

DELTA STEWARDSHIP COUNCIL: FEBRUARY 2025 LEGISLATIVE REPORT

Bills of Interest

California State Legislature

AB 43 (SCHULTZ D) WILD AND SCENIC RIVERS.

Introduced: 12/2/2024

Status: 2/3/2025-Referred to Com. on NAT. RES.

Location: 2/3/2025-A. NAT. RES.

Summary: Current law requires the Secretary of the Natural Resources Agency to take specified actions relating to the addition of rivers or segments of rivers to the state's wild and scenic rivers system if, among other things, the federal government enacts a statute that, upon enactment, would require the removal or delisting of any river or segment of a river in the state that was included in the national wild and scenic rivers system and not in the state wild and scenic rivers system. Current law authorizes, only until December 31, 2025, the secretary to take action under these provisions to add a river or segment of a river to the state wild and scenic rivers system. Current law requires those actions to remain in effect until December 31, 2025, except as otherwise provided. This bill would indefinitely extend the date by which the secretary is authorized to take the specified actions relating to the addition of rivers or segments of rivers to the state's wild and scenic rivers system, as described above.

AB 295 (MACEDO R) CALIFORNIA ENVIRONMENTAL QUALITY ACT: ENVIRONMENTAL LEADERSHIP DEVELOPMENT PROJECTS: WATER STORAGE, WATER CONVEYANCE, AND GROUNDWATER RECHARGE PROJECTS: STREAMLINED REVIEW.

Introduced: 1/23/2025

Status: 2/10/2025-Referred to Coms. on NAT. RES. and W. P., & W.

Location: 2/10/2025-A. NAT. RES.

Summary: The Jobs and Economic Improvement Through Environmental Leadership Act of 2021 authorizes the Governor, until January 1, 2032, to certify environmental leadership development projects that meet specified requirements

Highlight – New bill, amended, or other action of note since last Council meeting

for certain streamlining benefits related to the California Environmental Quality Act (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 provide a specified notice within 10 days of the Governor certifying the project. The act is repealed by its own term on January 1, 2034. 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. 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.

AB 362 (RAMOS D) WATER POLICY: CALIFORNIA TRIBAL COMMUNITIES.

Introduced: 1/30/2025

Status: 1/31/2025-From printer. May be heard in committee March 2.

Location: 1/30/2025-A. PRINT

Summary: The Porter-Cologne Water Quality Control Act establishes a statewide program for the control of the quality of all the waters in the state and makes certain legislative findings and declarations. Current law defines the term “beneficial uses” for the purposes of water quality as certain waters of the state that may be protected against quality degradation, to include, among others, domestic, municipal, agricultural, and industrial supplies. This bill would add findings and declarations related to California tribal communities and the importance of protecting tribal water use, as those terms are defined. The bill would add tribal water uses as waters of the state that may be protected against quality degradation for purposes of the defined term “beneficial uses.”

AB 430 (ALANIS R) STATE WATER RESOURCES CONTROL BOARD: EMERGENCY REGULATIONS.

Introduced: 2/5/2025

Status: 2/6/2025-From printer. May be heard in committee March 8.

Location: 2/5/2025-A. PRINT

Summary: Current law provides that an emergency regulation adopted by the State Water Resources Control Board following a Governor's proclamation of a state of emergency based on drought conditions, for which the board makes specified findings, may remain in effect for up to one year, as provided, and may be renewed if the board determines that specified conditions relating to precipitation are still in effect. This bill would require the board, before the 2nd renewal of any emergency regulation or upon its repeal, to conduct a comprehensive economic study assessing the impacts of the regulation and would require the board to make the study publicly available on its internet website.

AB 454 (KALRA D) MIGRATORY BIRDS: CALIFORNIA MIGRATORY BIRD PROTECTION ACT.

Introduced: 2/6/2025

Status: 2/7/2025-From printer. May be heard in committee March 9.

Location: 2/6/2025-A. PRINT

Summary: The California Migratory Bird Protection Act, until January 20, 2025, made unlawful the taking or possession of any migratory nongame bird designated in the Federal Migratory Bird Treaty Act before January 1, 2017, any additional migratory nongame bird that may be designated in the federal act after that date, or any part of those migratory nongame birds, except as provided. Current law, as of January 1, 2026, repeals this provision. This bill would instead extend the California Migratory Bird Protection Act indefinitely.

