

SENATE COMMITTEE ON NATURAL RESOURCES AND WATER
Senator Darrell Steinberg, Chair
2007 Second Extraordinary Session

BILL NO: SBX2 1

HEARING DATE: 10/8/07

AUTHOR: Perata

URGENCY: No

VERSION: Introduced

CONSULTANT: Dennis O'Connor

FISCAL: Yes

SUBJECT: Water quality, flood control, water storage, and wildlife preservation

BACKGROUND AND EXISTING LAW

Propositions 50, 1E, and 84 authorized a total of \$12.918 B in general obligation bonds, as follows:

<u>Proposition</u>	<u>Ballot</u>	<u>Amount</u>	<u>Funded Programs</u>
50	11/02	\$3.44 B	Water Security, Safe Drinking Water, Clean Water & Water Quality, Contaminant & Salt Removal Technology, CALFED Bay-Delta Program, Integrated Regional Water Management, Colorado River, & Coastal Watershed & Wetland Protection.
1E	11/06	\$4.090 B	Levees, Weirs, Bypasses & State Plan Of Flood Control Facilities, State Costs Of Flood Control & Flood Prevention Projects, Protection, Reaction And Enhancement Of Flood Protection Corridors & Bypasses, Stormwater Management Projects.
84	11/06	\$5.388 B	Safe Drinking Water & Water Quality, Flood Control, Statewide Water Planning, Protection Of Rivers, Lakes & Streams, Forest & Wildlife Conservation, Protection Of Beaches, Bays, & Coastal Water, Park & Nature Education Facilities, & Sustainable Communities & Climate Change Reduction.

PROPOSED LAW

This bill would appropriate a total of \$610.89 M from Propositions 50, 1E, and 84, for a variety of purposes. The proposed appropriations are:

Proposition 50

\$3.49 M Complete CalFed surface storage studies.

Proposition 1E

\$50.0 M	Flood emergency preparedness.
150.0 M	Stormwater flood management projects: <ul style="list-style-type: none">\$100+ M Address immediate public health and safety needs and strengthen existing flood control facilities to address seismic safety issues.\$20 M Meet immediate water quality needs related to combined municipal sewer and stormwater systems to prevent sewage discharges.\$20 M Stormwater flood protection projects in the northern San Francisco Bay area and Marin County.
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\$200.0 M	Total Proposition 1E
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Proposition 84

\$50.0 M	Small community drinking water system improvements. Disadvantaged or severely disadvantaged communities lacking resources to provide safe drinking water to residents have first priority to the funds.
50.4 M	Prevent/reduce groundwater contamination that affects drinking water sources. Establishes criteria for prioritizing funds. Establishes and funds two pilot projects in the Tulare Lake Basin and the Salinas Valley to focus on nitrate contamination.
40.0 M	Regional water planning and local groundwater assistance.
50.0 M	Relocate existing Delta water intake facilities that meet specified criteria.
160.0 M	Flood control projects in the Delta: <ul style="list-style-type: none">\$60 M Increase the Department of Water Resources' (DWR's) ability to respond to levee breaches and reduce the potential for levee failure.\$100 M Acquire, preserve, protect, and restore Sacramento-San Joaquin Delta islands. Specifies eligible projects.
12.0 M	Complete CalFed surface storage studies. Specifies that the planning and feasibility studies are to identify the specific construction and operation conditions of the projects and the estimated total costs to construct each project, and be submitted to the Governor and the Legislature no later than 12/31/08.
15.0 M	Study options for reoperating the state's flood protection and water supply systems to optimize the use of existing facilities and groundwater storage capacity. Specifies that the studies shall incorporate appropriate climate change scenarios, and requires that the studies be designed to determine the potential to achieve specific objectives.
10.0 M	Updating the California Water Plan, including evaluation of climate change impacts, the development of strategies to adapt to climate change impacts, and the identification of strategies to reduce greenhouse gas emissions related to the storage, conveyance, and distribution of water.
10.0 M	Planning and feasibility studies for projects to reduce ecosystem conflicts in the Delta. Requires DWR to begin these studies by 1/1/08.
10.0 M	Santa Ana River Parkway projects.
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\$407.4 M	Total Proposition 84
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In addition, the bill would:

- Make numerous findings and declarations regarding such things as:
 - The value of the water to the economy, environment, and overall well-being of the state.
 - The challenges facing the state in managing water due to climate change, uncertainty regarding the availability of water from the Delta and other sources, an increase in state population, limitations on public funds, and other factors.
 - The need to adopt a new, updated, and comprehensive set of water planning, design, and implementation policies.
 - Missed opportunities to manage our water more efficiently and to make our supplies more reliable.
 - The need to require integrating flood protection and water systems to achieve multiple benefits.
- Make a number of additional findings about the amount of voter approved debt for water resources related bonds and the amount of unexpended bond funds still available for appropriation.
- Provide that funds appropriated by this bill shall only be available for encumbrance until 6/30/09.
- Require that on 1/10/08, any program that is the recipient of an appropriation made by this bill shall report to the fiscal committees of the Legislature specific details of all committed and anticipated expenditures of these funds.
- Allow up to 5 percent of the appropriated funds to pay the costs incurred in the administration of that program.

