

Rick Tomlinson
President
California Strawberry Commission

Renee Pinel
President/CEO
Western Plant Health Association

Kristy Kneiding
Manager
California Date Commission

Richard Matoian
President
American Pistachio Growers

Manuel Cunha, Jr.
President
Nisei Farmers League

Casey Creamer
President
California Citrus Mutual

Albert Lau, P.E.
General Manager
Santa Fe Irrigation District

Glenn Farrel
Executive Director
CalDesal

Joel Metzger
General Manager
Utica Water and Power Authority

Bruce Kamilos, P.E.
General Manager
Florin Resource Conservation District/Elk
Grove Water District

Hannah Davidson
Water Resources Specialist I
Hidden Valley Lake Community Services
District

Kathleen K. Haff
Chair, Tuolumne County Board of
Supervisors
Tuolumne County Water Agency

Bart Broome
Assistant Officer for State Government
Relations
Santa Clara Valley Water District

David J. Stoldt
General Manager
Monterey Peninsula Water Management
District

cc: The Honorable Anna Caballero
Honorable Members, Senate Natural Resources & Water Committee
Genevieve Wong, Principal Consultant, Senate Natural Resources & Water Committee
Todd Moffitt, Policy Consultant, Senate Republican Caucus



March 17, 2023

The Honorable Dave Min
Chair, Senate Natural Resources and Water Committee
1021 O Street, Room 3220
Sacramento, CA 95814

RE: SB 867 (Allen) – Drought and Water Resilience, Wildfire and Forest Resilience, Coastal Resilience, Extreme Heat Mitigation, Biodiversity and Nature-Based Climate Solutions, Climate Smart Agriculture, and Park Creation and Outdoor Access Bond Act of 2023.

Position: SUPPORT IF AMENDED

Dear Senator Min,

The Association of California Water Agencies (ACWA) and the undersigned organizations wish to express our support-if-amended position on SB 867 and strongly urge the author and Committee to take amendments that would make a generational investment in California’s water infrastructure system.

ACWA represents over 460 public water agencies throughout California that deliver over 90% of the water used for agricultural, commercial, and residential purposes. ACWA supports efforts to advance a general obligation bond related to climate change and water and is appreciative of Senator Allen’s leadership on this issue over the years.

California’s changing climate creates increased risks of drought, floods, intense rain events, and sea level rise that will present unique challenges to public water agencies and their ability to reliably provide water to California’s farms and cities. The State is currently underprepared to manage a water system with a decreasing snowpack, less frequent precipitation, and weather extremes. Adapting to climate change will require California to urgently and significantly rehabilitate and modify existing water facilities, improve operational flexibility, and make generational investments in new water infrastructure.

Additional above- and below-ground storage capacity must be developed to capture precipitation, especially in extreme weather events such as atmospheric rivers, and to mitigate disappearing snowpack. In addition, new and enhanced conveyance facilities are essential for moving collected and stored water, connecting suppliers with different supply sources, transferring water among water users, recharging groundwater, and storing water for multi-beneficial purposes, including environmental benefits. State investment in water infrastructure is crucial to providing the reliable delivery of safe water to California residents, businesses, and agriculture. In addition, climate resilience projects have also been shown to stimulate local economies and create jobs.

The undersigned organizations respectfully request that SB 867 be amended to include funding for water infrastructure projects as identified in the attached document. These amendments focus on capital investments in water infrastructure projects that would improve California's capacity to adapt to the effects of climate change.

We thank you for your consideration of the amendments and urge the author and Committee to make these investments now. If you have any questions, please do not hesitate to contact ACWA State Relations Director, Adam Quiñonez at adamq@acwa.com or (916) 441-4545.

Sincerely,

Adam Quiñonez
State Relations Director
Association of California Water Agencies

Nina Jazmadarian
General Manager
Foothill Municipal Water District

Anthony Goff
General Manager
Calleguas Municipal Water District

Brian Olney
General Manager
Helix Water District

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General Manager
Carmichael Water District

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Water Resources Specialist I
Hidden Valley Lake Community Services
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Indian Wells Valley Water District

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General Manager
Elk Grove Water District/Florin Resource
Conservation District

Jeremy Wolf
Legislative Program Manager
Las Virgenes Municipal Water District

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Mesa Water District

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Three Valleys Municipal Water District

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General Manager
Monte Vista Water District

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Executive Director
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David J. Stoldt
General Manager
Monterey Peninsula Water Management
District

Kathleen K. Haff
Chair, Tuolumne County Board of
Supervisors
Chair, Tuolumne County Water Agency
Tuolumne County Water Agency

Paul Helliker
General Manager
San Juan Water District

Attachment: SB 867 ACWA Amendments

cc: The Honorable Benjamin Allen
Honorable Members, Senate Natural Resources and Water Committee
Ms. Katharine Moore, Chief Consultant, Senate Natural Resources and Water Committee
Mr. Todd Moffitt, Policy Consultant, Senate Republican Caucus

SB 867 ACWA Amendments
03/15/2023

SECTION 1. The people of California find and declare all of the following:

(a) California’s changing climate creates increased risk of catastrophic wildfires, drought, severe heat events, and sea level rise, as well as impacts to agriculture, water supply and water quality, and the health of the forests, watershed, and wildlife.

(b) These risks and impacts vary by region and can overwhelm the resources of local governments that must cope with severe climate change-related events.

(c) Reducing vulnerability to fire, flood, drought, and other climate change-related events requires a statewide investment to increase climate resilience of communities and natural systems.

(d) Governor Gavin Newsom has issued several reports and executive orders that have created a roadmap to climate resiliency in California that will help guide and direct investments.

(e) Governor Gavin Newsom issued the California’s Water Supply Strategy Adapting to a Hotter, Drier Future that outlines actions needed to take in order to recycle and reuse at least 800,000 acre-feet of water per year by 2030, free up 500,000 acre-feet of water through more efficient water use and conservation and make new water available for use by capturing storm water and desalinating ocean water and salty water in groundwater basins.

(f) Governor Gavin Newsom released in January 2021 the California’s Wildfire and Forest Resilience Action Plan to increase the pace and scale of forest health projects, strengthen protection of communities, and manage forests, to achieve the state’s economic and environmental goals and drive innovation and measure progress.

(g) Governor Gavin Newsom released in April 2022 the Extreme Heat Action Plan to protect communities from rising temperatures in order to accelerate readiness and protection of communities most impacted by extreme heat, including through cooling schools and homes, supporting community resilience centers, and expanding nature-based solutions.

(h) Governor Gavin Newsom released in April 2021 California’s strategy for achieving the first-in-the-nation 30x30 conservation goal. Pathways to 30x30: Accelerating Conservation of California’s Nature outlines a vision to conserve an additional 6,000,000 acres of lands and 500,000 acres of coastal waters needed to reach 30 percent.

(i) Governor Gavin Newsom signed Senate Bill 1 of the 2021–22 Regular Session (Chapter 236 of the Statutes of 2021) that directed the California Coastal Commission to take sea level rise into account in its planning, policies, and activities, and established a cross-government group tasked with educating the public and advising local, regional, and state government on feasible sea level rise mitigation efforts.

SEC. 2. Division 50 (commencing with Section 90000) is added to the Public Resources Code, to read:

DIVISION 50. DROUGHT AND WATER RESILIENCE, WILDFIRE AND FOREST RESILIENCE, COASTAL RESILIENCE, EXTREME HEAT MITIGATION, BIODIVERSITY AND NATURE-BASED CLIMATE SOLUTIONS, CLIMATE SMART AGRICULTURE, AND PARK CREATION AND OUTDOOR ACCESS BOND ACT of 2023

CHAPTER 1. General Provisions

90000. This division shall be known, and may be cited, as the Drought and Water Resilience, Wildfire and Forest Resilience, Coastal Resilience, Extreme Heat Mitigation, Biodiversity and Nature-Based Climate Solutions, Climate Smart Agriculture, and Park Creation and Outdoor Access Bond Act of 2023.

90001. *For the purposes of this division, the following definitions apply:*

(a) "Disadvantaged community" has the meaning set forth in subdivision (aa) of Section 116275 of the Health and Safety Code.

(b) "Severely disadvantaged community" has the meaning set forth in subdivision (a) of Section 116760.20 of the Health and Safety Code.

90002. *(c) At least 25 percent of the funds available pursuant to this division shall be allocated for projects benefiting disadvantaged communities or severely disadvantaged communities.*

90500. (a) The proceeds of bonds issued and sold pursuant to this division, exclusive of refunding bonds issued and sold pursuant to Section 95012, shall be deposited in the Drought and Water Resilience, Wildfire and Forest Resilience, Coastal Resilience, Extreme Heat Mitigation, Biodiversity and Nature-Based Climate Solutions, Climate Smart Agriculture, and Park Creation and Outdoor Access Fund, which is hereby created in the State Treasury. Moneys in the fund shall be available, upon appropriation by the Legislature, for purposes of this division.