AB 497 (WILSON D) SAN FRANCISCO BAY/ SACRAMENTO-SAN JOAQUIN DELTA ESTUARY WATER QUALITY CONTROL PLAN.

Introduced: 2/10/2025

Status: 2/11/2025-From printer. May be heard in committee March 13.

Location: 2/10/2025-A. PRINT

Summary: Current law makes available to the Natural Resources Agency bond funds for, among other things, implementing an updated State Water Resources Control Board's San Francisco Bay/Sacramento-San Joaquin Delta Estuary Water Quality Control Plan (Bay-Delta Water Quality Control Plan), which establishes water quality control measures and flow requirements needed to provide reasonable protection of beneficial uses in the watershed. This bill would state the intent of the Legislature to enact future legislation relating to the Bay-Delta Water Quality Control Plan.

AB 514 (PETRIE-NORRIS D) WATER: EMERGENCY WATER SUPPLIES.

Introduced: 2/10/2025

Status: 2/11/2025-From printer. May be heard in committee March 13.

Location: 2/10/2025-A. PRINT

Summary: The Urban Water Management Planning Act requires every public and private urban water supplier that directly or indirectly provides water for municipal purposes to prepare and adopt an urban water management plan. The act requires an urban water management plan to include a water shortage contingency plan, as provided. This bill would declare that it is the established policy of the state to encourage, but not mandate, the development of emergency water supplies by local water suppliers, and to support their use during times of drought or unplanned service or supply disruption, as provided.

AB 638 (RODRIGUEZ, CELESTE D) STORMWATER: REUSES: IRRIGATION.

Introduced: 2/13/2025

Status: 2/14/2025-From printer. May be heard in committee March 16.

Location: 2/13/2025-A. PRINT

Summary: The Stormwater Resource Planning Act authorizes one or more public agencies to develop a stormwater resource plan that meets certain standards to address the capture of stormwater, as defined, and dry weather runoff, as defined. The act requires the State Water Resources Control Board, by July 1, 2016, to establish guidance for purposes of the act. This bill would require the board, by June 1, 2026, to establish guidance for stormwater capture and reuse for the irrigation of urban public lands, as defined. The bill would require the guidance to include, but not be limited to, the use of captured stormwater for irrigation to offset the use of potable water, as specified, and criteria including, among other things, pathogens and pathogen indicators and total suspended solids.

AB 639 (SORIA D) DAMS: EXCEPTIONS.

Introduced: 2/13/2025

Status: 2/14/2025-From printer. May be heard in committee March 16.

Location: 2/13/2025-A. PRINT

Summary: Current law defines a dam to mean any artificial barrier, together with appurtenant works, that does or may impound or divert water, and meets other specified criteria. Current law excludes from the definition a barrier that is or will be not in excess of 6 feet in height, regardless of storage capacity, or that has or will have a storage capacity not in excess of 15 acre-feet, regardless of height. Current law requires the Department of Water Resources to supervise the construction, enlargement, alteration, repair, maintenance, operation, and removal of dams and reservoirs for the protection of life and property. This bill would additionally exclude from the definition of a dam a barrier that does not impound water above the top of a levee where maximum storage behind the barrier has a minimum of 3 feet of freeboard on the levee and is a weir, as defined, with either mechanically or manually removable flashboards or gates.

AB 707 (SORIA D) SAN LUIS AND DELTA-MENDOTA WATER AUTHORITY: B.F. SISK DAM RAISE AND RESERVOIR EXPANSION PROJECT.

Introduced: 2/14/2025

Status: 2/14/2025 Read first time. To print.

Location: 2/14/2025 A - PRINT

Summary: Would appropriate \$455,500,000 from the General Fund to the San Luis and Delta-Mendota Water Authority for the purpose of funding the State Highway 152 Route improvements required to complete the B.F. Sisk Dam Raise and Reservoir Expansion Project.

AB 734 (SCHULTZ D) ENVIRONMENTAL PROTECTION: BIOLOGICAL RESOURCES DATA: REPORTING.