ARGUMENTS IN SUPPORT

Supporters point out all of the important activities that would be funded by this bill. About 60 percent of the funds appropriated in this bill are for flood protection related activities, and another 15-20 percent are for projects that protect or improve drinking water quality. The bill also funds completing the CalFed surface storage feasibility studies and environmental documents, improving regional water planning and groundwater management, and restoring critical environmental resources.

ARGUMENTS IN OPPOSITION

While acknowledging that the bill would fund worthwhile actions, DWR opposes the bill because it is not part of a “comprehensive approach to addressing California’s water needs, which must include surface storage as a component to address future impacts on water availability due to climate change and population.”

Other opponents raise concerns with the appropriateness of specific appropriations or conditions:

- Studying options for reoperating the state's flood protection and water supply systems.
- Requirements of the CalFed surface storage studies.
- Pilot projects in the Tulare Lake Basin and the Salinas Valley to focus on nitrate contamination.
- Flood emergency preparedness.

- Regional water planning and local groundwater assistance.

COMMENTS

Related Regular Session Bills:

- SB 59 (Cogdill) Would authorize a \$3.95 B general obligation bond for water resource programs and projects, including constructing two CalFed surface storage reservoirs.
- SB 1002 (Perata) Would appropriate \$610.89 M from Propositions 50, 1E, and 84, for a variety of water resources purposes. Essentially the same as SB2X 1 (Perata).

Related Second Extraordinary Session Bills:

- SB2X 2 (Perata) Would authorize a \$6.835 B general obligation bond for water resource programs and projects. Provides no funds for constructing any of the CalFed surface storage reservoirs.
- SB2X 3 (Cogdill) Would authorize a \$9.085 B general obligation bond for water resource programs and projects, including constructing three CalFed surface storage reservoirs.
- SB2X 4 (Cogdill) Would appropriate \$552.64 M from Propositions 50, 1E, and 84, for a variety of water resources purposes. Essentially the same as AB2X 4 (Villines).
- AB2X 1 (Laird) States intent to enact a water resources bond.
- AB2X 2 (Laird) States intent to fund projects and programs to improve water supply reliability.
- AB2X 3 (Laird) Makes findings and declarations regarding Delta sustainability.
- AB2X 4 (Villines) Would appropriate \$552.64 M from Propositions 50, 1E, and 84, for a variety of water resources purposes. Essentially the same as SB2X 4 (Cogdill).

SUGGESTED AMENDMENTS: None

SUPPORT

Ass. of Calif. Water Agencies
 Audubon Calif.
 Big Sur Land Trust
 Butte Environmental Council
 Calif. Coastal Coalition
 Calif. Council of Land Trusts
 Calif. League of Conservation Voters
 Calif. Native Plant Society
 Calif. Rural Legal Assistance Foundation
 Calif. Sportfishing Protection Alliance
 Calif. Trout
 Calif. Water Ass.
 Calif. Water Impact Network
 Calif. Watershed Network
 City of Los Angeles
 Clean Water Action
 Community Water Center
 Contra Costa Water Dist.
 Defenders of Wildlife
 East Bay Municipal Utility Dist.

Environmental Defense
Environmental Entrepreneurs
Environmental Justice Coalition for Water
Environmental Water Caucus
Federation of Fly Fishers
Forest Issues Group
Friends of the River
Friends of the Trinity River
High Sierra Rural Alliance
League of Women Voters of Calif.
Los Angeles Department of Water and Power
Marin Municipal Water Dist.
Metropolitan Water Dist. of Southern Calif.
Mountain Lion Foundation
Natural Resources Defense Council
Planning and Conservation League
Restore the Delta
Sierra Foothills Audubon Society
Sierra Nevada Alliance
The Nature Conservancy
TreePeople
Truckee River Watershed Council
Tulare Basin Wildlife PartnersPeople
Tuolumne River Trust
Urban Creeks Council
Winnemem Wintu Tribe

Support if amended

San Diego Co. Water Authority
Solano Co. Water Agency

OPPOSITION

Department of Water Resources
Friant Water Authority
Valley Ag Water Coalition