

ZONE 7 BOARD OF DIRECTORS LEGISLATIVE COMMITTEE

DATE: Thursday, June 23, 2022

TIME: 4:00 p.m.

PARTICIPATION: **Zoom:** <https://us02web.zoom.us/j/81080125679> or
Phone: (669) 900-6833 • Meeting ID: 810 8012 5679

Director Palmer
Director Ramirez Holmes
Director Sanwong

AGENDA

1. Public Comment on Items Not on Agenda
2. Legislative Update: The Gualco Group, Inc.
3. Association of California Water Agencies (ACWA) Legislative Committee Update
4. Verbal Reports
5. Adjournment

DATE: June 23, 2022
TO: Legislative Committee
FROM: Carol Mahoney, Government Relations Manager
SUBJECT: Legislative Update: The Gualco Group, Inc.

SUMMARY:

Zone 7 staff, with the support of Agency consultants, monitors legislation that is being considered in Sacramento, as well as other political and regulatory activities of interest. This item supports Strategic Plan, Goal F – Stakeholder Engagement, engage our stakeholders to foster understanding of their needs, the Agency, and its function.

California’s Assembly, Senate, and Committees are in a two-year legislative cycle, which resumed the second year in January 2022. The Gualco Group, Inc. will provide an update to the Committee on legislative actions of potential interest to Zone 7. The attached is the legislative executive summary of bills that was provided to the Board at the June board meeting.

FUNDING:

N/A

RECOMMENDED ACTION:

Information only.

ATTACHMENTS:

Attachment 1 - Legislative Positions
Gualco Legislative Executive Summary – As of June 1, 2022

Attachment 1 - Legislative Positions

- **Support (S)** — Agency actively supports the proposed legislation.
- **Support and Seek Amendments (S/S)** — Agency will actively support the proposed legislation while continuing to seek specific amendments.
- **Support if Amended (S/A)** — Agency will actively support the proposed legislation, if it is amended to address specific shortcomings identified by the District.
- **Favor (F)** — Agency will join with other organizations in support but will not engage actively in advocacy for the measure.
- **Favor, if Amended (F/A)** — Agency will join with other organizations in support, if legislation is amended to address specific shortcomings identified by the Agency but will not engage actively in advocacy for the measure.
- **Watch (W)** — Measures or general issues have not been sufficiently defined for a formal position.
- **Not Favor (NF)** — Agency will join with other organizations in opposition but will not engage actively in advocacy against the measure.
- **Oppose Unless Amended (O/A)** — Agency will actively oppose the proposed legislation unless it is amended to address specific shortcomings.
- **Oppose (O)** — Agency actively opposes the proposed legislation.



EXECUTIVE SUMMARY

State Legislation

**Prepared for the Zone 7 Water Agency
by The Gualco Group, Inc.**



Bill	Topic	Synopsis	Staff Recommendation	Status of the Bill/Comments as of 06/01/2022
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General

[AB 1001 \(Garcia, C.\)](#)

**Environment:
mitigation measures
for air and water
quality impacts:
environmental justice**

The California Environmental Quality Act (CEQA) requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. This bill would require mitigation measures, identified in an environmental impact report or mitigated negative declaration to mitigate the adverse effects of a project on air quality of a disadvantaged community, to include measures for avoiding, minimizing, or otherwise mitigating for the adverse effects on that community. The bill would require mitigation measures to include measures conducted at the project site that avoid or minimize to less than significant the adverse effects on the air quality of a disadvantaged community or measures conducted in the affected disadvantaged community that directly mitigate those effects.

Watch

Senate
Committee on
Environmental
Quality

[AB 2142](#)
[\(Gabriel\)](#)

**Income taxes:
exclusion: turf
replacement water
conservation program**

Current law provides an exclusion from gross income for any amount received as a rebate or voucher from a local water or energy agency or supplier for the purchase or installation of a water conservation water closet, energy efficient clothes washers, and plumbing devices, as specified. This bill would, for taxable years beginning on or after January 1, 2022, and before January 1, 2027, under the Personal Income Tax Law and the Corporation Tax Law, provide an exclusion from gross income for any amount received as a rebate, voucher, or other financial incentive issued by a public water system, as defined, local government, or state agency for participation in a turf replacement water conservation program.

Support

Senate Rules

[AB 2221 \(Quirk-Silva\)](#)

**Accessory dwelling
units**

The Planning and Zoning Law, among other things, provides for the creation of accessory dwelling units by local ordinance, or, if a local agency has not adopted an ordinance, by ministerial approval, in accordance with specified standards and conditions. Current law requires a permitting agency to act on an application to create an accessory dwelling unit or a junior accessory dwelling unit within specified timeframes. This bill would require a permitting agency to act on an application to serve an accessory dwelling unit or a junior accessory dwelling unit within the same timeframes. The bill would provide that the requirement for a permitting agency to act on an application means either to return in writing a full set of comments to the applicant with a comprehensive request for revisions or to return the approved permit application.