Introduced: 2/18/2025

Status: 2/19/2025-From printer. May be heard in committee March 21

Location: 2/18/2025-A. PRINT

Summary: The California Public Records Act requires state and local agencies to make their records available for public inspection, unless an exemption from disclosure applies. Current law requires the Secretary of the Natural Resources Agency to establish a standardized electronic format and protocol for the exchange of electronic data for the purposes of meeting environmental data reporting or other usage requirements, as provided. This bill would require any biological resources data, as defined, submitted to a regional, local, or state public agency to be posted on that public agency's internet website and made publicly available within 2 weeks of submission to the public agency, as provided.

AB 900 (PAPAN D) ENVIRONMENTAL PROTECTION: 30 X30 GOALS: LAND CONSERVATION: SCIENCE-BASED MANAGEMENT AND STEWARDSHIP.

Introduced: 2/19/2025

Status: 2/20/2025-From printer. May be heard in committee March 22.

Location: 2/19/2025-A. PRINT

Summary: By Executive Order No. N-82-20, Governor Gavin Newsom directed the Natural Resources Agency to combat the biodiversity and climate crises by, among other things, establishing the California Biodiversity Collaborative and conserving at least 30% of the state's lands and coastal waters by 2030. Current law provides that it is the goal of the state to conserve at least 30% of California's lands and coastal waters by 2030, known as the 30x30 goal. On April 22, 2022, the Natural Resources Agency issued the "Pathways to 30x30 California: Accelerating Conservation of California's Nature" report and current law requires the Secretary of Natural Resources Agency to prepare and submit an annual report to the Legislature on progress made toward achieving the 30x30 goal, as provided. This bill would require the agency, on or before July 1, 2026, to update the Pathways to 30x30 Report, and for the update to include, among other things, recommendations to increase science-based management and stewardship of 30x30 lands, including innovative ways to reduce barriers and increase federal, state, and local support for science-based management and stewardship, as specified.

AB 1367 (GALLAGHER R) THE CALIFORNIA WATER PLAN: WATER STORAGE

Introduced: 2/21/2025

Status: 2/24/2025-Read first time.

Location: 2/21/2025-A. PRINT

Summary: Current law requires the Department of Water Resources to update every 5 years the California Water Plan for the orderly and coordinated control, protection, conservation, development, and use of the water resources of the state. This bill would require the department to amend The California Water Plan to state that water storage is the preferred method to be used by the state to meet increased water demands by urban, agricultural, and environmental interests.

SB 31 (MCNERNEY D) WATER QUALITY: RECYCLED WATER.

Last Amend: 2/10/2025

Status: 2/10/2025-From committee with author's amendments. Read second time and amended. Re-referred to Com. on RLS.

Location: 12/2/2024-S. RLS.

Summary: The Water Recycling Law generally provides for the use of recycled water. Current law requires any person who, without regard to intent or negligence, causes or permits an unauthorized discharge of 50,000 gallons or more of recycled water in or on any waters of the state to immediately notify the appropriate regional water board. This bill would, for the purposes of the above provision, redefine "recycled water" and provide that water discharged from a decorative body of water during storm events is not to be considered an unauthorized discharge if recycled water was used to restore levels due to evaporation.

SB 72 (CABALLERO D) THE CALIFORNIA WATER PLAN: LONG-TERM SUPPLY TARGETS.

Introduced: 1/15/2025

Status: 1/29/2025-Referred to Com. on N.R. & W.

Location: 1/29/2025-S. N.R. & W.

Summary: 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, conjunctive use, and water transfers, 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 expand the membership of the advisory committee to include tribes, labor, and environmental justice interests. The bill would require the department, as part of the 2033 update to the plan, to update the interim planning

target for 2050, as provided. The bill would require the target to consider the identified and future water needs for a sustainable urban sector, agricultural sector, and environment, and ensure safe drinking water for all Californians, among other things.

SB 90 (SEYARTO R) SAFE DRINKING WATER, WILDFIRE PREVENTION, DROUGHT PREPAREDNESS, AND CLEAN AIR BOND ACT OF 2024: GRANTS: IMPROVEMENTS TO PUBLIC EVACUATION ROUTES: MOBILE RIGID WATER STORAGE.

Introduced: 1/22/2025

Status: 2/5/2025-Referred to Com. on N.R. & W.

Location: 2/5/2025-S. N.R. & W.