(b) Proceeds of bonds issued and sold pursuant to this division shall be allocated according to the following schedule:

(1) ___ dollars (\$___) for drought and water resilience programs, in accordance with Chapter 2 (commencing with Section 91000).

(2) ___ dollars (\$___) for wildfire and forest resilience programs, in accordance with Chapter 3 (commencing with Section 91500).

(3) ___ dollars (\$___) for coastal resilience programs, in accordance with Chapter 4 (commencing with Section 92000).

(4) ___ dollars (\$___) for extreme heat mitigation programs, in accordance with Chapter 5 (commencing with Section 92500).

(5) ___ dollars (\$___) for biodiversity protection and nature-based climate solution programs, in accordance with Chapter 6 (commencing with Section 93000).

(6) ___ dollars (\$___) for climate smart agriculture programs, in accordance with Chapter 7 (commencing with Section 93500).

(7) ___ dollars (\$___) for park creation and outdoor access programs, in accordance with Chapter 8 (commencing with Section 94000).

CHAPTER 2. Drought and Water Resilience

91000. The sum of ___ dollars (\$___) shall be available, upon appropriation by the Legislature, for drought and water resilience programs.

91010. *(a) Of the funds made available by Section 91000, six billion one hundred million dollars (\$6,100,000,000) shall be available, upon appropriation by the Legislature, to ~~the~~ protect and increase California water supply and water quality.*

91011. (a) Of the funds made available by Section 91010, one billion one hundred million dollars (\$1,100,000,000) shall be made available, upon appropriation by the Legislature for competitive grants for projects related to water reuse, recycling, and desalination.

(b) Of the funds made available in subdivision (a) seven hundred and fifty million dollars (\$750,000,000) shall be made available to the Water Board, for competitive grants for projects related to water reuse and recycling.

(c) Of the funds made available in subdivision (a) three hundred and fifty million dollars (\$350,000,000) shall be made available to the Department of Water Resources, for competitive grants for projects related to contaminant and salt removal projects, including, but not limited to, groundwater and seawater desalination and associated treatment, storage, conveyance, and distribution facilities.

91012. (a) Of the funds made available by Section 91010, one billion dollars (\$1,000,000,000) shall be made available, upon appropriation by the Legislature for competitive grants for projects related to groundwater storage, banking, conjunctive use, recharge, or other groundwater projects that improve water resilience.

(b) Of the funds made available in subdivision (a), five hundred million (\$500,000,000) shall be made available to the Department of Water Resources, for competitive grants for projects that increase groundwater storage.

(c) Of the funds made available in subdivision (a), five hundred million (\$500,000,000) shall be made available to the Department of Water Resources, for competitive grants for projects that support groundwater banking, conjunctive use, recharge, or other groundwater projects that improve water resilience

91013. (a) Of the funds made available by Section 91010, eight hundred and fifty million dollars (\$850,000,000) shall be made available, upon appropriation by the Legislature, to the Department of Water Resources, for competitive grants for projects that enhance dam safety and reservoir operations. Eligible projects include, but are not limited to, dam safety projects at high hazard dams, new spillways and repairs at existing dams to facilitate implementation of Forecast Informed Reservoir Operations, and reservoir seismic retrofit projects.

91014. (a) Of the funds made available by Section 91010, eight hundred million dollars (\$800,000,000) shall be made available, upon appropriation by the Legislature, to the Department of Water Resources, for competitive grants for regional conveyance projects or repairs to existing conveyance. Priority shall be given to projects that provide one or more of the following benefits:

(b) Of the funds made available in subdivision (a), five hundred million (\$500,000,000) shall be available for Central Valley conveyance projects and three hundred million (\$300,000,000) shall

be available to other conveyance projects throughout the state that provide one or more of the following benefits:

(1) Improvements in regional or inter regional water supply or water supply reliability.

(2) Increased ground water recharge or mitigation of conditions of groundwater overdraft, salinity intrusion, water quality degradation, or subsidence.

(3) Adaptation to the impacts of hydrologic changes.

(4) Improvements in water security from drought, natural disasters, or other events that could interrupt water supplies.

(5) Providing safe drinking water for disadvantaged communities and economically distressed areas.

91015. (a) Of the funds made available by Section 91010, seven hundred and fifty million dollars (\$750,000,000) shall be made available, upon appropriation by the Legislature, to the Department of Water Resources, for water storage projects.

(b) Of the amount made available in subdivision (a) five hundred million dollars (\$500,000,000) shall be made available to the California Water Commission for projects under the Water Storage Investment Program.

(c) Of the amount made available in subdivision (a) two hundred and fifty million dollars (\$250,000,000) shall be made available to the Department of Water Resources for projects that increase water storage.

91016. (a) Of the funds made available by Section 91010, six hundred million dollars (\$600,000,000) shall be made available, upon appropriation by the Legislature, to the Water Board for projects that improve water quality or help provide clean, safe, and reliable drinking water.

(b) Of the amount made available in subdivision (a) two hundred and fifty million dollars (\$250,000,000) shall be made available to the State Water Board for competitive grants for projects that help to provide clean, safe, and reliable drinking water to disadvantaged communities.

(c) Of the amount made available in subdivision (a) two hundred and fifty million dollars (\$250,000,000) shall be made available to the State Water Board for competitive grants for projects that increase water quality monitoring and remediation of perfluoroalkyl and polyfluoroalkyl substances.

(d) Of the amount made available in subdivision (a) one hundred million dollars (\$100,000,000) shall be made available to the State Water Board for competitive grants for projects that address constituents of emerging concern.

91017. (a) Of the funds made available by Section 91010, five hundred million dollars (\$500,000,000) shall be made available, upon appropriation by the Legislature, to the Department of Water Resources for projects that enhance the delivery of water or increase the energy resilience of the State Water Project.

91019. (a) Of the funds made available by Section 91010, five hundred million dollars (\$500,000,000) shall be made available, upon appropriation by the Legislature, to the Department of Water Resources for projects that increase water conservation in agricultural and urban areas.

(b) Of the amount made available in subdivision (a) two hundred and fifty million dollars (\$250,000,000) shall be made available to the Department of Water Resources for competitive grants to large urban and small water suppliers to improve water efficiency, address leaks, reduce demand, support turf replacement, and maintain drought vulnerability tools.

(c) Of the amount made available in subdivision (a) two hundred and fifty million dollars (\$250,000,000) shall be made available to the Department of Water Resources for competitive grants for agricultural water use efficiency infrastructure projects.

91020. (a) Of the funds made available by Section 91000, one billion two hundred and fifty million dollars (\$1,250,000,000) shall be available, upon appropriation by the Legislature, to reduce flood risk and improve stormwater management.

(b) Of the funds made available by subdivision (a), four hundred million dollars (\$400,000,000) shall be made available to the Department of Water Resources for competitive grants for projects related to the evaluation, repair, rehabilitation, reconstruction, expansion, or replacement of levees, weirs, bypasses, and facilities of the State Plan of Flood Control.

(c) Of the funds made available by subdivision (a), two hundred and fifty million dollars (\$250,000,000) shall be made available to the Department of Water Resources for the Coastal Watershed Flood Risk Reduction Program for competitive grants for projects that reduce the risk of flood and increase public safety, enhance coastal ecosystems, and promote natural resources stewardship and public access corridors.

(d) Of the funds made available by subdivision (a), two hundred million dollars (\$200,000,000) shall be made available to the Department of Water Resources for the State Flood Control Subventions Program.

(e) Of the funds made available by subdivision (a), one hundred and fifty million dollars (\$150,000,000) shall be made available to the Department of Water Resources for competitive grants for projects in the Delta to increase flood protection and climate resiliency.

(f) Of the funds made available by subdivision (a), two hundred and fifty million dollars (\$250,000,000) shall be made available to the Water Board for competitive grants for multi-benefit storm water management projects.

91030. *(a)* Of the funds made available by Section 91000, *five hundred million* dollars (*\$500,000,000*) shall be available, upon appropriation by the Legislature, *for competitive grants for projects that provide one or more of the following benefits:*

(1) Increase water infrastructure system resilience to climate change or natural disasters.

(2) Provide incentives throughout each watershed to collaborate in managing the region's water resources or setting regional priorities for water infrastructure.

(3) Improve regional water self-reliance, including but not limited to, reducing reliance on the Sacramento-San Joaquin Delta or the Colorado River.

(4) Implement projects that are included in, and implemented in, an adopted integrated regional water management plan consistent with Part 2.2 (commencing with Section 10530) of Division 6 of the Water Code and that respond to climate change and contribute to regional water security.

(5) Improve watershed resilience and ~~to~~ protect and restore rivers, lakes, and streams.

91040. Of the funds made available by Section 91000, ____ dollars (\$____) shall be available, upon appropriation by the Legislature, to establish a water trust.

CHAPTER 3. Wildfire and Forest Resilience

91500. The sum of ____ dollars (\$____) shall be available, upon appropriation by the Legislature, for wildfire prevention, including reducing community wildfire risk and restoring the health and resilience of forests.

