

TO: Members, County of Santa Barbara Legislative Committee

FROM: Cliff Berg, Legislative Advocate  
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RE: March 2015 State Update

DATE: April 1, 2015

The legislature is on its spring recess until April 6, 2015 at which time they will return to a flurry of both budget and committee hearings. They have a hard deadline at the end of April in which to move over 2000 policy bills into fiscal committee or the floors in their respective houses. Budget sub-committees are meeting regularly trying to close out a few items but really waiting for the Governor's May Revise to be released around May 15, 2015.

In other news, the state is continuing to face a very serious drought and passed a drought package similar to last year in an effort to help affected communities. They also took a measurement of the snow pack this morning and it is the driest California has ever been on record. As such the Governor declared statewide mandatory water restrictions. He held a series of briefings with his top officials and water districts statewide in hopes of supporting them to help achieve better water usage.

### **1000 Year Drought**

His drought package included SB 91 and SB 92, both of which were amended, taken up in both houses the week of March 23<sup>rd</sup> and brought to the Governor on March 27<sup>th</sup> when he signed them. This deal was a bi-partisan deal negotiated with legislative leaders in both houses and the Administration.

The legislation includes more than \$1 billion for local drought relief and infrastructure projects to make the state's water infrastructure more resilient to extreme weather events. Specifically, the legislation does the following:

- 1) Accelerates \$267 million from Proposition 1 Water Bond funding for safe drinking water and water recycling from the Governor's January budget proposal.
- 2) Accelerates drought-related expenditures from the Governor's January budget proposal augmented by \$31 million in targeted additional expenditures (\$132 million total), including efforts to implement the Water Action Plan and provide direct assistance to workers and communities impacted by drought.
- 3) The additional \$31 million in new targeted expenditure items which were not included in the Governor's January budget proposal include the following:
  - \$17 million in additional funding to support emergency food aid to 29 counties most impacted by the drought;

- \$4 million for emergency drinking water in disadvantaged communities;
- \$5 million to the Department of Water Resources to provide emergency drinking water support for small communities, including addressing private wells;
- \$1.4 million to the Department of Water Resources to increase advertising and public relations related to the Save Our Water campaign;
- \$2.8 million to the Department of Water Resources and Department of Fish and Wildlife for additional modeling support and species tracking in the Delta and greater Central Valley to support efficient management of the state's water system; and
- \$1 million to address critical infrastructure deficiencies at remote fire stations that have run out of water.

4) Accelerates \$660 million from the Governor's January budget proposal of Proposition 1E bond monies for flood protection in urban and rural areas to make the state's infrastructure more resilient to climate change and flood events.

5) Accelerates \$30 million from the Governor's January budget proposal of cap-and-trade auction revenue to DWR (\$20 million) and CDFA (\$10 million) for programs that provide a reduction of GHG emissions and also deliver state and local water use efficiency and agricultural water use efficiency. Both proposals were part of last year's agreement on cap-and-trade expenditures.

This bill is an important first step in addressing urgent needs brought on by the extreme drought. It contains critical funding for emergency water and food services and gets a start on big projects – such as water recycling – that help provide local water supply reliability that can help with future or the on-going drought.

The budget trailer bill does the following:

1) Requires DFW to notify the owner of a new diversion, which is deleterious to salmon and steelhead, that it must be screened and to submit to the owner, within 30 days or upon a mutually agreed upon timeframe, proposals for protective measures.

2) Allow DFW to assess civil penalties, including administrative penalties, for obstructing fish passage with separate provisions for obstructions associated with marijuana cultivation. Require DFW adopt emergency regulations to implement the penalty provisions and amend the Timber and Forest Restoration Fund to allow for the receipt of penalty monies.

3) Allows DFW to initiate a complaint before the State Water Board for a violation or trespass in connection with an unauthorized diversion or use of water that harms fish and wildlife resources.

4) Establishes the Office of Sustainable Water Solutions within the State Water Resources Control Board to promote permanent and sustainable drinking water and wastewater treatment solutions to ensure effective and efficient provision of safe, clean, affordable, and reliable drinking water and wastewater treatment services.

