

DATE: June 22, 2015
TO: RMC Governing Board
FROM: Mark Stanley, Executive Officer
SUBJECT: Item 7A: Executive Officer's Report- Legislation and Initiatives

Updates to the legislative report will be an oral report.

For full text and history of bills and initiatives, visit these web sites:

Federal Bills	http://thomas.loc.gov/
State Bills	http://www.leginfo.ca.gov/
Initiative Measures	http://www.caag.state.ca.us/initiatives/activeindex.htm

STATE LEGISLATION
Current as of 5/12/2015

The 2015-16 Legislative session convened on January 5, 2015. The following are legislative bills that have been introduced that are of special interest to the Conservancy:

ENVIRONMENT

SB 760. Senator Tony Mendoza. Disadvantaged Community Enhancement Act of 2015.

Existing law establishes the Strategic Growth Council consisting of specified members and requires the council to, among other things, develop and administer the Affordable Housing and Sustainable Communities Program to reduce greenhouse gas emissions through projects that implement land use, housing, transportation, and agricultural land preservation practices to support infill and compact development and that support other related and coordinated public policy objectives. This bill would require the council to develop and implement the Disadvantaged Community Enhancement Program to award grants to disadvantaged communities, as defined, to facilitate projects for community enhancement improvements that reduce greenhouse gas emissions in furtherance of the goals of the California Global Warming Solutions Act of 2006 and that provide to disadvantaged communities multiple environmental benefits. The bill would authorize the council, upon appropriation by the Legislature, to expend moneys in the fund to implement the program. Grants would be available for projects that create recreational space and serve to provide multiple environmental benefits to residents in disadvantaged communities.

LAST HIST. ACT. DATE: 5/11/2015
LAST HIST. ACTION: From committee with author's amendments. Read second time and amended. Re-referred to Com. on APPR.
HOUSE LOCATION: Senate APPR

RMC BOARD COMPOSITION**SB 355. Senator Ricardo Lara. An act to amend Section 32605 of the Public Resources Code, relating to the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy, board composition.**

Existing law establishes the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy, which is responsible for the preservation and protection of specified lands within the San Gabriel and Lower Los Angeles Rivers and Mountains area, as defined. Existing law prescribes the duties of the conservancy, and requires that it be comprised of 13 voting members and 7 nonvoting members, as specified. Existing law requires that the voting members include, among other members, 2 members of the Orange County Division of the League of California Cities, both of whom shall be a mayor or city council member of a city bordering the San Gabriel River or tributary thereof. This bill would instead require that only one member of the Orange County Division of the League of California Cities be a voting member, and would require that a resident of a city bordering the Lower Los Angeles River, appointed by the Senate Committee on Rules, be a voting member. The bill would also increase the number of nonvoting members to 9, and would require that one Member of the Senate, appointed by the Senate Committee on Rules, and one Member of the Assembly, appointed by the Speaker of the Assembly, serve as those nonvoting members. The bill would require that those legislators serving as nonvoting members represent a district that is at least partially contained within the territory of the conservancy and participate in activities of the conservancy only to the extent that participation is compatible with his or her duties as a legislator.

LAST HIST. ACT. DATE: 04/30/2015
 LAST HIST. ACTION: In Assembly. Read first time. Held at Desk.
 HOUSE LOCATION: Assembly Desk

AB 498 (Levine D) Wildlife conservation: wildlife corridors.

Status: 2/24/2015-From printer. May be heard in committee March 26.

Location: 2/23/2015-A. PRINT

Summary: Would declare that it is the policy of the state and all state agencies, with regard to a project proposed in an area identified as a wildlife corridor, to encourage the project proponent to consult with the Department of Fish and Wildlife, and, wherever feasible and practicable, take steps to protect or restore the functioning of the wildlife corridor through various means, as applicable.

