



DELTA STEWARDSHIP COUNCIL: APRIL 2022 LEGISLATIVE REPORT

Watch Bills

AB 1811 (FONG - D) DELTA PLAN: MULTISPECIES CONSERVATION PLAN.

Introduced: 2/7/2022

Last Amend: 4/7/2022

Status: 4/18/2022-Re-referred to Com. on W.,P., & W.

Is Fiscal: Y

Location: 3/17/2022-A. W.,P. & W.

Calendar: 4/26/2022 9 a.m. - State Capitol, Room 444 ASSEMBLY WATER, PARKS AND WILDLIFE, BAUER-KAHAN, Chair

Summary: 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 for the Delta, known as the Delta Plan, by January 1, 2012. Current law requires the council to consider for inclusion in the Delta Plan the Bay Delta Conservation Plan (BDCP), a multispecies conservation plan, and requires the BDCP to meet certain requirements in order to be incorporated into the Delta Plan. This bill would replace references to the "Bay Delta Conservation Plan" with a "multispecies conservation plan" in various provisions and make conforming changes.

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

Introduced: 2/8/2022

Last Amend: 4/4/2022

Status: 4/5/2022-Re-referred to Com. on W.,P., & W.

Is Fiscal: Y

Location: 3/23/2022-A. W.,P. & W.

Calendar: 4/26/2022 9 a.m. - State Capitol, Room 444 ASSEMBLY WATER, PARKS AND WILDLIFE, BAUER-KAHAN, Chair

Summary: Current law authorizes certain entities, including the Department of General Services, the Military Department, the Department of Corrections and Rehabilitation, and specified local agencies, to use the design-build procurement process, as prescribed, for specified public works. This bill 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 to use a specified design-build procedure to assign contracts for the design and construction of a project, as defined.

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

Introduced: 2/10/2022

Status: 3/23/2022-From committee: Do pass and re-refer to Com. on APPR. (Ayes 5. Noes 0.) (March 23). Re-referred to Com. on APPR.

Is Fiscal: Y

Location: 3/23/2022-A. APPR.

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

Last Amend: 4/5/2022

Status: 4/19/2022-From committee: Do pass and re-refer to Com. on APPR. with recommendation: To Consent Calendar. (Ayes 11. Noes 0.) (April 18). Re-referred to Com. on APPR.

Is Fiscal: Y

Location: 4/18/2022-A. APPR.

Summary: Current law requires the Natural Resources Agency, no later than July 1, 2023, to establish and maintain the California Carbon Sequestration and Climate Resiliency Project Registry for the purpose of identifying and listing projects in the state that drive climate action on the state's natural and working lands and are seeking funding from state agencies or private entities. Current law provides that carbon sequestration projects listed on the registry may include natural and working lands-based carbon sequestration projects and direct air capture projects. Current law authorizes the agency, in collaboration with relevant state agencies and in consultation with diverse stakeholders, to create an application process for applicants to have their projects located in the state listed on the registry, as provided. This bill would expand the list of projects that may be included on the registry to include whole orchard recycling projects.

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

Introduced: 2/14/2022

Last Amend: 4/19/2022

Status: 4/19/2022-From committee chair, with author's amendments: Amend, and re-refer to Com. on W.,P., & W. Read second time and amended.

Is Fiscal: Y

Location: 3/23/2022-A. W.,P. & W.

Calendar: 4/26/2022 9 a.m. - State Capitol, Room 444 ASSEMBLY WATER, PARKS AND WILDLIFE, BAUER-KAHAN, Chair

Summary: Would require that one of the persons appointed by the Governor to the State Water Resources Control Board be qualified in the field of water supply and water quality relating to disadvantaged or tribal communities and not be the same member as the member appointed who is qualified in the field of water supply and water quality relating to irrigated agriculture. The bill would also require that at least one person appointed to each regional board have specialized experience to represent disadvantaged or tribal communities.

AB 2639 (QUIRK - D) SAN FRANCISCO BAY/SACRAMENTO-SAN JOAQUIN DELTA ESTUARY: WATER QUALITY CONTROL PLAN: WATER RIGHT PERMITS.

Introduced: 2/18/2022

Last Amend: 4/19/2022

Status: 4/19/2022-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: 4/5/2022-A. E.S. & T.M.

Calendar: 4/26/2022 1:30 p.m. - State Capitol, Room 444 ASSEMBLY ENVIRONMENTAL SAFETY AND TOXIC MATERIALS, QUIRK, Chair

Summary: Would require the State Water Resources Control Board, on or before December 31, 2023, to adopt a final update of the 1995 Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary, as specified, and to implement the amendments to the plan adopted by the state board pursuant to Resolution No. 2018-0059 on December 12, 2018. The bill would prohibit the state board, on or after January 1, 2024, from approving a new water right permit that would result in new or increased diversions to surface water storage from the Sacramento River/San Joaquin River watershed until and unless the state board has taken those actions.

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: 3/31/2022

Status: 4/14/2022-Set for hearing April 25.

Is Fiscal: Y

Location: 4/7/2022-S. APPR.

Calendar: 4/25/2022 10 a.m. - 1021 O Street, Room 2200 SENATE
APPROPRIATIONS, PORTANTINO, Chair

Summary: 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 of Water Resources or the Central Valley Flood Protection Board.

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

Introduced: 2/17/2022

Status: 4/13/2022-April 19 set for first hearing canceled at the request of author.

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) 21ST CENTURY WATER LAWS AND AGENCIES: COMMITTEE

Introduced: 2/17/2022

Last Amend: 4/6/2022

Status: 4/14/2022-Set for hearing April 27.

Is Fiscal: Y

Location: 4/5/2022-S. E.Q.

Calendar: 4/27/2022 9 a.m. - 1021 O Street, Room 2100 SENATE ENVIRONMENTAL QUALITY, ALLEN, Chair

Summary: Would require the Secretary of the Natural Resources Agency and the Secretary for Environmental Protection to convene a committee to develop and submit, on or before December 31, 2024, to the Governor and to the Legislature a strategic vision, proposed statutes, and recommendations for a modern 21st century set of water laws and regulations and state and local water agencies for the state, as provided. The committee would consist of 5 specified heads of state

agencies, 2 members appointed by the Senate Committee on Rules, and 2 members appointed by the Speaker of the Assembly. The bill would require the Governor or the committee to appoint a “blue ribbon” citizen commission or taskforce, a stakeholder advisory committee, and any other group that the Governor or the committee deems necessary or desirable to assist in carrying out these provisions. The bill would require all relevant state agencies, at the request of the committee, to make available staff and resources to assist in the preparation of the strategic vision and proposed statutes.