

## DELTA STEWARDSHIP COUNCIL: SEPTEMBER 2021 LEGISLATIVE REPORT

*Watch Bills*

### **AB 67 (PETRIE-NORRIS D) SEA LEVEL RISE: WORKING GROUP: ECONOMIC ANALYSIS.**

Introduced: 12/7/2020

Last Amend: 4/5/2021

Status: Two-Year Bill

Location: 5/12/2021-A. APPR. SUSPENSE FILE

Summary: Would require a state agency to take into account the current and future impacts of sea level rise when planning, designing, building, operating, maintaining, and investing in infrastructure located in the coastal zone or otherwise vulnerable to flooding from sea level rise or storm surges, or when otherwise approving the allocation of state funds for those purposes. The bill would require, by March 1, 2022, the Ocean Protection Council, in consultation with the Office of Planning and Research, to establish a multiagency working group, consisting of specified individuals, on sea level rise to provide recommended policies, resolutions, projects, and other actions to address sea level rise, the breadth of its impact, and the severity of its anticipated harm. The bill would require the council, in consultation with the working group to, among other things, develop a standardized methodology and template for conducting economic analyses of risks and adaptation strategies associated with sea level rise, as provided.

### **AB 72 (PETRIE-NORRIS - D) ENVIRONMENTAL PROTECTION: NATURAL RESOURCES AGENCY: COASTAL ADAPTATION PROJECTS: SEA LEVEL RISE: REGULATORY REVIEW AND PERMITTING: REPORT.**

Introduced: 12/7/2020

Last Amend: 6/28/2021

Status: 7/8/2021-From committee: Do pass and re-refer to Com. on APPR with recommendation: To Consent Calendar. (Ayes 8. Noes 0.) (July 8). Re-referred to Com. on APPR.

Location: 7/8/2021-S. APPR.

Summary: Would enact the Coastal Adaptation Permitting Act of 2021. The bill would require the agency to explore, and authorize it to implement, options within the agency's jurisdiction to establish a more coordinated and efficient regulatory review and permitting process for coastal adaptation projects, as defined. The bill would require the agency to submit, by July 1, 2023, a report to the Legislature with suggestions and recommendations for improving and expediting the coordination between appropriate agencies in their regulatory review and permitting process for coastal adaptation projects that use natural infrastructure.

**AB 979 (FRAZIER – D) SACRAMENTO-SAN JOAQUIN DELTA: PROJECTS: SEA LEVEL RISE ANALYSIS REPORT**

Introduced: 2/18/2021

Last Amend: 4/13/2021

Status: Two-Year Bill

Location: 4/27/2021-A. APPR.

Summary: The Sacramento-San Joaquin Delta Reform Act of 2009, provides that it is the policy of the state to, among other things, reduce reliance on the Sacramento-San Joaquin Delta in meeting California's future water supply needs through a statewide strategy of investing in improved regional supplies, conservation, and water use efficiency. Current law 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 any individual or entity that undertakes a project, as defined, within the Delta to complete a report analyzing the impact of sea level rise on the project.

**SB 1 (ATKINS - D) COASTAL RESOURCES: SEA LEVEL RISE.**

Introduced: 12/7/2020

Last Amend: 6/24/2021

Status: 9/9/2021-Enrolled

Location: Enrolled to Governor

Summary: The California Coastal Act of 1976 establishes the California Coastal Commission and provides for planning and regulation of development in the coastal zone, as defined. The act requires the commission, within 90 days after January 1, 1977, to adopt, after public hearing, procedures for the preparation, submission, approval, appeal, certification, and amendment of a local coastal program, including a common methodology for the preparation of, and the determination of the scope of, the local coastal programs, as provided. This bill would also include, as part of the procedures the commission is required to adopt, recommendations and guidelines for the identification, assessment, minimization, and mitigation of sea level rise within each local coastal program, as provided. The bill would delete the timeframe specified above by which the commission is required to adopt these procedures.

**SB 27 (SKINNER - D) CARBON SEQUESTRATION: STATE GOALS: NATURAL AND WORKING LANDS: REGISTRY OF PROJECTS.**

Introduced: 12/7/2020

Last Amend: 8/30/2021

Status: 9/9/2021-Enrolled

Location: Enrolled to Governor

Summary: Would require, no later than July 1, 2023, the Natural Resources Agency, in coordination with the California Environmental Protection Agency, the State Air Resources Board, and the Department of Food and Agriculture, to establish the Natural and Working Lands Climate Smart Strategy and, in developing the strategy, to create a framework to advance the state's climate goals. The bill would require

the state board, as part of its scoping plan, to establish specified carbon dioxide removal targets for 2030 and beyond.