Introduced: 2/23/2015
 LAST HIST. ACT. DATE:
 LAST HIST. ACTION:
 HOUSE LOCATION:

PARKS**SB 317. Senator Kevin De Leon. The Safe Neighborhood Parks, Rivers, and Coastal Protection Bond Act of 2016.**

Under existing law, various measures have been approved by the voters to provide funds for park, river, and coastal protections and programs. This bill would enact the Safe Neighborhood Parks, Rivers, and Coastal Protection Bond Act of 2016, which, if adopted by the voters at the November 8, 2016, statewide general election, would authorize the issuance of bonds in an unspecified amount pursuant to the State General Obligation Bond Law to finance a safe neighborhood parks, rivers, and coastal protection program. Vote: 2/3. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

LAST HIST. ACT. DATE: 05/08/2015
 LAST HIST. ACTION: Set for hearing May 18.
 HOUSE LOCATION: Senate APPR

AB 1205 (Gomez D) The California River Revitalization and Greenway Development Act of 2015.

Summary: Would require the Natural Resources Agency to establish a grant program for eligible applicants to develop projects on or adjacent to riparian corridors that assist the state in implementing the California Global Warming Solutions Act of 2006 and that provide for specified cobenefits. The bill would create the CalRIVER Fund in the State Treasury, with moneys in the fund to be available upon appropriation to implement the grant program. This bill contains other existing laws.

Introduced: 2/27/2015
 LAST HIST. ACT. DATE: 4/28/2015
 LAST HIST. ACTION: Do pass as amended and be re-referred to the Committee on Appropriations.
 HOUSE LOCATION: -A. APPR.

AB 1251 (Gomez D) Greenway Development and Sustainment Act.

Introduced: 2/27/2015
 Status: 4/15/2015-Re-referred to Com. on L. GOV.
 Location: 4/15/2015-A. L. GOV.

Summary: Would enact the Greenway Development and Sustainment Act and would authorize specified tax-exempt nonprofit organizations to acquire and hold a conservation easement if the organizations have as their primary purpose the development of a greenway, as defined. The bill would also include greenways in the definition of "open-space land" for local planning purposes. The bill would make findings with regard to the development of a greenway along the Los Angeles River and its tributaries and would declare that, by developing a greenway, a city, county, or city and county, may apply for funds from various sources.

AB 988 (Stone, Mark D) Outdoor Environmental Education and Recreation Grants Program.

Introduced: 2/26/2015

Status: 2/26/2015-Read first time. To print.

Location: 2/26/2015-A. PRINT

Summary: Would require the Department of Parks and Recreation to establish, on or before March 30, 2016, an Outdoor Environmental Education and Recreation Grants Program with the purpose of increasing the ability of underserved and at-risk populations to participate in outdoor recreation and educational experiences by awarding grants to public organizations, nonprofit organizations, or both. This bill contains other related provisions.

WATER**AB615. Assemblymember Anthony Rendon. The Center for Community Water Projects.**

Existing law provides various technical assistance opportunities to disadvantaged communities for projects relating to groundwater sustainability, clean drinking water, and water recycling and advanced treatment water technology projects. This bill would establish The Center for Community Water Projects, to be administered by the Division of Financial Assistance within the State Water Resources Control Board. The bill would declare the purpose of the center is to provide a centralized, multidisciplinary technical assistance program for disadvantaged communities and to assist those communities in designing and building clean and sustainable water projects. The bill would require the Division of Financial Assistance to provide a broad range of technical assistance to disadvantaged communities, as specified, to coordinate with other entities, and to contract with third party technical assistance providers, as necessary. The bill would authorize the center to receive funding from both public and private sources.

LAST HIST. ACT. DATE: 05/06/2015

LAST HIST. ACTION: In committee: Set, first hearing.

HOUSE LOCATION: Assembly suspense file.

