



DELTA STEWARDSHIP COUNCIL: MARCH 2022 LEGISLATIVE REPORT

Watch Bills

AB 1845 (CALDERON - D) METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA: ALTERNATIVE PROJECT DELIVERY METHODS.

Introduced: 2/8/2022

Last Amend: 3/15/2022

Status: 3/15/2022-From committee chair, with author's amendments: Amend, and re-refer to Com. on L. GOV. Read second time and amended.

Is Fiscal: Y

Location: 2/18/2022-A. L. GOV.

Calendar: 3/23/2022 1:30 p.m. - State Capitol, Room 447 ASSEMBLY LOCAL GOVERNMENT, AGUIAR-CURRY, Chair

Summary: Would authorize the Metropolitan Water District of Southern California to use the design-build procurement process for certain regional recycled water projects or other water infrastructure projects. The bill would define "design-build" to mean a project delivery process in which both the design and construction of a project are procured from a single entity. The bill would require the district, if using this procurement process, to follow certain procedures, including preparing and issuing a request for qualifications, preparing a request for proposals including the scope and needs of the project or contract, and awarding projects based on certain criteria for projects utilizing either lowest responsible bidder or best value selection criteria.

AB 1996 (COOLEY - D) STATE GOVERNMENT: ADMINISTRATIVE REGULATIONS: REVIEW.

Introduced: 2/10/2022

Status: 2/18/2022-Referred to Com. on A. & A.R.

Is Fiscal: Y

Location: 2/18/2022-A. A. & A.R.

Calendar: 3/23/2022 9 a.m. - State Capitol, Room 437 ASSEMBLY ACCOUNTABILITY AND ADMINISTRATIVE REVIEW, PETRIE-NORRIS, Chair

Summary: The Administrative Procedure Act, in part, authorizes various state entities to adopt, amend, or repeal regulations for various specified purposes. These rulemaking provisions of the act require the Office of Administrative Law and the state agency proposing to adopt, amend, or repeal a regulation to review the proposed changes for, among other things, consistency with current state regulations. Current law requires the office to initiate a priority review of existing regulations when requested by a committee of the Legislature, as specified. This bill would require each state agency to, on or before January 1, 2026, review that agency's regulations, identify any regulations that are duplicative, overlapping, inconsistent, or out of date, to revise those identified regulations, as provided, and report to the Legislature and Governor, as specified. The bill would repeal these provisions on January 1, 2027.

AB 2101 (FLORA - D) WHOLE ORCHARD RECYCLING PROJECTS: CARBON OFFSETS.

Introduced: 2/14/2022

Status: 2/24/2022-Referred to Com. on NAT. RES.

Is Fiscal: Y

Location: 2/24/2022-A. NAT. RES.

Summary: The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The state board is required to ensure that statewide greenhouse gas emissions are reduced to at least 40% below the

1990 level by 2030. The act requires the state board, on or before January 1, 2011, to adopt greenhouse gas emissions limits and emissions reduction measures by regulation to achieve the maximum technologically feasible and cost-effective reductions in greenhouse gas emissions in furtherance of achieving the statewide greenhouse gas emissions limit. The act authorizes the state board to include the use of market-based compliance mechanisms in regulating greenhouse gas emissions. This bill would establish, for purposes of compliance with the act, the amount of offset credits attributable to a whole orchard recycling project.

AB 2108 (RIVAS - D) WATER POLICY: ENVIRONMENTAL JUSTICE: DISADVANTAGED AND TRIBAL COMMUNITY REPRESENTATION

Introduced: 2/14/2022

Last Amend: 3/15/2022

Status: 3/15/2022-From committee chair, with author's amendments: Amend, and re-refer to Com. on E.S. & T.M. Read second time and amended.

Is Fiscal: Y

Location: 2/24/2022-A. E.S. & T.M.