CHAPTER 4. Coastal Resilience

92000. The sum of ____ dollars (\$____) shall be available, upon appropriation by the Legislature, for the protection of coastal lands, waters, communities, natural resources, and urban waterfronts from climate impacts. Eligible projects include, but are not limited to, projects to restore coastal wetlands and projects to address sea level rise.

CHAPTER 5. Extreme Heat Mitigation

92500. The sum of ____ dollars (\$____) shall be available, upon appropriation by the Legislature, to address extreme heat in communities.

CHAPTER 6. Protect Biodiversity and Accelerating Nature-Based Climate Solutions

93000. The sum of ____ dollars (\$____) shall be available, upon appropriation by the Legislature, for the protection of California's biodiversity and to protect nature and restore landscape health to achieve California's climate change goals.

CHAPTER 7. Climate Smart Agriculture for Sustainability and Resiliency

93500. The sum of ____ dollars (\$____) shall be available, upon appropriation by the Legislature, for improving climate resilience of agricultural lands.

CHAPTER 8. Park Creation and Outdoor Access

94000. The sum of ____ dollars (\$____) shall be made available, upon appropriation by the Legislature, for the creation and protection of parks, outdoor access, and educational institutions.

CHAPTER 9. Fiscal Provisions

95000. (a) Bonds in the total amount of ____ dollars (\$____), not including the amount of any refunding bonds issued in accordance with Section 95012, may be issued and sold for carrying out the purposes expressed in this division and to reimburse the General Obligation Bond Expense Revolving Fund pursuant to Section 16724.5 of the Government Code. The bonds, when sold, issued, and delivered, shall be and constitute a valid and binding obligation of the State of California, and the full faith and credit of the State of California is hereby pledged for the punctual payment of both the principal of, and interest on, the bonds as the principal and interest become due and payable.

(b) The Treasurer shall cause the issuance and sell the bonds authorized by the committee pursuant to subdivision (a) in the amount determined by the committee to be necessary or desirable pursuant to Section 95003. The bonds shall be issued and sold upon the terms and conditions specified in a resolution to be adopted by the committee pursuant to Section 16731 of the Government Code.

95001. The bonds authorized by this division shall be prepared, executed, issued, sold, paid, and redeemed as provided in the State General Obligation Bond Law (Chapter 4 (commencing with Section 16720) of Part 3 of Division 4 of Title 2 of the Government Code), as amended from time to time, and all of the provisions of that law, except subdivisions (a) and (b) of Section 16727 of the Government Code, apply to the bonds and to this division and are hereby incorporated in this division as though set forth in full in this division.

95002. (a) Solely for the purpose of authorizing the issuance and sale, pursuant to the State General Obligation Bond Law (Chapter 4 (commencing with Section 16720) of Part 3 of Division 4 of Title 2 of the Government Code), of the bonds authorized by this division, the Drought and Water Resilience, Wildfire and Forest Resilience, Coastal Resilience, Extreme Heat Mitigation, Biodiversity and Nature-Based Climate Solutions, Climate Smart Agriculture, and Park Creation and Outdoor Access Bond Finance Committee is hereby created. For purposes of this division, the Drought and Water Resilience, Wildfire and Forest Resilience, Coastal Resilience, Extreme Heat Mitigation, Biodiversity and Nature-Based Climate Solutions, Climate Smart Agriculture, and Park Creation and Outdoor Access Bond Finance Committee is the “committee,” as that term is used in the State General Obligation Bond Law.

(b) The committee consists of the _____. Notwithstanding any other law, any member may designate a representative to act as that member in that member’s place for all purposes, as though the member were personally present.

(c) The _____ shall serve as the chairperson of the committee.

(d) A majority of the committee may act for the committee.

95003. The committee shall by resolution determine whether or not it is necessary or desirable to issue and sell bonds authorized by this division in order to carry out the actions specified in this division and, if so, the amount of bonds to be issued and sold. Successive issues of bonds may be authorized and sold to carry out those actions progressively, and it is not necessary that all of the bonds authorized to be issued be sold at any one time.

95004. For purposes of the State General Obligation Bond Law (Chapter 4 (commencing with Section 16720) of Part 3 of Division 4 of Title 2 of the Government Code), “board,” as defined in Section 16722 of the Government Code, means the Secretary of the Natural Resources Agency.

95005. There shall be collected each year and in the same manner and at the same time as other state revenue is collected, in addition to the ordinary revenues of the state, a sum in an amount required to pay the principal of, and interest on, the bonds becoming due in that year. It is the duty of all officers charged by law with any duty regarding the collection of the revenue to do and perform each and every act that is necessary to collect that additional sum.

95006. Notwithstanding Section 13340 of the Government Code, there is hereby continuously appropriated from the General Fund in the State Treasury, for the purposes of this division, and without regard to fiscal years, an amount that will equal the total of the following:

- (a) The sum annually necessary to pay the principal of, and interest on, bonds issued and sold pursuant to this division, as the principal and interest become due and payable.
- (b) The sum that is necessary to carry out Section 95009.

95007. The board may request the Pooled Money Investment Board to make a loan from the Pooled Money Investment Account or any other form of interim financing in accordance with Section 16312 of the Government Code, for the purpose of carrying out this division. The amount of the request shall not exceed the amount of the unsold bonds that the committee has, by resolution, authorized to be sold for the purpose of carrying out this division, excluding any refunding bonds authorized pursuant to Section 95012, less any amount loaned and not yet repaid pursuant to this section and any amount withdrawn from the General Fund pursuant to Section 95009 and not yet returned to the General Fund. The board shall execute those documents required by the Pooled Money Investment Board to obtain and repay the loan. Any amounts loaned shall be deposited in the fund to be allocated in accordance with this division.

95008. Notwithstanding any other provision of this division, or of the State General Obligation Bond Law (Chapter 4 (commencing with Section 16720) of Part 3 of Division 4 of Title 2 of the Government Code), if the Treasurer sells bonds pursuant to this chapter that include a bond counsel opinion to the effect that the interest on the bonds is excluded from gross income for federal tax purposes under designated conditions or is otherwise entitled to any federal tax advantage, the Treasurer may maintain separate accounts for the bond proceeds invested and for the investment earnings on those proceeds and may use or direct the use of those proceeds or earnings to pay any rebate, penalty, or other payment required under federal law or take any other action with respect to the investment and use of those bond proceeds, as may be required or desirable under federal law in order to maintain the tax-exempt status of those bonds and to obtain any other advantage under federal law on behalf of the funds of this state.

95009. For purposes of carrying out this division, the Director of Finance may authorize the withdrawal from the General Fund of an amount or amounts not to exceed the amount of the unsold bonds that have been authorized by the committee to be sold for the purpose of carrying out this division, excluding refunding bonds authorized pursuant to Section 95012, less any amount loaned pursuant to Section 95007 and not yet repaid and any amount withdrawn from the General Fund pursuant to this section and not yet returned to the General Fund. Any amounts withdrawn shall be deposited in the fund to be allocated in accordance with this division. Any moneys made available under this section shall be returned to the General Fund, with interest at the rate earned by the moneys in the Pooled Money Investment Account, from proceeds received from the sale of bonds for the purpose of carrying out this division.

95010. All moneys deposited in the fund that are derived from premiums and accrued interest on bonds sold pursuant to this division shall be reserved in the fund and shall be available for transfer to the General Fund as a credit to expenditures for bond interest, except that amounts derived from premiums may be reserved and used to pay costs of bond issuance before any transfer to the General Fund.

95011. Pursuant to the State General Obligation Bond Law (Chapter 4 (commencing with Section 16720) of Part 3 of Division 4 of Title 2 of the Government Code), the cost of bond issuance shall be paid or reimbursed out of the bond proceeds, including premiums, if any. To the extent the cost of bond issuance is not paid from premiums received from the sale of bonds, these costs shall be allocated proportionally to each program funded through this division by the applicable bond sale.

95012. The bonds issued and sold pursuant to this division may be refunded in accordance with Article 6 (commencing with Section 16780) of Chapter 4 of Part 3 of Division 4 of Title 2 of the Government Code, which is a part of the State General Obligation Bond Law, as amended. Approval by the voters of the state for the issuance of the bonds under this division shall include approval of the issuance, sale, or exchange of any bonds issued to refund any bonds originally issued under this division or any previously issued refunding bonds. Any bond refunded with the proceeds of a refunding bond as authorized by this section may be legally defeased to the extent permitted by law in the manner and to the extent set forth in the resolution, as amended from time to time, authorizing that refunded bond.

95013. Notwithstanding Section 16727 of the Government Code, funds provided pursuant to this division may be used for grants and loans to nonprofit organizations to repay financing described in Section 22064 of the Financial Code related to projects that are consistent with the purpose of the respective provisions of this division.

95014. The proceeds from the sale of bonds authorized by this division are not “proceeds of taxes” as that term is used in Article XIII B of the California Constitution, and the disbursement of these proceeds is not subject to the limitations imposed by that article.