AB530. Assemblymember Anthony Rendon. Lower Los Angeles River Working Group

Existing law provides for the protection, enhancement, and restoration of rivers in this state. Existing law establishes the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy for the purpose of, among others, providing for the public's enjoyment and enhancement of recreational and education experiences on public lands in the San Gabriel Watershed and Lower Los Angeles River. This bill would require the Secretary of the Natural Resources Agency to appoint, in coordination with the Los Angeles County Board of Supervisors, a local working group to develop a revitalization plan for the Lower Los Angeles River, called the Lower Los Angeles River Working Group. The bill would specify a prescribed membership for the working group, including, among others, representatives from the County of Los Angeles, and elected officials of the cities riparian to the Los Angeles River. The bill would require, by March 1, 2017, the working group to develop, through watershed-based planning methods, a revitalization plan that addresses the unique and diverse needs of the Lower Los Angeles River, that is consistent with, enhances, and is incorporated into the County of Los Angeles's Master Plan, and that includes watershed education programs. By imposing additional duties on local officials, the bill would impose a state-mandated local program. The bill would require the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy to provide any necessary staffing to assist the working group.

This bill would make legislative findings and declarations as to the necessity of a special statute for the Lower Los Angeles River. The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement. This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

LAST HIST. ACT. DATE: 05/06/2015
 LAST HIST. ACTION: In committee: Set, first hearing. Referred to APPR. suspense file.
 HOUSE LOCATION: A. APPR. SUSPENSE FILE

AB 1077 (Holden D) Mutual water companies: open meetings.

Introduced: 2/27/2015
 Status: 2/27/2015-Introduced. To print.
 Location: 2/27/2015-A. PRINT

Summary: Would prohibit a mutual water company from meeting solely in an executive session without holding a meeting. The bill would require a board of directors of a mutual water company to allow an eligible person to personally attend a meeting of the board, if the eligible person gave the board at least 24 hours advance written notice of his or her intent to personally attend the meeting. This bill contains other existing laws.

SB 208 (Lara D) Integrated regional water management plans: grants: advanced payment.

Introduced: 2/11/2015
 Status: 2/11/2015-Introduced. Read first time. To Com. on RLS. for assignment. To print.

Summary: Existing law, the Integrated Regional Water Management Planning Act, authorizes a regional water management group to prepare and adopt an integrated regional water management plan with specified components relating to water supply and water quality. Existing law provides that an integrated regional water management plan is eligible for funding allocated specifically for implementation of integrated regional water management. This bill would require a regional water management group, within 90 days of notice that a grant has been awarded, to provide the state entity administering the grant with a list of projects to be funded by the grant funds where the project proponent is a nonprofit organization, as defined, or a disadvantaged community, as defined, or the project benefits a disadvantaged community. This bill would require the state entity administering the grant, within 60 days of receiving the project information, to provide advanced payment of 50% of the grant award for those projects that satisfy specified criteria and would require the advanced funds to be handled, as prescribed. This bill would repeal these provisions on January 1, 2025. This bill contains other existing laws.

TRANSPORTATION

AB 156 (Perea) California Global Warming Solutions Act of 2006: Investment Plan (Cap & Trade- Disadvantaged Communities)

Introduced: 1/20/2015

Title: An act to amend Section 39713 of the Health and Safety Code, relating to greenhouse gases.

Summary: The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The state board is required to adopt a statewide greenhouse gas emissions limit equivalent to the statewide greenhouse gas emissions level in 1990 to be achieved by 2020. The act authorizes the state board to include the use of market-based compliance mechanisms. Existing law requires all moneys, except for fines and penalties, collected by the state board from the auction or sale of allowances as part of a market-based compliance mechanism to be deposited in the Greenhouse Gas Reduction Fund and to be available upon appropriation. Existing law requires the California Environmental Protection Agency to identify disadvantaged communities and requires the Department of Finance, in consultation with the state board and any other relevant state agency, to develop, as specified, a 3-year investment plan for the moneys deposited in the Greenhouse Gas Reduction Fund. **This bill would require the department to include in the 3-year investment plan an allocation to provide technical assistance to disadvantaged communities to assist them in proposing specified projects for inclusion in the 3-year investment plan.**

LAST HIST. ACT. DATE: 04/29/2015
 LAST HIST. ACTION: In committee: Set, first hearing.
 HOUSE LOCATION: A. APPR. SUSPENSE FILE

Proposition 1 Water Bond

This measure was passed by the California voters on November 4th, 2014 with 67.16% approval.