Summary: The Safe Drinking Water, Wildfire Prevention, Drought Preparedness, and Clean Air Bond Act of 2024 makes \$135,000,000 available, upon appropriation by the Legislature, to the Office of Emergency Services for a wildfire mitigation grant program to provide, among other things, loans, direct assistance, and matching funds for projects that prevent wildfires, increase resilience, maintain existing wildfire risk reduction projects, reduce the risk of wildfires to communities, or increase home or community hardening. The act provides that eligible projects include, but are not limited to, 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, wildfire smoke mitigation, evacuation centers, including community clean air 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 very high or high fire hazard areas, wildfire buffers, and incentives to remove structures that significantly increase hazard risk. This bill would include in the list of eligible projects grants to the above-mentioned entities for improvements to public evacuation routes in very high and high fire hazard severity zones, mobile rigid dip tanks, as defined, to support firefighting efforts, prepositioned mobile rigid water storage, as defined, and improvements to the response and effectiveness of fire engines and helicopters.

SB 224 (HURTADO D) DEPARTMENT OF WATER RESOURCES: WATER SUPPLY FORECASTING.

Introduced: 1/27/2025

Status: 2/5/2025-Referred to Com. on N.R. & W.

Location: 2/5/2025-S. N.R. & W.

Summary: Current law requires the Department of Water Resources to gather and correlate information and data pertinent to an annual forecast of seasonal water crop. Current law also requires the department 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 require the department, on or before January 1, 2027, to adopt a new water supply forecasting model and procedures that better address the effects of climate change and implement a formal policy and procedures for documenting the department's operational plans and the department's rationale for its operating procedures, including the department's rationale for water releases from reservoirs.

SB 639 (ASHBY D) ZONING: SACRAMENTO-SAN JOAQUIN VALLEY.

Introduced: 2/20/2025

Status: 2/21/2025-From printer. May be acted upon on or after March 23.

Location: 2/20/2025-S. RLS.

Summary: Existing law requires each city and county within the Sacramento-San Joaquin Valley to amend its general plan relative to the data and analysis contained in the Central Valley Flood Protection Plan, as specified and to amend its zoning ordinance consistent with the general plan. This bill, until January 1, 2030, would include in the exceptions to the requirement that the urban level of flood protection be achieved for urban and urbanizing areas protected by project levees by 2025, specified areas located in the City of Sacramento and the County of Sacramento, that shall, instead, be required to achieve the urban level of flood protection by 2030. This bill contains other related provisions and other existing laws.

SB 697 (LAIRD D) DETERMINATION OF WATER RIGHTS: STREAM SYSTEM.

Introduced: 2/21/2025

Status: 2/24/2025-From printer. May be acted upon on or after March 24. Read first time.

Location: 2/21/2025-S. RLS.

Summary: Current law authorizes the State Water Resources Control Board to hold proceedings to determine all rights to water of a stream system whether based upon appropriation, riparian right, or other basis of right. Current law provides various requirements for the board when determining adjudication of water rights, including, among other things, performing a detailed field investigation of a stream system, as defined, issuing an order of determination, providing notice and a hearing process, and filing a final order. This bill would revise the above-described provisions regarding the board's statutory adjudication of water rights during an investigation of a stream system to, among other things, require representatives of the board to investigate in detail the use of water with the authority, but no requirement, to conduct a field investigation, authorize the board to issue information orders that require claimants to submit monthly reports of water use from the stream system through a form provided by the board, and require claimants to respond to that order within 45 days of the date of issuance by the board.

SB 795 (RICHARDSON D) 30X30 GOAL: STATE AGENCIES: PLANS, POLICIES, OR REGULATIONS.

Introduced: 2/21/2025

Status: 2/24/2025-From printer. May be acted upon on or after March 24. Read first time.

Location: 2/21/2025-S. RLS.

Summary: Current law requires the Secretary of the Natural Resources Agency to prepare and submit, on or before March 31, 2024, and annually thereafter, a report to the Legislature on the progress made in the prior calendar year toward achieving the goal to conserve 30% of California's lands and coastal waters by 2030. Current law provides that it is the goal of the state to conserve at least 30% of

California's lands and coastal waters by 2030, known as the 30x30 goal. This bill would require all state agencies, including their departments, boards, offices, commissions, and conservancies, to consider the 30x30 goal when adopting, revising, or establishing plans, policies, or regulations, and shall ensure, to the extent feasible, that the plan, policy, or regulation is not inconsistent with the 30x30 goal.