

September 2024

Agenda Item: 8b
Meeting Date: September 26, 2024
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Legislative Update



**Delta
Stewardship
Council**

A CALIFORNIA STATE AGENCY

AB 460 (Bauer-Kahan) State Water Resources Control Board: water rights and usage: civil penalties.

[AB 460 \(Bauer-Kahan D \) State Water Resources Control Board: water rights and usage: civil penalties.](#) +  

Current Text: Chaptered: 9/22/2024 PDF HTML

Last Amend: 8/15/2024

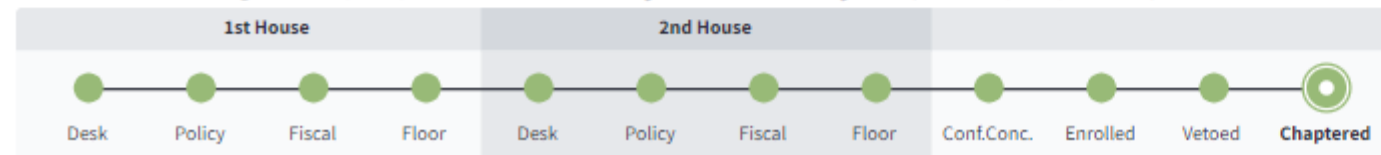
Status: 9/22/2024-Approved by the Governor. Chaptered by Secretary of State - Chapter 342, Statutes of 2024.

Location: 9/22/2024-A. CHAPTERED

Brief Summary: Under current law, the diversion or use of water other than as authorized by specified provisions of law is a trespass, subject to specified civil liability. This bill would require the State Water Resources Control Board to adjust for inflation, by January 1 of each year, beginning in 2026, the amounts of civil and administrative liabilities or penalties imposed by the board or in water right actions brought at the request of the board, as specified.

Calendar:

Current Analysis: 8/30/2024 Assembly Floor Analysis (*text 8/15/2024*)



AB 1284 (Ramos) Tribal ancestral lands and waters: cogovernance and comanagement agreements.

[AB 1284 \(Ramos D \) Tribal ancestral lands and waters: cogovernance and comanagement agreements.](#) +  

Current Text: Enrollment: 9/5/2024 PDF HTML

Last Amend: 8/20/2024

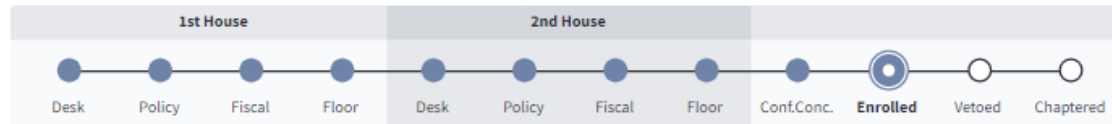
Status: 9/5/2024-Enrolled and presented to the Governor at 4 p.m.

Location: 9/5/2024-A. ENROLLED

Brief Summary: Current law provides that the Legislature encourages the State of California and its agencies to consult on a government-to-government basis with federally recognized Native American tribes and to consult with nonfederally recognized tribes and tribal organizations, as appropriate, in order to allow tribal officials the opportunity to provide meaningful and timely input in the development of policies, processes, programs, and projects that have tribal implications. Current law provides that the Legislature encourages the state and its agencies to consult with a federally recognized tribe, at the tribe's request for a government-to-government consultation on a specified agency action, within 60 days of the request. The bill would authorize the Secretary of the Natural Resources Agency or a delegate to enter into cogovernance and comanagement agreements with federally recognized tribes for the purposes of shared responsibility, decisionmaking, and partnership in resource management and conservation within a tribe's ancestral lands and waters, and would require the secretary or a delegate to be the signatory for these agreements. The bill would authorize the secretary or a delegate, as provided, and within 90 days of a federally recognized tribe's request, to begin government-to-government negotiations on cogovernance and comanagement agreements with the tribe.

Calendar:

Current Analysis: 8/27/2024 Assembly Floor Analysis (text 8/20/2024)



AB 1581 (Kalra) Conservation: Restoration Management Permit Act and California State Safe Harbor Agreement Program Act.

AB 1581 (Kalra D) Conservation: Restoration Management Permit Act and California State Safe Harbor Agreement Program Act. +



Current Text: Enrollment: 9/11/2024 PDF HTML

Last Amend: 8/23/2024

Status: 9/11/2024-Enrolled and presented to the Governor at 4 p.m.

Location: 9/11/2024-A. ENROLLED


Brief Summary: The Lake and Streambed Alteration Program prohibits an entity from substantially diverting or obstructing the natural flow of, or substantially changing or using any material from the bed, channel, or bank of, any river, stream, or lake, or from depositing certain material where it may pass into any river, stream, or lake, unless certain requirements are met, as provided. Current law also prohibits the take or possession of certain species, including, among others, a fully protected fish, except as provided. This bill, the Restoration Management Permit Act, would authorize the department to (1) issue a restoration management permit to authorize the take, possession, import, or export of any species or subspecies of fish, wildlife, or plants in association with a management or propagation project that, among other things, has the primary purpose of restoring native fish, wildlife, plants, or their habitat and (2) authorize any impacts to fish and wildlife resources as a result of activities otherwise subject to the Lake and Streambed Alteration Program, as provided. The bill would exempt these management or restoration projects from various legal requirements, including, among others, the above-described prohibitions regarding the take or possession of fully protected fish, as specified. The bill would authorize the department to develop permit applications for restoration management permits and would require permit applications to contain specified information.

Calendar:

Current Analysis: 8/30/2024 Assembly Floor Analysis (text 8/23/2024)



AB 1992 (Boerner) Carbon sequestration: blue carbon and teal carbon demonstration projects.