Officially known as Proposition 1- the "Water Quality, Supply, and Infrastructure Improvement Act of 2014" This measure will authorize \$7.12 billion in general obligation bonds for:

- state water supply infrastructure projects
- such as public water system improvements
- surface and groundwater storage
- drinking water protection
- water recycling and advanced water treatment technology
- water supply management and conveyance
- wastewater treatment, drought relief
- emergency water supplies
- ecosystem and watershed protection and restoration

This measure passed with bi-partisan support, passing 77-2 in the Assembly and 37-0 in the Senate. This measure will fund a wide variety of water projects across California, including a bulk of the funds for storage at \$2.7 billion (Chapter 8). Chapter 6, Watershed Protection and Restoration, is the section that identifies funding for Conservancies, totaling \$327.5 million which includes \$30 million for the Rivers and Mountains Conservancy. Both the RMC and SMMC are written in to receive \$30 million each. In addition, there are other sections of the measure which will greatly benefit the cities within the RMC's jurisdiction including up to \$100 million for projects to enhance urban creeks and watersheds.

Cap & Trade Expenditure Plan

The California Global Warming Solutions Act of 2006 (AB 32) established California as a global leader in reducing greenhouse gas emissions (GHGs). To meet the goals of AB 32, the state has adopted a three-pronged approach to reducing emissions, including adopting standards and regulations, providing emission reduction incentives via grant programs, and establishing a market-based compliance mechanism known as Cap and Trade. The Cap and Trade program sets a statewide limit on the GHG sources responsible for 85 percent of California GHG emissions. Through an auction mechanism, it establishes a financial incentive for industries subject to the statewide cap to make long-term investments in cleaner fuels, more efficient energy use, and transformational technological and scientific innovations. The Cap and Trade program provides GHG emitters the flexibility to implement the most efficient options to reduce GHG emissions. Based on the first update to the Climate Change Scoping Plan, the Cap and Trade program will be responsible for approximately 30 percent of the required GHG emission reductions to meet the AB 32 goal of reducing GHG emissions to 1990 levels by 2020.

Chapter 830, Statutes of 2012 (SB 535), requires that the state invest at least 10 percent of the auction proceeds within the most disadvantaged communities and at least 25 percent of the proceeds be invested to benefit these communities. The California Environmental Protection Agency, directed by SB 535, will determine the list of disadvantaged communities using CalEnviroScreen, a tool developed by the Office of Environmental Health Hazard Assessment, in collaboration with stakeholders and an advisory group.

FEDERAL UPDATE

Federal land recreation fees HR 5204 (Bishop). Not enacted. House committee approved July 30. No Senate action. Bishop would continue entrance fees, user fees and passes. Obama budget asks Congress to approve permanent law.

Land and Water Conservation Fund S 338 (Baucus), HR 2727 (McKinley). Not enacted. Baucus introduced Feb. 14, 2013. McKinley introduced July 18, 2013. Baucus would guarantee \$900 million per year to program in perpetuity. McKinley would guarantee state grants received at least 40 percent of annual appropriations.

Urban park fund HR 2424 (Sires). Not enacted. Sires introduced June 18, 2013. Would authorize HUD grants and HUD loans to provide assistance to urban parks.

\$50 Million Investment in Western Drought Response by Secretary of the Interior Sally Jewell

On Feb. 6, 2015, the US Bureau of Reclamation made \$50 million in funds available immediately for drought relief projects throughout the West—including nearly \$20 million for California's Central Valley Project. "Today's funding will help boost immediate and long-term efforts to improve water efficiencies and increase resilience in high-risk communities, including in California's Central Valley," added Jewell. "I appreciate the support of Congress, especially that of Senator Feinstein and the California delegation, in helping make these much needed funds available." Secretary Jewell made the announcement after a meeting with Governor Edmund G. Brown Jr. to discuss the Obama Administration's 'all-in' approach to the drought in California. These efforts include strategic investments in science and monitoring, operational flexibility to help manage limited water supplies and other efforts to ensure that public health and safety are not compromised.