5) Expands the use of the Cleanup and Abatement Account for uses beyond mitigation of waste and unreasonable use to include urgent drinking water needs. Also, expands the entities eligible to receive funds to public agencies. This change would allow local water districts to be eligible to

receive funds to address emergency drinking water needs. These provisions will sunset on July 1, 2018.

6) Transfers to CalConserve Revolving Fund \$10 million of the proceeds of Proposition 1 to fund two water conservation and water use efficiency pilot programs that will provide loans at below market rates or zero interest to urban water suppliers in order to: 1) install water efficiency upgrades to eligible residents at no upfront cost; and, 2) provide low-interest loans to customers to finance leak repairs. Both could be repaid through customers' utility bills.

7) Expedites emergency drought response time by suspending contracting provisions of the Government Code and Public Contract Code for actions related to Governor's declaration of a drought emergency that address human health and safety impacts, fish and wildlife resources, and provision of water to persons or communities. Identify and list any contracts approved under the suspended state contracting provisions on the California Drought Internet Web site.

8) Amends the Government Code to ensure that funding provided to local governments in response to an emergency is not subject to the eligibility restrictions of Section 1782 of the Labor Code.

9) Directs agencies receiving moneys from the 2014-15 Budget Act related to urgent drought relief to use the services of the California Conservation Corps or a certified community conservation corps, where feasible, for restoration, ecosystem restoration projects or other similar work.

### **Bills of Interest to the County**

AB 3 (Williams) This bill would express the intent of the Legislature to clarify and establish the necessary authority for the creation of the Isla Vista Community Services District within the unincorporated area of Santa Barbara County. The substance of the bill has been amended into the measure and we understand that the county is reviewing the language currently in order to provide additional input and potentially take a position. The County has not taken a position, however we continue to work with Assembly Member Williams and his staff on the legislation. The bill has been referred to the Assembly Local Government Committee but has not been set for a hearing at this time.

AB 514 (Williams) This bill is the County sponsored bill which was introduced this week by Assembly Member Das Williams. This measure is an attempt to address the inadequacy of the current fines and penalties system for local governments. Under current law the violations are rather insignificant therefore people are not discouraging from violated them, we are hopeful that this will provide additional incentives to work with the locals to provide the best outcomes for our local communities. The bill has been referred to the Assembly Local Government Committee but has not been set for a hearing at this time. We are working with the author on some clarifying amendments prior to hearing the bill.

SB 13 (Pavley) This bill would provide a local agency or groundwater sustainability agency 90 or 180 days, as prescribed, to remedy certain deficiencies that caused the board to designate the basin as a probationary basin. This bill would authorize the board to develop an interim plan for certain probationary basins one year after the designation of the basin as a probationary basin. The bill also state that if the department determines that all or part of a basin or subbasin is not being monitored,

would require the department to determine whether there is sufficient interest in establishing a groundwater sustainability plan. The bill will also serve as a vehicle for any necessary clean-up to the major ground water bill package passed and signed into law in 2014. The County does not have a position on this bill, but we are watching it as it moves through the process. This bill passed the Senate Natural Resources Committee on March 24<sup>th</sup> with bi-partisan support.

SB 122 (Jackson, Hill and Roth) This bill is a vehicle for potential CEQA reform. The bill would require the lead agency, at the request of a project applicant and consent of the lead agency, to prepare a record of proceedings concurrently with the preparation of a negative declaration, mitigated negative declaration, EIR, or other environmental document for projects. The bill would state the intent of the Legislature to enact legislation establishing an electronic database clearinghouse of notices and environmental document prepared pursuant to CEQA, establishing a public review period for a final environmental impact report, and relating to the record of proceedings for a project for which an environmental impact report is prepared pursuant to CEQA. This bill has been referred to the Senate Environmental Safety Committee and will be heard on April 15<sup>th</sup>.

### **Conclusion**

April brings a flurry of activity as the policy committees get incredibly busy. We will continue to keep the Board updated as things move, especially this time of year. The month of May will bring the focus to the Appropriations committee and the budget committees as they attempt to close out as many items as possible and then we see what goes to the budget conference committee in June. As always, if you or your staff has any questions, please don't hesitate to let us know.