95015. Bonds issued under this division shall, whenever practical, be aligned with generally recognized principles and best practice guidelines for financing drought and water resilience, wildfire and forest resilience, coastal resilience, extreme heat mitigation, biodiversity and nature-based climate solutions, climate smart agriculture, and park creation and outdoor access projects.

SEC. 3. Section 2 of this act shall take effect upon the approval by the voters of the Drought and Water Resilience, Wildfire and Forest Resilience, Coastal Resilience, Extreme Heat Mitigation, Biodiversity and Nature-Based Climate Solutions, Climate Smart Agriculture, and Park Creation and Outdoor Access Bond Act of 2023, as set forth in Section 2 of this act.

SEC. 4. (a) Section 2 of this act shall be submitted by the Secretary of State to the voters at the _____, statewide _____ election.

(b) The Secretary of State shall include in the ballot pamphlets mailed pursuant to Section 9094 of the Elections Code the information specified in Section 9084 of the Elections Code regarding Section 2 of this act.

SEC. 5. The provisions of this act are severable. If any provision of this act or its application is held invalid, that invalidity shall not affect other provisions or applications that can be given effect without the invalid provision or application.

MPWMD Legislative Track

As of August 2023

Measure	Author	Topic	Status	Brief Summary	Position
<u>AB 45</u>	<u>Boerner D</u>	Coastal resources: coastal development permits: blue carbon demonstration projects.	7/3/2023-From committee: Do pass and re-refer to Com. on APPR. (Ayes 7. Noes 1.) (July 3). Referred to Com. on APPR.	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.	
<u>AB 62</u>	<u>Mathis R</u>	Statewide water storage: expansion.	5/19/2023-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/10/2023)(May be acted upon Jan 2024)	Current law establishes within the Natural Resources Agency the State Water Resources Control Board and the California regional water quality control boards. Current law requires the work of the state board to be divided into at least 2 divisions, known as the Division of Water Rights and the Division of Water Quality. This bill 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 Department of Water Resources, in consultation with the state board, to take reasonable actions to promote or assist efforts to achieve the statewide goal, as provided. The bill would require the department, beginning July 1, 2027, and on or before July 1 every 2 years thereafter until January 1, 2043, in consultation with the state board, to prepare and submit a report to the Legislature on the progress made to achieve the statewide goal.	
<u>AB 66</u>	<u>Mathis R</u>	Natural Resources Agency: water	5/19/2023-Failed Deadline pursuant to	Current law establishes the Natural Resources Agency, composed of departments, boards, conservancies, and commissions	

			storage projects: permit approval.		Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 4/19/2023)(May be acted upon Jan 2024)	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 take all reasonable steps to approve the necessary permits for specified projects that meet certain employment conditions within 180 days from receiving a complete permit application.	
<u>AB 305</u>	<u>Villapudua D</u>	California Flood Protection Bond Act of 2024.	California Flood Protection Bond Act of 2024.	6/14/2023-Referred to Coms. on N.R. & W. and GOV. & F.	Would enact the California Flood Protection Bond Act of 2024 which, if approved by the voters, would authorize the issuance of bonds in the amount of \$4,500,000,000 pursuant to the State General Obligation Bond Law for flood protection projects, as specified. The bill would provide for the submission of these provisions to the voters at the November 5, 2024, statewide general election.		
<u>AB 345</u>	<u>Wilson D</u>	Habitat restoration: flood control: advance payments.	Habitat restoration: flood control: advance payments.	7/10/2023-In committee: Referred to APPR. suspense file.	Current law establishes the Central Valley Flood Protection Board and authorizes the board to engage in various flood control activities along the Sacramento River, the San Joaquin River, their tributaries, and related areas. This bill would authorize the Department of Water Resources or the board to provide advance payments, as defined, to local agencies for projects that restore habitat for threatened and endangered species under state or federal law or improve flood protection, as provided. The bill would prohibit the amount of funds advanced by the department or the board to the local agency at any one time from exceeding 25% of the entire amount authorized to be provided under the funding agreement. The bill would require the project proponent to demonstrate a need for an advance payment and that the project proponent is sufficiently qualified to manage the project and the project's finances. The bill would require the funds to be spent within 6 months and would require the recipient to provide an accountability report to the department or the board on a quarterly basis, as specified.		
<u>AB 429</u>	<u>Bennett D</u>	Groundwater	Groundwater	4/28/2023-Failed	Current law requires the State Water Resources Control Board to		

		wells: permits.	Deadline pursuant to Rule 61(a)(2). (Last location was W.P. & W. on 3/2/2023)(May be acted upon Jan 2024)	<p>adopt a model water well, cathodic protection well, and monitoring well drilling and abandonment ordinance implementing certain standards for water well construction, maintenance, and abandonment and requires each county, city, or water agency, where appropriate, not later than January 15, 1990, to adopt a water well, cathodic protection well, and monitoring well drilling and abandonment ordinance that meets or exceeds certain standards. Under current law, if a county, city, or water agency, where appropriate, fails to adopt an ordinance establishing a water well, cathodic protection well, and monitoring well drilling and abandonment standards, the model ordinance adopted by the state board is required to take effect on February 15, 1990, and is required to be enforced by the county or city and have the same force and effect as if adopted as a county or city ordinance. The Sustainable Groundwater Management Act requires all groundwater basins designated as high- or medium-priority basins by the Department of Water Resources that are designated as basins subject to critical conditions of overdraft to be managed under a groundwater sustainability plan or coordinated groundwater sustainability plans by January 31, 2020, and requires all other groundwater basins designated as high- or medium-priority basins to be managed under a groundwater sustainability plan or coordinated groundwater sustainability plans by January 31, 2022, except as specified. This bill would, if 1% of domestic wells go dry in a critically overdrafted basin, as specified, prohibit a county, city, or any other water well permitting agency from approving a permit for a new groundwater well or for an alteration to an existing well in a basin subject to the act and classified as a critically overdrafted basin unless specified conditions are met.</p>	
<u>AB 460</u>	<u>Bauer-Kahan D</u>	State Water Resources Control Board: water rights and usage: interim relief: procedures.	7/14/2023-Failed Deadline pursuant to Rule 61(a)(10). (Last location was N.R. & W. on 6/7/2023)(May be acted upon Jan 2024)	<p>Current law authorizes the State Water Resources Control Board to investigate all streams, stream systems, lakes, or other bodies of water, take testimony relating to the rights to water or the use of water, and ascertain whether water filed upon or attempted to be appropriated is appropriated under the laws of the state. Current law requires the board to take appropriate actions to prevent waste or the unreasonable use of water. This bill would authorize the</p>	Oppose

<u>AB 541</u>	<u>Wood D</u>	California Safe Drinking Water Act: wildfire aftermath: benzene testing.	7/5/2023-Read second time. Ordered to third reading.	<p>board, in conducting specified investigations or proceedings to inspect the property or facilities of a person or entity, as specified. The bill would authorize the board, if consent is denied for an inspection, to obtain an inspection warrant, as specified, or in the event of an emergency affecting public health and safety, to conduct an inspection without consent or a warrant.</p> <p>Would direct the State Water Resources Control Board to require a public water system that has experienced a wildfire event meeting specified criteria to perform sample collection and analysis of its source waters, treatment facilities, conveyance facilities, distribution systems, or a combination thereof, for the presence of benzene as soon as it is safe to do so.</p>	
<u>AB 557</u>	<u>Hart D</u>	Open meetings: local agencies: teleconferences.	6/29/2023-Read second time. Ordered to third reading.	<p>The Ralph M. Brown Act requires, with specified exceptions, that all meetings of a legislative body of a local agency, as those terms are defined, be open and public and that all persons be permitted to attend and participate. The act contains specified provisions regarding providing for the ability of the public to observe and provide comment. The act allows for meetings to occur via teleconferencing subject to certain requirements, particularly that the legislative body notice each teleconference location of each member that will be participating in the public meeting, that each teleconference location be accessible to the public, that members of the public be allowed to address the legislative body at each teleconference location, that the legislative body post an agenda at each teleconference location, and that at least a quorum of the legislative body participate from locations within the boundaries of the local agency's jurisdiction. The act provides an exemption to the jurisdictional requirement for health authorities, as defined. This bill would revise the authority of a legislative body to hold a teleconference meeting under those abbreviated teleconferencing procedures when a declared state of emergency is in effect. Specifically, the bill would extend indefinitely that authority in the circumstances under which the legislative body either (1) meets for the purpose of determining whether, as a result of the emergency, meeting in person would present imminent risks to the health or</p>	

