

June Legislative Update | 2015

Good morning, Chairman Fiorini and council members. For the record, Ryan Stanbra, Legislative and Policy Advisor to the Council.

For the June Legislative Update I will discuss the following topics: The Legislative Calendar and a few of the relevant deadlines that have passed in the last month; outcomes related to the Council's Budget; and finally, I'll conclude with an update on a handful legislative measures that are of interest to the Council.

I. LEGISLATIVE CALENDAR

Regarding the Legislative Calendar, since the May Council meeting, two significant legislative deadlines have passed. May 29th was the deadline for all fiscal bills to pass out of the Appropriations Committee and head to the floor. While June 5th was the last day for bills to pass out of their house of origin. Bills that failed to meet either deadline did not move forward in the legislative process this year and will be eligible for further consideration in January.

II. BUDGET OUTCOME

With regards to the Budget, as Jessica and Gavin reported at the May Council meeting, budget subcommittees in both houses approved the Council's Budget Change Proposal for inclusion in the Budget Bill. The BCP includes three new positions and \$9.25 million in additional funding to assist in Delta Plan implementation, Delta Independent Science Board and Core Science operations, and new science investigations relative to Delta fishery needs. The Budget Bill was passed by both houses on June 15th and signed by the Governor yesterday.

On an additional budget-related note, the Governor also signed yesterday a number of budget trailer bills. Included in this package was a Drought trailer bill that contained a few items of interest. First, SB 88 includes a narrow CEQA exemption for recycled water projects carried out by public agencies during a Drought State of Emergency. In order to qualify, a project cannot impact wetlands or sensitive habitat and all associated construction impacts would need to be mitigated.

The second item in the Drought Trailer Bill that I would like to highlight pertains to water system consolidation. Specifically, SB 88 authorizes the State Water Board to require water systems that are serving disadvantaged communities with unreliable and unsafe drinking water to consolidate with, or receive service from, public water systems with adequate drinking water.

III. BILL UPDATES

Finally, I would like to provide an update on a handful of bills that Council staff has been tracking in recent months.

AB 501 by Assembly Member Marc Levine would require individuals conducting Delta research to share their results with other state-funded researchers conducting similar work. This bill was held on suspense in Assembly Appropriations at the end of May and is subsequently now a two-year bill.

Assembly Member Salas' **AB 1201** requires the Department of Fish and Wildlife to develop a science-based approach to address the predation by non-native species of Delta species. This bill was amended on June 2nd to clarify that Fish and Wildlife would not be required undertake the proposed requirement unless the Legislature appropriates the funding to do so.

AB 1201 is currently set to be heard in the Senate Natural Resources and Water Committee on July 14th.

The last bill I would like to highlight for the Council this morning is **AB 647** by Assembly Member Eggman. Previous versions of AB 647, which passed off the Assembly Floor on June 4th, stated that water stored underground was being beneficially-used if it was either protecting against saltwater intrusion or land subsidence.

Last Friday, AB 647 was amended to do the following:

- Add groundwater recharge to the list of underground storage purposes that would constitute a beneficial use.
- Require an individual seeking to divert water to address saline intrusion, land subsidence, or groundwater recharge, to seek approval from the State Water Board.
- Prohibit diversions from a stream tributary to the Delta when a legal water user is either:
 - Releasing previously stored water; or
 - Restricted from diverting water from that watercourse due to water quality or ecological conditions.
- Lastly, the amendments would prohibit the diversion of water to underground storage when the Delta is either in "balanced water conditions" **or** when the State Water Project or the Central Valley Project is releasing previously stored water for instream purposes or Delta outflow.

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The bill is scheduled to be heard in Senate Natural Resources and Water on July 14th.

IV. CONCLUSION

That concludes my update and I would be happy to answer any questions that the Council may have.