[AB 1992 \(Boerner D \) Carbon sequestration: blue carbon and teal carbon demonstration projects.](#) +  

Current Text: Vetoed: 9/22/2024 PDF HTML

Last Amend: 8/23/2024

Status: 9/22/2024-Vetoed by the Governor

Location: 9/22/2024-A. VETOED



Brief Summary: The California Coastal Act of 1976 requires anyone wishing to perform or undertake any development in the coastal zone, except as specified, in addition to obtaining any other permit required by law from any local government or from any state, regional, or local agency, to obtain a coastal development permit from the California Coastal Commission or a local government, as provided. This bill would authorize the commission to authorize blue carbon demonstration projects, as defined, in order to demonstrate and quantify the carbon sequestration potential of these projects to help inform the state's natural and working lands and climate resilience strategies. The bill would, among other things, authorize the commission to require an applicant with a nonresidential project that impacts coastal wetland, subtidal, intertidal, or marine habitats or ecosystems to build or contribute to a blue carbon demonstration project.

Calendar:

Current Analysis: 8/30/2024 Assembly Floor Analysis (*text 8/23/2024*)



AB 2875 (Friedman) Wetlands: state policy.

AB 2875 (Friedman D) Wetlands: state policy. +  

Current Text: Enrollment: 9/5/2024 PDF HTML

Last Amend: 8/21/2024

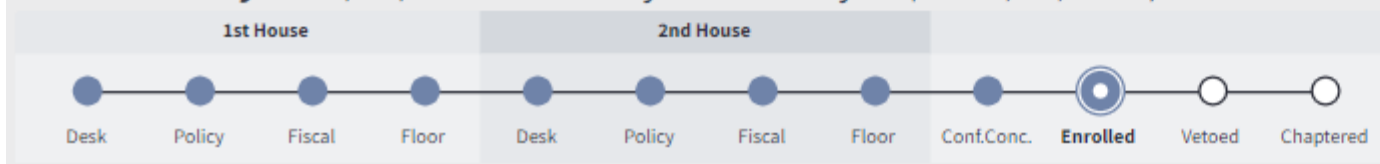
Status: 9/5/2024-Enrolled and presented to the Governor at 4 p.m.

Location: 9/5/2024-A. ENROLLED

Brief Summary: The Keene-Nejedly California Wetlands Preservation Act requires the Natural Resources Agency to prepare a plan for the acquisition, protection, preservation, restoration, and enhancement of wetlands, including funding requirements and the priority status of specific proposed wetlands projects. By Executive Order No. W-59-93, former Governor Pete Wilson declared it to be the policy of the state that its Comprehensive Wetlands Policy rests on three primary objectives, including the objective of ensuring no overall net loss and long-term net gain in the quantity, quality, and permanence of wetlands acreage and values, as provided. This bill would declare that it is the policy of the state to ensure no net loss and long-term gain in the quantity, quality, and permanence of wetlands acreage and values in California.

Calendar:

Current Analysis: 8/27/2024 Assembly Floor Analysis (text 8/21/2024)



SB 366 (Caballero) The California Water Plan: long-term supply targets.

SB 366 (Caballero D) The California Water Plan: long-term supply targets. + 👤 🔔

Current Text: Enrollment: 9/9/2024 PDF HTML

Last Amend: 8/22/2024

Status: 9/9/2024-Enrolled and presented to the Governor at 3 p.m.

Location: 9/9/2024-S. ENROLLED

Brief 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, water transfers, and alternative pricing policies 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 all beneficial uses and ensure safe drinking water for all Californians, among other things.

Calendar:

Current Analysis: 8/29/2024 Senate Floor Analyses (text 8/22/2024)



SB 1330 (Archuleta) Urban retail water supplier: water use.

SB 1330 (Archuleta D) Urban retail water supplier: water use. + 👤 🔔

Current Text: Amended: 6/26/2024 PDF HTML

Last Amend: 6/26/2024

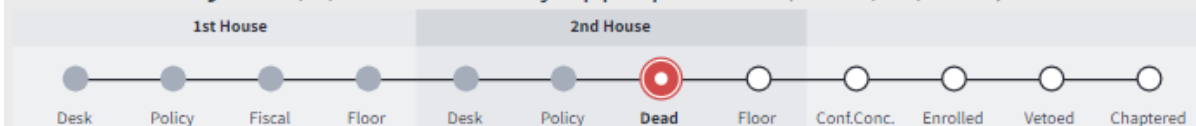
Status: 8/15/2024-Failed Deadline pursuant to Rule 61(b)(14). (Last location was APPR. SUSPENSE FILE on 8/7/2024)

Location: 8/15/2024-A. DEAD

Brief Summary: Current law requires an urban retail water supplier to calculate its urban water use objective no later than January 1, 2024, and by January 1 every year thereafter, and to be composed of the sum of specified data, including aggregate residential water use. Current law requires each urban retail water supplier's water use objective to be composed of the sum of specified aggregate estimates, including efficient outdoor irrigation of landscape areas with dedicated irrigation meters or equivalent technology in connection with water used by commercial water users, industrial water users, institutional water users, and large landscape water users (CII). Current law requires an urban retail water supplier to submit reports to the Department of Water Resources, as provided, by the same dates. This bill would require the department to, no later than January 1, 2035, conduct necessary studies and investigations regarding the efficiency performance of newly constructed residential landscapes and landscape areas with dedicated irrigation meters in connection with CII water use, as specified.

Calendar:

Current Analysis: 8/5/2024 Assembly Appropriations (text 6/26/2024)



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