					safety of attendees, or (2) has previously made that determination.
<u>AB 779</u>	<u>Wilson D</u>	Groundwater adjudication.	7/12/2023-From committee: Do pass and re-refer to Com. on APPR. (Ayes 8. Noes 3.) (July 11). Referred to Com. on APPR.		Current law establishes various methods and procedures for a comprehensive adjudication of groundwater rights in civil court. This bill would require the court to appoint one party to forward all case management orders, judgments, and interlocutory orders to the Department of Water Resources within 10 business days of issuance. The bill would require the court to allocate payment of the costs incurred by the party appointed to forward all case management orders, judgments, and interlocutory orders to the department among the parties in an amount and a manner that the court deems equitable. The bill would require the department to post the documents on its internet website in the interest of transparency and accessibility within 20 business days of receipt from a party, as specified. The bill would authorize the court to refer the matter to the State Water Resources Control Board for investigation and report in order to assist the court in making findings pursuant to these provisions, and would authorize a party to request that the court refer the matter to the board for these purposes. The bill would require the court to consider the water use of small farmers and disadvantaged communities, as those terms are defined, before entering a judgment.
<u>AB 805</u>	<u>Arambula D</u>	Drinking water consolidation: sewer service.	5/19/2023-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 4/19/2023)(May be acted upon Jan 2024)		Would authorize the State Water Resources Control Board, if sufficient funds are available, to order consolidation of sewer service along with an order of consolidation of drinking water systems when both of the receiving and subsumed water systems provide sewer service and after the state board engages in certain activities, including, but not limited to, consulting with the relevant regional water board and the receiving water system and conducting outreach to ratepayers and residents served by the receiving and subsumed water systems, as provided.
<u>AB 817</u>	<u>Pacheco D</u>	Open meetings: teleconferencing: subsidiary body.	5/5/2023-Failed Deadline pursuant to Rule 61(a)(3). (Last location was L. GOV. on 3/16/2023)(May		Current law, until January 1, 2026, authorizes the legislative body of a local agency to use alternative teleconferencing in certain circumstances related to the particular member if at least a quorum of its members participate from a singular physical location that is open to the public and situated within the agency's jurisdiction and

			be acted upon Jan 2024)	<p>other requirements are met, including restrictions on remote participation by a member of the legislative body. This bill would authorize a subsidiary body, as defined, to use alternative teleconferencing provisions similar to the emergency provisions indefinitely and without regard to a state of emergency. In order to use teleconferencing pursuant to the Ralph M. Brown Act, the bill would require the legislative body that established the subsidiary body by charter, ordinance, resolution, or other formal action to make specified findings by majority vote, before the subsidiary body uses teleconferencing for the first time and every 12 months thereafter.</p>
<u>AB 828</u>	<u>Connolly D</u>	Sustainable groundwater management: managed wetlands.	4/28/2023-Failed Deadline pursuant to Rule 61(a)(2). (Last location was W.P. & W. on 3/2/2023)(May be acted upon Jan 2024)	<p>The Sustainable Groundwater Management Act requires all groundwater basins designated as high- or medium-priority basins by the Department of Water Resources that are designated as basins subject to critical conditions of overdraft to be managed under a groundwater sustainability plan or coordinated groundwater sustainability plans by January 31, 2020, and requires all other groundwater basins designated as high- or medium-priority basins to be managed under a groundwater sustainability plan or coordinated groundwater sustainability plans by January 31, 2022, except as specified. Current law defines various terms for purposes of the act, including the term “managed wetland.”</p>
<u>AB 830</u>	<u>Soria D</u>	Lake and streambed alteration agreements: exemptions.	7/11/2023-From committee: Do pass and re-refer to Com. on APPR. (Ayes 10. Noes 0.) (July 10). Referred to Com. on APPR.	<p>Current law prohibits a person, a state or local governmental agency, or a public utility from substantially diverting or obstructing the natural flow of, or substantially changing or using any material from the bed, channel, or bank of, any river, stream, or lake, or depositing or disposing of debris, waste, or other material containing crumbled, flaked, or ground pavement where it may pass into any river, stream, or lake, unless prescribed requirements are met, including written notification to the Department of Fish and Wildlife regarding the activity. Current law prescribes various requirements for lake and streambed alteration agreements. Current law also establishes various exemptions from these provisions, including exemptions for</p>

				<p>specified emergency work. This bill would additionally exempt from these provisions the temporary operation of existing infrastructure or temporary pumps being used to divert flood stage flows, as identified by the California Nevada River Forecast Center or the State Water Resources Control Board, or near-flood stage flows, as defined, to groundwater recharge as long as certain conditions are met.</p>	
<p><u>AB 838</u></p>	<p><u>Connolly D</u></p>	<p>California Water Affordability and Infrastructure Transparency Act of 2023.</p>	<p>5/19/2023-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 4/19/2023)(May be acted upon Jan 2024)</p>	<p>The California Safe Drinking Water Act requires the State Water Resources Control Board to administer provisions relating to the regulation of drinking water to protect public health. Current law declares it 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. The act prohibits a person from operating a public water system unless the person first submits an application to the state board and receives a permit to operate the system, as specified. The act requires a public water system to submit a technical report to the state board as a part of the permit application or when otherwise required by the state board, as specified, and to submit the report in the form and format and at intervals specified by the state board. This bill would require, beginning January 1, 2025, and thereafter at intervals determined by the state board, public water systems to provide specified information and data related to customer water bills and efforts to replace aging infrastructure to the state board.</p>	
<p><u>AB 896</u></p>	<p><u>Aguiar-Curry D</u></p>	<p>Flood control: City of Woodland: Lower Cache Creek.</p>	<p>5/19/2023-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/10/2023)(May be acted upon Jan 2024)</p>	<p>Current law authorizes a plan of improvement for flood control and water conservation on Cache Creek, including Clear Lake, in the Counties of Yolo and Lake. This bill would specifically adopt and approve the Lower Cache Creek Flood Risk Management Project, as provided. The bill would also authorize the state to provide funds, up to 99% of the costs, as specified, for the project for flood control on the Lower Cache Creek in the County of Yolo, and would authorize the City of Woodland to receive funds for these purposes under specified conditions. The bill would also authorize the state to authorize funding, upon appropriation by</p>	

<u>AB 900</u>	<u>Bennett D</u>	Aquifer recharge.	5/19/2023-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/10/2023)(May be acted upon Jan 2024)	Current law requires the Natural Resources Agency to update every 3 years the state's climate adaptation strategy, known as the Safeguarding California Plan, and to coordinate with other state agencies to identify vulnerabilities to climate change by sectors and priority actions needed to reduce the risks in those sectors. Current law requires, to address the vulnerabilities identified in the plan, state agencies to maximize specified objectives, including promoting the use of the plan to inform planning decisions and ensure that state investments consider climate change impacts, as well as promote the use of natural systems and natural infrastructure, when developing physical infrastructure to address adaptation. This bill would add aquifers as part of the meaning of natural infrastructure.	the Legislature, to be used for planning, engineering, designing, mitigation, and constructing the project if the Director of Water Resources makes specified findings.
<u>AB 1024</u>	<u>Aguilar-Curry D</u>	Water rights: small irrigation use: lake or streambed alteration agreements.	6/27/2023-From committee: Do pass and re-refer to Com. on APPR with recommendation: To Consent Calendar. (Ayes 11. Noes 0.) (June 27). Re-referred to Com. on APPR.	The Water Rights Permitting Reform Act of 1988 authorizes a person to obtain a right to appropriate water for a small domestic use, small irrigation use, or livestock stockpond use upon first registering the use, as those uses are defined by the act, with the State Water Resources Control Board and thereafter applying the water to reasonable and beneficial use with due diligence. The act requires the registration of water use to be made upon a form prescribed by the board that requires, among other things, a certification that the registrant has contacted a representative of the Department of Fish and Wildlife and has agreed to comply with conditions set forth by the department. The act requires the board to establish reasonable general conditions to which all appropriations made pursuant to the act are required to be subject, including, among other things, that all conditions lawfully required by the department are conditions upon the appropriations. The act provides that the board is not required to adopt general conditions for small irrigation use until the board determines that funds are available for that purpose, and that a registration for small irrigation use pursuant to the act is not authorized until the board	