Calendar: 3/22/2022 1:30 p.m. - State Capitol, Room 444 ASSEMBLY ENVIRONMENTAL SAFETY AND TOXIC MATERIALS, QUIRK, Chair

Summary: Current law establishes the State Water Resources Control Board (state board) in the California Environmental Protection Agency. The state board consists of 5 members appointed by the Governor, including one member who is not required to have specialized experience. Current law requires one of those members, excluding the member who is not required to have specialized experience, to additionally be qualified in the field of water supply and water quality relating to irrigated agriculture. This bill would require that one of the persons appointed by the Governor to the state board be qualified in the field of water supply and water quality relating to disadvantaged or tribal communities. The bill would also require that at least one person appointed to each regional board have specialized experience to represent disadvantaged or tribal communities.

**SB 230 (PORTANTINO - D) STATE WATER RESOURCES CONTROL BOARD:
CONSTITUENTS OF EMERGING CONCERN PROGRAM.**

Introduced: 1/19/2021

Status: Passed Senate (37-0)

Location: 1/26/2022-A. Desk

Summary: Would require the State Water Resources Control Board to establish, maintain, and direct a dedicated program called the Constituents of Emerging Concern in Drinking Water Program for 5 years to assess the state of information and recommend areas for further study on, among other things, the occurrence of constituents of emerging concern (CEC) in drinking water sources and treated drinking water. The bill would require the state board to convene, by an unspecified date, the Science Advisory Panel for 3 years to review and provide recommendations to the state board on CECs for further action, among other duties. The bill would require the state board to provide a final report to the Legislature by June 1, 2026, on the work conducted by the panel.

**SB 901 (PAN - D) FLOOD PROTECTION: CITY OF WEST SACRAMENTO FLOOD RISK
REDUCTION PROJECT.**

Introduced: 2/1/2022

Last Amend: N/A

Status: S. Natural Resources and Water

Summary: Existing law provides for state cooperation with the federal government in the construction of specified flood control projects. Existing law adopts and authorizes federally adopted and approved projects, including a project for flood control along the American and Sacramento Rivers, at an estimated cost to the state of the sum that may be appropriated by the Legislature for state participation upon the recommendation and advice of the Department of Water Resources or the Central Valley Flood Protection Board. This bill would adopt and approve the West Sacramento Project for flood risk reduction along the Yolo Bypass, Sacramento Bypass, and Sacramento River, which was adopted and approved by a specific act of the United States Congress in 2016, at an estimated cost to the state of the sum that may be appropriated by the Legislature for state participation, upon the recommendation and advice of the department or the board.

SB 1218 (HURTADO - D) DELTA STEWARDSHIP COUNCIL: ANNUAL WATER SUPPLY RELIABILITY ESTIMATION.

Introduced: 2/17/2022

Status: 3/2/2022-Referred to Com. on N.R. & W.

Is Fiscal: Y

Location: 3/2/2022-S. N.R. & W.

Summary: Current law, the Sacramento-San Joaquin Delta Reform Act of 2009, establishes the Delta Stewardship Council, which is required to develop, adopt, and commence implementation of a comprehensive management plan, known as the Delta Plan, for the Sacramento-San Joaquin Delta. This bill would require the council, at least once annually, to publish on its internet website, in consultation with relevant state and federal agencies and the public, a water supply reliability estimation for the water flows into the Delta and out of the Straits of Carquinez and into the San Francisco Bay.

SB 1219 (HURTADO - D) STATE WATER RESOURCES CONTROL BOARD: BLUE RIBBON COMMISSION

Introduced: 2/17/2022

Status: 3/9/2022-March 22 hearing postponed by committee.

Is Fiscal: Y

Location: 3/2/2022-S. N.R. & W.

Summary: Current law establishes the State Water Resources Control Board within the California Environmental Protection Agency with specified duties relating to, among other things, administering water rights, the Porter-Cologne Water Quality Control Act, and the California Safe Drinking Water Act. Current law establishes the Department of Water Resources within the Natural Resources Agency and prescribes the jurisdiction and various general administrative authorities and duties of the department regarding, among other things, matters pertaining to water resources and dams in the state. This bill would dissolve the board as of January 1, 2025.