"This important investment will help us improve how we save and move water, while continuing to protect sensitive habitat and wildlife," said Governor Brown. "Even with recent storms, we have a long, dry trek ahead and a close partnership with the federal government is crucial."

The \$50 million for Western Drought Response was made available through the Consolidated and Further Continuing Appropriations Act of 2015. The funding enables Reclamation to work with water districts and other water users to increase efficiency and conservation of available water. Highlights include:

\$19.9 million for California's Central Valley Project. This includes: \$5.37 million for Delta needs, including drought monitoring for endangered species and mechanisms to increase flexibility in water operations; \$2.38 million for the Friant-Kern Canal Reverse Flow Pumping Project to bank groundwater for the southern portion of the Friant Division; \$3.65 million for Water and Power Operations to facilitate water transfers in the summer months; \$1 million to continue the Battle Creek habitat conservation work; \$1.5 million to support the Livingston Stone Hatchery; and \$6 million for refuges, including acquisition, conveyance and diversification of water supplies.

\$9 million for WaterSMART and Title XVI Water Reclamation and Reuse Program grants. The competitive grants programs support water conservation initiatives and technological breakthroughs that promote water reuse, recycling and conservation in partnership with states, tribes and other partners.

\$5 million for Drought Response and Comprehensive Drought Plans. This new program is helping states, tribes and local governments prepare for and address drought in advance of a crisis with 50/50 percent federal/non-federal funding.

\$8.6 million for the Lower Colorado River Basin Drought Response Action Plan. Funding will be used to generate up to 10,000 acre-feet of water annually in the Colorado River system storage.

In addition to the Western Drought Response funding, Reclamation is also dedicating an additional \$8.8 million for the Central Valley Project made available through the Act. The funding will support operations and maintenance, fish passage and fish screens and supplement the Natural Resources Conservation Services (NRCS) water conservation partnerships to improve efficiency of agricultural water use in the state.

President's Proposed FY16 Budget

In February 2015, President Obama released his proposed budget for fiscal year 2016 which includes strong investments in the safety, reliability and efficiency of America's water infrastructure and addresses the nation's water supply challenges, especially in the arid West, through conservation, water reuse and applied science. Highlights include:

\$89 million for Interior's WaterSMART program, which promotes water conservation initiatives.

\$123 million for the Central Valley Project to fund operations, management and improvements within the project, as well as for the Trinity River Restoration Program. The CVP provides water for more than 3 million acres of land in the top agricultural counties in the nation's leading farm state. The CVP also delivers water supplies for municipalities, industrial uses, fish, wildlife and environmental purposes.

\$37 million for Bay-Delta Restoration to develop a comprehensive long-term plan to achieve the co-equal goals for securing California's water supply and restoring the Sacramento-San Joaquin Delta ecosystem.

\$35 million for the San Joaquin River Restoration Program to restore and maintain fish populations along the river, and improve water management to avoid impacts to supplies for water contractors.

West-wide Climate Risk Assessment Report

The Bureau of Reclamation released the [West-wide Climate Risk Assessment](#) that analyzes observed and projected impacts of climate change and the demand for crop irrigation water in eight major river basins in the West.

The study projects that compared to the second half of the 20th century, net irrigation water requirements in the second half of the 21st century may be six percent higher. Meanwhile, projected annual evaporation will increase two to six inches by 2080 at most reservoirs modeled. The projections from this water demands analysis will inform ongoing and future basin studies, impact assessments, and other planning efforts carried out by Reclamation and its partners.

National Drought Resilience Partnership

In 2013, President Obama formed the [National Drought Resilience Partnership](#) to ensure that his Administration is ready to help the farmers, ranchers, small businesses, tribes and communities being impacted throughout the country. The partnership between seven federal agencies coordinates long term drought resilience efforts and makes it easier for communities to find the drought assistance they need by promoting collaboration and information sharing at all levels of government. Communities can find more information on the types of federal assistance available by calling 202-564-8086 or visiting www.drought.gov.

<http://www.doi.gov/news/pressreleases/secretary-jewell-announces-50-million-for-western-drought-response.cfm>