				<p>establishes general conditions for small irrigation use to protect instream beneficial uses, as specified. This bill would require the board to give priority to adopting, on or before June 30, 2027, except as provided, general conditions that permit specified registrants to store water for small irrigation use during times of high streamflow in exchange for those registrants reducing diversions during periods of low streamflow, as specified.</p>
<u>AB 1196</u>	<u>Villapudua D</u>	Water Quality, Supply, and Infrastructure Improvement Act of 2014.	5/5/2023-Failed Deadline pursuant to Rule 61(a)(3). (Last location was PRINT on 2/16/2023)(May be acted upon Jan 2024)	<p>The Water Quality, Supply, and Infrastructure Improvement Act of 2014, a bond act approved by the voters as Proposition 1 at the November 4, 2014, statewide general election, authorizes the issuance of general obligation bonds to finance a water quality, supply, and infrastructure improvement program, as specified. Under the bond act, \$520,000,000 is available, upon appropriation by the Legislature, for expenditures, grants, and loans for projects that improve water quality or help provide clean, safe, and reliable drinking water to all Californians. Current law requires projects eligible for this funding to help improve water quality for a beneficial use. This bill would make a nonsubstantive change to the latter provision.</p>
<u>AB 1205</u>	<u>Bauer-Kahan D</u>	Water rights: sale, transfer, or lease: agricultural lands.	7/13/2023-Read second time and amended. Ordered to third reading.	<p>Current law declares that, because of the conditions prevailing in this state, the general welfare requires that the water resources of the state be put to beneficial use to the fullest extent of which they are capable, that the waste or unreasonable use or unreasonable method of use of water be prevented, and that the conservation of the water is to be exercised with a view to the reasonable and beneficial use of the water in the interest of the people and for the public welfare. This bill would require the State Water Resources Control Board to, on or before January 1, 2027, conduct a study and report to the Legislature and appropriate policy committees on the existence of speculation or profiteering by an investment fund in the sale, transfer, or lease of an interest in any surface water right or groundwater right previously put to beneficial use on agricultural lands, as specified. The bill would repeal this provision on January 1, 2031.</p>
<u>AB 1272</u>	<u>Wood D</u>	State Water	7/10/2023-In	<p>Would require the State Water Resources Control Board, in</p>

		Resources Control Board: drought planning.	committee: Referred to APPR. suspense file.	consultation with the Department of Fish and Wildlife, to adopt principles and guidelines for diversion and use of water in coastal watersheds, as specified, during times of water shortage for drought preparedness and climate resiliency. The bill would require that the principles and guidelines allow for the development of locally generated watershed-level plans to support public trust uses, public health and safety, and the human right to water in times of water shortage, among other things. The bill also would require the state board, prior to adopting those principles and guidelines, to allow for public comment and hearing, as provided. The bill would make the implementation of these provisions contingent upon an appropriation of funds by the Legislature for this purpose.	
<u>AB 1337</u>	<u>Wicks D</u>	State Water Resources Control Board: water diversion curtailment.	7/14/2023-Failed Deadline pursuant to Rule 61(a)(10). (Last location was N.R. & W. on 6/7/2023)(May be acted upon Jan 2024)	Under existing law, the diversion or use of water other than as authorized by specified provisions of law is a trespass, subject to specified civil liability. This bill would expand the instances when the diversion or use of water is considered a trespass. This bill contains other related provisions and other existing laws.	Oppose
<u>AB 1348</u>	<u>Grayson D</u>	State government: Controller: claims audits.	7/11/2023-From committee: Do pass and re-refer to Com. on APPR with recommendation: To Consent Calendar. (Ayes 14. Noes 0.) (July 11). Re-referred to Com. on APPR.	Existing law, the Government Claims Act, generally requires the presentation of all claims for money or damages against local public entities and the state. Existing law provides for the presentation of a claim for which appropriations have been made, or for which state funds are available, under that act to the Controller, in the form and manner prescribed by the general rules and regulations adopted by the Department of General Services. Existing law, with specified exceptions, prohibits the Controller from drawing a warrant for any claim until it has been audited in conformity with law and the general rules and regulations adopted by the Department of General Services governing the presentation and audit of claims. This bill would authorize the Controller to conduct, unless prohibited by the provisions of a state ballot proposition passed by the electorate, financial and compliance audits as the Controller's office deems as necessary for purposes	

				<p>of ensuring that any expenditures, regardless of the source or fund from which the warrants for claims are drawn, are expended in a manner consistent with the law and the voters' intent. The bill would also authorize the Controller to conduct any audits necessary to carry out their constitutional and statutory duties and responsibilities under the law. The bill would require, if an audit is conducted as specified, the Controller to provide a report with specified information from these audits to the Legislature by June 30 following the completion of the audit and would require the Controller to allow all auditees in the report a reasonable period of time to review and comment on the section of the report relating to the auditee, as described. The bill would make related legislative findings and declarations.</p>	
<p><u>AB 1364</u></p>	<p><u>Carrillo, Juan D</u></p>	<p>Fish and wildlife protection and conservation: lake or streambed alterations.</p>	<p>5/5/2023-Failed Deadline pursuant to Rule 61(a)(3). (Last location was PRINT on 2/17/2023)(May be acted upon Jan 2024)</p>	<p>Current law prohibits an entity from substantially diverting or obstructing the natural flow of, or substantially changing or using any material from the bed, channel, or bank of, any river, stream, or lake, or from depositing or disposing of certain material where it may pass into any river, stream, or lake, without first notifying the Department of Fish and Wildlife of that activity, and entering into a lake or streambed alteration agreement if required by the department to protect fish and wildlife resources, except as specified. This bill would make nonsubstantive changes to these provisions.</p>	
<p><u>AB 1488</u></p>	<p><u>Wallis R</u></p>	<p>California Environmental Quality Act: environmental leadership development projects: water storage, water conveyance, and groundwater recharge projects: streamlined review.</p>	<p>4/28/2023-Failed Deadline pursuant to Rule 61(a)(2). (Last location was NAT. RES. on 3/9/2023)(May be acted upon Jan 2024)</p>	<p>The Jobs and Economic Improvement Through Environmental Leadership Act of 2021 authorizes the Governor, until January 1, 2024, to certify environmental leadership development projects that meet specified requirements for certain streamlining benefits related to CEQA. The act, among other things, requires a lead agency to prepare the record of proceedings for an environmental leadership development project, as provided, and to include a specified notice in the draft EIR and final EIR. The act is repealed by its own term on January 1, 2026. This bill would extend the application of the act to water storage projects, water conveyance projects, and groundwater recharge projects that provide public benefits and drought preparedness. The bill would authorize the</p>	

					<p>Governor, until January 1, 2025, to certify water storage projects, water conveyance projects, and groundwater recharge projects as environmental leadership development projects. The bill would make other conforming changes. Because a lead agency would be required to prepare the record of proceedings for water storage projects, water conveyance projects, and groundwater recharge projects pursuant to the act, this bill would impose a state-mandated local program.</p>	
<u>AB 1563</u>	<u>Bennett D</u>	Groundwater sustainability agency: groundwater extraction permit: verification.	7/14/2023-Failed Deadline pursuant to Rule 61(a)(10). (Last location was GOV. & F. on 6/22/2023)(May be acted upon Jan 2024)	<p>Current law authorizes any local agency or combination of local agencies overlying a groundwater basin to decide to become a groundwater sustainability agency for that basin and imposes specified duties upon that agency or combination of agencies, as provided. Current law authorizes a groundwater sustainability agency to request of the county, and requires a county to consider, that the county forward permit requests for the construction of new groundwater wells, the enlarging of existing groundwater wells, and the reactivation of abandoned groundwater wells to the agency before permit approval. This bill would instead require a county to forward permit requests for the construction of new groundwater wells, the enlarging of existing groundwater wells, and the reactivation of abandoned groundwater wells to the groundwater sustainability agency before permit approval.</p>		
<u>AB 1567</u>	<u>Garcia D</u>	Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, Clean Energy, and Workforce Development Bond Act of 2024.	6/14/2023-Referred to Coms. on N.R. & W. and GOV. & F.	<p>Would enact the Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, Clean Energy, and Workforce Development Bond Act of 2024, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$15,995,000,000 pursuant to the State General Obligation Bond Law to finance projects for safe drinking water, wildfire prevention, drought preparation, flood protection, extreme heat mitigation, clean energy, and workforce development programs.</p>	Support	
<u>AB 1572</u>	<u>Friedman D</u>	Potable water:	7/10/2023-Read	(1)Current law establishes various state water policies, including	Was	

		nonfunctional turf.	second time and amended. Re-referred to Com. on APPR.	<p>the policy that the use of water for domestic purposes is the highest use of water. This bill would make legislative findings and declarations concerning water use, including that the use of potable water to irrigate nonfunctional turf is wasteful and incompatible with state policy relating to climate change, water conservation, and reduced reliance on the Sacramento-San Joaquin Delta ecosystem. The bill would direct all appropriate state agencies to encourage and support the elimination of irrigation of nonfunctional turf with potable water. This bill contains other related provisions and other existing laws.</p>	Oppose but ACWA negotiated amendments
<u>AB 1573</u>	<u>Friedman D</u>	Water conservation: landscape design: model ordinance.	7/10/2023-Read second time and amended. Re-referred to Com. on APPR.	<p>The Water Conservation in Landscaping Act provides for a Model Water Efficient Landscape Ordinance that is adopted and updated at least every 3 years by the Department of Water Resources, unless the department makes a specified finding. This bill would require the updated model ordinance to include provisions that require that plants included in a landscape design plan be selected based on their adaptability to climatic, geological, and topographical conditions of the project site, as specified. The bill would also exempt landscaping that is part of ecological restoration projects that do not require a permanent irrigation system, mined-land reclamation projects that do not require a permanent irrigation system, and existing plant collections, as part of botanical gardens and arboretums open to the public, from the model ordinance. The bill would require the updated model ordinance to include provisions that require that all new or renovated nonresidential areas install plants that meet specified criteria, and that prohibit the inclusion of nonfunctional turf in nonresidential landscape projects after January 1, 2026. The bill would make other clarifying changes to the updated model ordinance. The bill would require the department, no later than July 1, 2024, to convene a working group composed of a broad range of stakeholders with expertise in horticulture and native plants, as specified, to develop a strategic plan with measurable milestones to, by January 1, 2035, reach a target that all new and renovated nonresidential areas install in the project footprint not less than 75% native plants.</p>	