Watch

Senate Rules

[AB 2633](#)
[\(Cooley\)](#)

**Protection of
parklands: American
River Parkway: County
of Sacramento:
removal of
unpermitted campers
and campsites**

This bill would authorize the Board of Supervisors of the County of Sacramento to order the removal of unpermitted campers or clearing of unpermitted campsites from the American River Parkway, as defined, to protect and preserve sensitive natural habitat, critical wildlife, flood infrastructure, recreational activities, public facilities, public safety, or the adjacent community from significant environmental or other degradation. The bill would require the board, at least 72 hours before removing an unpermitted camper or clearing an unpermitted campsite, to provide written notice to the camper or campsite occupant of its intent to take that action, except when there is an imminent danger to human health or safety or an emergency. The bill would also require the board to use a harm-reduction and trauma-informed approach when removing unpermitted campers and to ensure that, during the removal of an unpermitted camper, the camper receives access to onsite support services, as specified.

Watch

Senate Rules

[ACA 1 \(Aguiar-Curry\)](#)

Local government financing: affordable housing and public infrastructure: voter approval

This measure would create an additional exception to the 1% limit that would authorize a city, county, city and county, or special district to levy an ad valorem tax to service bonded indebtedness incurred to fund the construction, reconstruction, rehabilitation, or replacement of public infrastructure, affordable housing, or permanent supportive housing, or the acquisition or lease of real property for those purposes, if the proposition proposing that tax is approved by 55% of the voters of the city, county, or city and county, as applicable, and the proposition includes specified accountability requirements.

Watch

Assembly Committee on Local Government

[SB 230 \(Portantino\)](#)

State Water Resources Control Board: Constituents of Emerging Concern in Drinking Water Program

The California Safe Drinking Water Act requires the State Water Resources Control Board to administer provisions relating to the regulation of drinking water to protect public health. This bill would require the state board to establish, maintain, and direct a dedicated program called the Constituents of Emerging Concern in Drinking Water Program for 5 years to assess the state of information and recommend areas for further study on, among other things, the occurrence of constituents of emerging concern (CEC) in drinking water sources and treated drinking water. The bill would require the state board to convene, by an unspecified date, the Science Advisory Panel for 3 years to review and provide recommendations to the state board on CECs for further action, among other duties. The bill would require the state board to provide a final report to the Legislature by June 1, 2026, on the work conducted by the panel.

Watch

Assembly Committee on Environmental Safety & Toxic Materials

[SB 1020 \(Laird\)](#)

Clean Energy, Jobs, and Affordability Act of 2022

The California Global Warming Solutions Act of 2006 requires the State Air Resources Board to prepare and approve a scoping plan for achieving the maximum technologically feasible and cost-effective reductions in greenhouse gas emissions and to update the scoping plan at least once every 5 years. The act requires the state board to conduct a series of public workshops to give interested parties an opportunity to comment on the plan and requires a portion of those workshops to be conducted in regions of the state that have the most significant exposure to air pollutants, including communities with minority populations, communities with low-income populations, or both. This bill instead would modify, with respect to the provision that a portion of the workshops be conducted in regions of the state that have the most significant exposure to air pollutants, the above-described included communities as additionally being areas designated as federal extreme nonattainment.

Watch

Assembly Desk

[SB 1404 \(Stern\)](#)

**California
Environmental Quality
Act: oak woodlands**

CEQA requires the county to require certain oak woodlands mitigation alternatives if the county determines that there may be a significant effect to oak woodlands. CEQA exempts certain projects from this requirement. CEQA requires a lead agency that adopts, and a project that incorporates, one or more of the mitigation alternatives to be deemed to be in compliance with CEQA only as it applies to effects on oaks and oak woodlands. This bill would instead require a lead agency to determine whether a project within its jurisdiction may result in a conversion of oak woodlands, as defined, that will have a significant effect on the environment and to require certain oak woodlands mitigation alternatives, and would make conforming changes. The bill would provide that the removal of 3 or more oak trees within an oak woodland located within areas mapped by state or local agencies as areas critical to habitat linkage, natural resources protection, or otherwise related to biodiversity and conservation constitutes a significant effect on the environment. By imposing duties on local lead agencies, the bill would impose a state-mandated local program.

Watch

DEAD

Water

[AB 2016 \(Bauer-Kahan\)](#)

**State Water Resources
Control Board:
desalination plant:
feasibility study**

Current law requires the Department of Water Resources, not later than July 1, 2004, to report to the Legislature on potential opportunities and impediments for using seawater and brackish water desalination, and to examine what role, if any, the state should play in furthering the use of desalination technology. Current law requires the department to convene a Water Desalination Task Force, composed of representatives from listed agencies and interest groups, to advise the department in carrying out these duties and in making recommendations to the Legislature. This bill would repeal those provisions.