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

Introduced: 1/19/2021

Status: Two-Year Bill

Location: 3/15/2021-S. APPR.

Summary: Would require the State Water Resources Control Board to establish, maintain, and direct an ongoing, dedicated program called the Constituents of Emerging Concern Program 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 to review and provide recommendations to the state board on CEC for further action, among other duties. The bill would require the state board to provide an annual report to the Legislature on the ongoing work conducted by the panel.

**SB 273 (HERTZBERG - D) WATER QUALITY: MUNICIPAL WASTEWATER AGENCIES.**

Introduced: 1/29/2021

Last Amend: 6/21/2021

Status: 9/3/2021-Enrolled

Location: Enrolled to Governor

Summary: Would authorize a municipal wastewater agency, as defined, to enter into agreements with entities responsible for stormwater management for the purpose of managing stormwater and dry weather runoff, to acquire, construct, expand, operate, maintain, and provide facilities for specified purposes relating to managing stormwater and dry weather runoff, and to levy taxes, fees, and charges consistent with the municipal wastewater agency's existing authority in order to fund projects undertaken pursuant to the bill. The bill would require the exercise of

any new authority granted under the bill to comply with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. The bill would require a municipal wastewater agency that enters into or amends one of these agreements after January 1, 2022, to file a copy of the agreement or amendment with the local agency formation commission in each county where any part of the municipal wastewater agency's territory is located, but would exempt those agreements and amendments from local agency formation commission approval except as required by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

**SB 351 (CABALLERO - D) WATER INNOVATION ACT OF 2021.**

Introduced: 2/9/2021

Last Amend: 4/20/2021

Status: Two-Year Bill

Location: 5/10/2021-S. APPR. SUSPENSE FILE

Summary: Current law establishes the State Water Resources Control Board for the purposes of providing for the orderly and efficient administration of the water resources of the state. This bill, the Water Innovation Act of 2021, would create the Office of Water Innovation at the California Water Commission for the furtherance of new technologies and other innovative approaches in the water sector. The bill would require the office, by December 31, 2023, to take specified measures to advance innovation in the water sector. The bill would make findings and declarations regarding the need for water innovation.

**SB 369 (PAN - D) FLOOD CONTROL: YOLO BYPASS CACHE SLOUGH PARTNERSHIP MULTIBENEFIT PROGRAM.**

Introduced: 2/10/2021

Last Amend: 6/14/2021

Status: 9/9/2021 – Enrolled

Location: Enrolled to Governor

Summary: Would establish the Yolo Bypass Cache Slough Partnership Multibenefit Program to support the development and implementation of projects within the Yolo Bypass and Cache Slough region. The bill would define "Yolo Bypass Cache Slough Partnership" to mean the multiagency partnership established pursuant to a memorandum of understanding signed in May 2016 by a total of 15 participating federal, state, and local agencies. The bill would require the participating state agencies, including the Natural Resources Agency, the Department of Water Resources, the Department of Fish and Wildlife, the Central Valley Flood Protection Board, the State Water Resources Control Board, and the Central Valley Regional Water Quality Control Board, to work in collaboration with the participating federal and local agencies to promote the discussion, prioritization, and resolution of policy and other issues critical to the successful implementation of projects to advance specified objectives in the Yolo Bypass and Cache Slough region.

**SB 821 (COMMITTEE ON NATURAL RESOURCES AND WATER) SACRAMENTO-SAN JOAQUIN DELTA: DELTA INDEPENDENCE SCIENCE BOARD.**

Introduced: 3/9/2021

Last Amend: 7/5/2021

Status: 9/3/2021-Enrolled

Location: Enrolled to Governor

Summary: Would 1) State that members of the Delta Independent Science Board (Delta ISB) are not employees of the Delta Stewardship Council (Council), 2) Affirm that members of the Delta ISB shall continue to exercise their own scientific judgment and conduct their statutory mission independent of the Council, and 3) Direct the Council to contract with members of the Delta ISB at an hourly rate of \$150 per hour, which would increase annually based on inflation and cost of living adjustments. The bill includes an urgency clause.