<u>AB 1631</u>	<u>Schiavo D</u>	Water resources: permit to appropriate: application procedure: mining use.	7/11/2023-From committee: Do pass and re-refer to Com. on APPR. (Ayes 7. Noes 0.) (July 10). Referred to Com. on APPR.	Under existing law, the State Water Resources Control Board administers a water rights program pursuant to which the board grants permits and licenses to appropriate water. Existing law requires an application for a permit to appropriate water to include, among other things, sufficient information to demonstrate a reasonable likelihood that unappropriated water is available for the proposed appropriation. Existing law requires the board to issue and deliver a notice of an application as soon as practicable after the receipt of an application for a permit to appropriate water that conforms to the law. Existing law allows interested persons to file a written protest with regard to an application to appropriate water and requires the protestant to set forth the objections to the application. Existing law declares that no hearing is necessary to issue a permit in connection with an unprotected application, or if the undisputed facts support the issuance of the permit and there is no disputed issue of material fact, unless the board elects to hold a hearing. This bill, if the board has not rendered a final determination on an application for a permit to appropriate water for a beneficial use or uses that include mining use within 30 years from the date the application was filed, would require the board to issue a new notice and provide an opportunity for protests before rendering a final determination, with specified exceptions.	
<u>AB 1684</u>	<u>Maienschein D</u>	Local ordinances: fines and penalties: cannabis.	7/13/2023-Read second time and amended. Ordered to third reading.	Current law authorizes the legislative body of a local agency, as defined, to make, by ordinance, any violation of an ordinance subject to an administrative fine or penalty, as specified. Current law requires the ordinance adopted by the local agency to provide for a reasonable period of time, as specified in the ordinance, for a person responsible for a continuing violation to correct or otherwise remedy the violation prior to the imposition of administrative fines or penalties, when the violation pertains to building, plumbing, electrical, or other similar structural or zoning issues that do not create an immediate danger to health or safety. Current law authorizes the ordinance to provide for the immediate imposition of administrative fines or penalties for the violation of building, plumbing, electrical, or other similar structural, health and safety, or zoning requirements if the violation exists as a result	

				<p>of, or to facilitate, the illegal cultivation of cannabis, except as specified. This bill would expand the authorization for an ordinance providing for the immediate imposition of administrative fines or penalties to include all unlicensed commercial cannabis activity, including cultivation, manufacturing, processing, distribution, or retail sale of cannabis, and would authorize the ordinance to declare unlicensed commercial cannabis activity a public nuisance. The bill would prohibit the ordinance from imposing an administrative fine or penalty exceeding \$1,000 per violation or \$10,000 per day.</p>	
<u>ACA 2</u>	<u>Alanis R</u>	Public resources: Water and Wildfire Resiliency Act of 2023.	4/20/2023-Referred to Coms. on W., P., & W. and NAT. RES.	<p>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.</p>	
<u>SB 3</u>	<u>Dodd D</u>	Discontinuation of residential water service: public water system.	6/21/2023-From committee: Do pass and re-refer to Com. on APPR. (Ayes 7. Noes 2.) (June 20). Re-referred to Com. on APPR.	<p>Current law authorizes the State Water Resources Control Board to provide for the deposit into the Safe and Affordable Drinking Water Fund of certain moneys and continuously appropriates the moneys in the fund to the state board for grants, loans, contracts, or services to assist eligible recipients. This bill would require the board to, upon appropriation by the Legislature, expend moneys to provide training statewide to community water systems with between 15 and 200 service connections to meet compliance with the Water Shutoff Protection Act.</p>	
<u>SB 23</u>	<u>Caballero D</u>	Water supply and flood risk reduction projects: expedited permitting.	5/19/2023-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/15/2023)(May be	<p>Current law prohibits an entity from substantially diverting or obstructing the natural flow of, or substantially changing or using any material from the bed, channel, or bank of, any river, stream, or lake, or deposit or dispose of debris, waste, or other material containing crumbled, flaked, or ground pavement where it may pass into any river, stream, or lake, except under specified</p>	

			acted upon Jan 2024)	<p>conditions, including requiring the entity to send written notification to the Department of Fish and Wildlife regarding the activity in the manner prescribed by the department. This bill would require a project proponent, if already required to submit a notification to the department, to submit to the department the certified or adopted environmental review document, as applicable, for the activity in the notification. The bill would require the department, under prescribed circumstances, to take certain actions within specified timelines, or within a mutually agreed-to extension of time.</p>
<p><u>SB 315</u></p>	<p><u>Hurtado D</u></p>	<p>Groundwater: groundwater sustainability agencies: probationary basins.</p>	<p>5/19/2023-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/1/2023)(May be acted upon Jan 2024)</p>	<p>The Sustainable Groundwater Management Act authorizes the State Water Resources Control Board to designate specified basins as probationary basins if certain conditions are met, including, but not limited to, that the Department of Water Resources, in consultation with the board, determines that a groundwater sustainability plan is inadequate or that the groundwater sustainability program is not being implemented in a manner that will likely achieve the sustainability goal. Current law requires the board, if it designates a basin as a probationary basin pursuant to specified conditions, to identify the specific deficiencies and potential remedies. Current law authorizes the board to request the department, within 90 days of the designation, to provide technical recommendations to local agencies to remedy the deficiencies and to develop an interim plan for the probationary basin one year after the designation, as specified. This bill would require any groundwater sustainability agency that hires a third-party consulting firm to ensure that the integrity of the science being used to develop a groundwater sustainability plan is protected and the data is not sold. The bill would delete the authorizations for the board to request technical recommendations from the department. The bill would additionally place various requirements on the board in working with a groundwater sustainability agency, including, among other things, requiring the board to provide clear benchmarks and guidance for groundwater sustainability agencies to improve their groundwater management plans.</p>

<u>SB 361</u>	<u>Dodd D</u>	Water resources: stream gages.	5/19/2023-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 4/17/2023)(May be acted upon Jan 2024)	<p>Current law requires the Department of Water Resources and the State Water Resources Control Board, in consultation with the Department of Fish and Wildlife, the Department of Conservation, the Central Valley Flood Protection Board, interested stakeholders, and, to the extent they wish to consult, local agencies, to develop the plan to address significant gaps in information necessary for water management and the conservation of freshwater species. This bill would require the Department of Water Resources and the board, upon appropriation of funds by the Legislature, to reactivate, upgrade, and install new stream gages, as provided. The bill would require the department and board to use the recommendations and data provided in the California Stream Gaging Prioritization Plan 2022 to complete specified actions by 2030. The bill would require the department to report to the Legislature, on or before January 1, 2026, and every 2 years thereafter, on progress made in completing those specified actions. The bill would require the data from all stream gages operating with any public money to be published as provisional data within 10 days of collection and made publicly available on the state’s open water data platforms. The bill would require the department and board to develop and adopt a set of standards and processes for assessing, tracking, and reporting the accuracy of stream gages, evapotranspiration data, water meters, and other critical data inputs for water management, as provided. The bill would require the department and the board to consult with interested stakeholders to develop a plan to identify the gaps in the network of automated weather stations and eddy covariance towers to ensure accurate and comprehensive data collection.</p>
<u>SB 366</u>	<u>Caballero D</u>	The California Water Plan: long-term supply targets.	7/14/2023-Failed Deadline pursuant to Rule 61(a)(10). (Last location was W.,P. & W. on 6/8/2023)(May be acted upon Jan 2024)	<p>Current law requires the Department of Water Resources to update every 5 years the plan for the orderly and coordinated control, protection, conservation, development, and use of the water resources of the state, which is known as “The California Water Plan.” Current law requires the department to include a discussion of various strategies in the plan update, including, but not limited to, strategies relating to the development of new water storage facilities, water conservation, water recycling, desalination,</p>