Support

Senate Rules

[AB 2108 \(Rivas\)](#)

**Water policy:
environmental justice:
disadvantaged and
tribal communities**

This bill would require that one of the persons appointed by the Governor to the State Water Resources Control Board be qualified in the field of water supply and water quality relating to disadvantaged or tribal communities and not be the same member as the member appointed who is qualified in the field of water supply and water quality relating to irrigated agriculture. The bill would also require that at least one person appointed to each regional board have specialized experience relating to disadvantaged or tribal communities, except as provided. The bill would prohibit, in making those appointments, preference to be given on the basis of ethnicity or national origin.

Watch

Senate Rules

[AB 2201](#)
[\(Bennett\)](#)

Groundwater sustainability agency: groundwater extraction permit: verification

Current law authorizes any local agency or combination of local agencies overlying a groundwater basin to decide to become a groundwater sustainability agency for that basin and imposes specified duties upon that agency or combination of agencies, as provided. Current law also authorizes the State Water Resources Control Board to designate a high- or medium-priority basin as a probationary basin under certain conditions for specified purposes. This bill would prohibit a local agency, as defined, from approving a permit for a new groundwater well or for an alteration to an existing well in a basin subject to the act and classified as medium- or high-priority until it obtains a written verification, from the groundwater sustainability agency that manages the basin or area of the basin where the well is proposed to be located, determining that certain factors are present.

Watch

Senate Rules

[AB 2639 \(Quirk\)](#)

San Francisco Bay/Sacramento-San Joaquin Delta Estuary: water quality control plan: water right permits

This bill would require the State Water Resources Control Board, on or before December 31, 2023, to adopt a final update of the 1995 Water Quality Control Plan for the San Francisco Bay/Sacramento-San Joaquin Delta Estuary, as specified, and to implement the amendments to the plan adopted by the state board pursuant to Resolution No. 2018-0059 on December 12, 2018. The bill would prohibit the state board, on or after January 1, 2024, from approving a new water right permit that would result in new or increased diversions to surface water storage from the Sacramento River/San Joaquin River watershed until and unless the state board has taken those actions.

Watch

DEAD

[SB 832 \(Dodd\)](#)

Water rights: measurement of diversion

Current law defines various terms applicable to the Water Code. This bill would define "water year," unless otherwise specified, to mean the 12-month period beginning October 1 and ending September 30.

Watch

DEAD

[SB 890 \(Nielsen/Borgeas\)](#)

Department of Water Resources: Water Storage and Conveyance Fund: water storage and conveyance

This bill would establish the Water Storage and Conveyance Fund in the State Treasury to be administered by the Department of Water Resources. The bill would require all moneys deposited in the fund to be expended, upon appropriation by the Legislature, in support of subsidence repair and reservoir storage costs, including environmental planning, permitting, design, and construction and all necessary road and bridge upgrades required to accommodate capacity improvements. The bill would require the department to expend from the fund, upon appropriation by the Legislature, specified monetary amounts to complete funding for the construction of

Watch

Senate Committee on Natural Resources and Water

the Sites Reservoir, and to restore the capacity of 4 specified water conveyance systems, as prescribed, with 2 of those 4 expenditures being in the form of a grant to the Friant Water Authority and to the San Luis and Delta-Mendota Water Authority. This bill would make these provisions inoperative on July 1, 2030, and would repeal it as of January 1, 2031.

[SB 1157](#)
[\(Hertzberg\)](#)

Urban water use objectives: indoor residential water use

Current law requires the Department of Water Resources, in coordination with the State Water Resources Control Board, and including collaboration with and input from stakeholders, to conduct necessary studies and investigations and authorizes the department and the board to jointly recommend to the Legislature a standard for indoor residential water use. Current law, until January 1, 2025, establishes 55 gallons per capita daily as the standard for indoor residential water use. Existing law establishes, beginning January 1, 2025, the greater of 52.5 gallons per capita daily or a standard recommended by the department and the board as the standard for indoor residential water use, and beginning January 1, 2030, establishes the greater of 50 gallons per capita daily or a standard recommended by the department and the board as the standard for indoor residential water use. This bill would eliminate the option of using the greater of 52.5 gallons per capita daily and the greater of 50 gallons per capita daily, as applicable, or a standard recommended by the department and the board as the standard for indoor residential water use.

Oppose

Assembly Committee on Water, Parks, & Wildlife

[SB 1205 \(Allen\)](#)

Water rights: appropriation

This bill would require the State Water Resources Control Board to develop and adopt regulations to provide greater specificity as to the methods and practices for determining water availability in the issuance and administration of water right permits and licenses, including consideration of the effects of climate change, as specified, upon watershed hydrology as part of the preparation of water availability analyses. The bill would require the board to consult with the Department of Water Resources, the Department of Fish and Wildlife, and qualified hydrologists and climate change scientists, among others, in preparing the regulations.

Watch

Assembly Desk