				<p>conjunctive use, water transfers, and alternative pricing policies that may be pursued in order to meet the future needs of the state. Current law requires the department to establish an advisory committee to assist the department in updating the plan. This bill would revise and recast certain provisions regarding The California Water Plan to, among other things, require the department to instead establish a stakeholder advisory committee and to expand the membership of the committee to include tribes, labor, and environmental justice interests. The bill would require the department to coordinate with the California Water Commission, the State Water Resources Control Board, other state and federal agencies as appropriate, and the stakeholder advisory committee to develop a comprehensive plan for addressing the state's water needs and meeting specified long-term water supply targets established by the bill for purposes of The California Water Plan. The bill would require the plan to provide recommendations and strategies to ensure enough water supply for all beneficial uses.</p>
<u>SB 389</u>	<u>Allen D</u>	State Water Resources Control Board: investigation of water right.	7/11/2023-From committee: Do pass and re-refer to Com. on APPR. (Ayes 9. Noes 3.) (July 11). Referred to Com. on APPR.	<p>Current law authorizes the State Water Resources Control Board to investigate bodies of water, to take testimony in regard to the rights to water or the use of water, and to ascertain whether or not water is appropriated lawfully, as provided. Under current law, the diversion or use of water other than as authorized by specified provisions of law is a trespass, subject to specified civil liability. This bill would instead authorize the board to investigate and ascertain whether or not a water right is valid. The bill would authorize the board to issue an information order in furtherance of an investigation, as executed by the executive director of the board, to a water right holder or claimant, diverter, or user to provide the information related to a diversion and use of water, as specified. The bill would authorize a diversion or use of water ascertained to be unauthorized pursuant to this provision to be enforced as a trespass.</p>
<u>SB 411</u>	<u>Portantino D</u>	Open meetings: teleconferences:	7/13/2023-From committee: Do pass	<p>The Ralph M. Brown Act requires, with specified exceptions, that all meetings of a legislative body, as defined, of a local agency be</p>

		neighborhood councils.	as amended. (Ayes 7. Noes 0.) (July 12).	<p>open and public and that all persons be permitted to attend and participate. The act generally requires for teleconferencing that the legislative body of a local agency that elects to use teleconferencing post agendas at all teleconference locations, identify each teleconference location in the notice and agenda of the meeting or proceeding, and have each teleconference location be accessible to the public. Current law also requires that, during the teleconference, at least a quorum of the members of the legislative body participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction. The act provides an exemption to the jurisdictional requirement for health authorities, as defined. This bill, until January 1, 2028, would authorize an eligible legislative body to use alternate teleconferencing provisions related to notice, agenda, and public participation, as prescribed, if the city council has adopted an authorizing resolution and 2/3 of an eligible legislative body votes to use the alternate teleconferencing provisions. The bill would define “eligible legislative body” for this purpose to mean a neighborhood council that is an advisory body with the purpose to promote more citizen participation in government and make government more responsive to local needs that is established pursuant to the charter of a city with a population of more than 3,000,000 people that is subject to the act.</p>
SB 414	Allen D	Climate change: applications using hydrogen: assessment.	6/20/2023-From committee: Do pass and re-refer to Com. on APPR. (Ayes 11. Noes 0.) (June 19). Re-referred to Com. on APPR.	<p>Would, on or before December 31, 2025, require the State Air Resources Board, in consultation with the State Energy Resources Conservation and Development Commission (Energy Commission) and the Public Utilities Commission (PUC), upon appropriation by the Legislature, to complete an assessment of the use of hydrogen in certain applications, as specified. The bill would require the assessment to incorporate the findings of, and not duplicate, the above-described evaluation. The bill would require the state board, the Energy Commission, and the PUC to consider the findings in the assessment in their plans, rulemakings, reports, or other process related to the planning, implementation, or regulation of hydrogen production, distribution, storage, or usage in the state.</p>

<u>SB 649</u>	<u>Hurtado D</u>	California Endangered Species Act: incidental take permits.	4/28/2023-Failed Deadline pursuant to Rule 61(a)(2). (Last location was N.R. & W. on 3/1/2023)(May be acted upon Jan 2024)	<p>The California Endangered Species Act requires the Department of Fish and Wildlife to adopt regulations for issuance of incidental take permits. Existing law prohibits the department from issuing an incidental take permit if issuance of the permit would jeopardize the continued existence of the species. Existing law requires the department to make this determination based on the best scientific and other information that is reasonably available, and to include consideration of the species' capability to survive and reproduce, and any adverse impacts of the taking on those abilities in light of (1) known population trends; (2) known threats to the species; and (3) reasonably foreseeable impacts on the species from other related projects and activities. This bill would require the department to make that decision based on a real-time monitoring system, rather than a calendar-based schedule, and to additionally consider the proximity of the species relative to the operation of a facility subject to the permit conditions and the known location of the population relative to the facility subject to the permit.</p>
<u>SB 659</u>	<u>Ashby D</u>	California Water Supply Solutions Act of 2023.	7/12/2023-Read second time and amended. Re-referred to Com. on APPR.	<p>Current law requires the Department of Water Resources to update every 5 years the plan for the orderly and coordinated control, protection, conservation, development, and use of the water resources of the state, which is known as "The California Water Plan." This bill would establish the California Water Supply Solutions Act of 2023 to, among other things, require the department to develop a groundwater recharge action plan by January 1, 2026, as specified, that provides actionable recommendations that result in the ability to create additional groundwater recharge capacity. The bill would require the department to consult with the State Water Resources Control Board, the 9 regional water quality control boards, and the advisory committee, which may be enlarged as provided, in carrying out these provisions. The bill would require the groundwater recharge action plan to identify and make recommendations on immediate opportunities and potential long-term solutions to increase the state's groundwater supply, as specified. The bill would require specified actions with regard to</p>

				the groundwater recharge action plan, including, among other things, requiring the department to include it as part of the 2028 update to the California Water Plan and to update the groundwater recharge action plan at the same time that it prepares updates to the California Water Plan. The bill would require the department to establish a target for additional groundwater recharge capacity creation, to be used for planning purposes only, and to determine the target with consideration for other beneficial or environmental uses of water and water goals.	
<u>SB 706</u>	<u>Caballero D</u>	Public contracts: progressive design-build: local agencies.	6/28/2023-Read second time and amended. Re-referred to Com. on APPR.	Current law, until January 1, 2029, authorizes local agencies, defined as any city, county, city and county, or special district authorized by law to provide for the production, storage, supply, treatment, or distribution of any water from any source, to use the progressive design-build process for up to 15 public works projects in excess of \$5,000,000 for each project, similar to the progressive design-build process authorized for use by the Director of General Services. This bill would, until January 1, 2030, provide additional authority for cities, counties, cities and counties, or special districts to use the progressive design-build process for up to 10 public works in excess of \$5,000,000, not limited to water-related projects, excluding projects on state-owned or state-operated facilities. The bill would require information to be provided under penalty of perjury and would require similar reports due no later than December 31, 2028.	
<u>SB 737</u>	<u>Hurtado D</u>	Groundwater: recharge.	3/1/2023-Referred to Com. on RLS.	Would state the intent of the Legislature to enact subsequent legislation to capture floodwater to recharge groundwater basins and to require the Department of Water Resources and the State Water Resources Control Board to work together to expedite the regulatory steps necessary to store significant rainfall and excess water underground, while still ensuring protections for the environment and other water users as required by state law.	
<u>SB 745</u>	<u>Cortese D</u>	The Drought-Resistant Buildings Act.	7/13/2023-Read second time and amended. Re-referred to Com. on APPR.	Would require the California Building Standards Commission to research, develop, and propose building standards to reduce potable water use in new residential and nonresidential buildings, as specified. The bill would require the commission to perform a	

SB 861	<u>Dable R</u>	California Environmental Quality Act: water conveyance or storage projects: judicial review.	5/19/2023-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/1/2023)(May be acted upon Jan 2024)	review of water efficiency and water reuse standards in the California Buildings Standards Code every 3 years, commencing with the next triennial edition, and update as needed. The California Environmental Quality Act requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. CEQA establishes a procedure by which a person may seek judicial review of the decision of the lead agency made pursuant to CEQA. This bill would require the Judicial Council to adopt rules of court applicable to actions or proceedings brought to attack, review, set aside, void, or annul the certification or adoption of an environmental impact report for specified water projects, as defined, or the granting of any project approvals, including any appeals to the court of appeal or the Supreme Court, to be resolved, to the extent feasible, within 270 days of the filing of the certified record of proceedings with the court to an action or proceeding seeking judicial review of the lead agency's action related to those projects. The bill would require the lead agency to prepare the record of proceedings for a project, as provided, and to include a specified notice in the draft EIR and final EIR for the project.	
SB 867	<u>Allen D</u>	Drought, Flood, and Water Resilience, Wildfire and Forest Resilience, Coastal Resilience, Extreme Heat Mitigation, Biodiversity and Nature-Based Climate Solutions,	7/6/2023-July 10 hearing postponed by committee.	Would enact the Drought, Flood, and Water Resilience, Wildfire and Forest Resilience, Coastal Resilience, Extreme Heat Mitigation, Biodiversity and Nature-Based Climate Solutions, Climate Smart Agriculture and Park Creation and Outdoor Access, and Clean Energy Bond Act of 2024, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$15,500,000,000 pursuant to the State General Obligation Bond Law to finance projects for drought, flood, and water resilience, wildfire and forest resilience, coastal resilience, extreme heat mitigation, biodiversity and nature-based climate solutions, climate smart agriculture, park creation and outdoor access, and clean	Support

			Climate Smart Agriculture, Park Creation and Outdoor Access, and Clean Energy Bond Act of 2024.			energy programs.	
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