

# Legislative Update

2023/24 California Legislative Session

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CALIFORNIA DEPARTMENT OF  
**water resources**

# 2024 Legislative Calendar

- January 3 – Legislature Convened
- February 16 – Bill Introduction Deadline
- May 24 – Last Day to Pass Bills from House of Origin
- July 3 thru August 4 – Summer Recess
- August 5 – Legislature Reconvenes
- August 31 – Last Day to Pass Bills for the 2023/24 Session
- September 30 – Last Day for the Governor to Sign/Veto



## Water Management

**AB 2517 (Fong) Water: water districts: irrigation districts: long term maintenance agreements.** Would require DWR to respond to long-term maintenance agreement requests from irrigation districts within 120 days and would prioritize requests for waterways that already have short-term agreements.

**AB 2614 (Ramos) Water policy: California tribal communities.** Would integrate the recognition of tribal water rights and ecological knowledge into several different areas of the Water Code, such as the impact on such rights through state or regional board action, including water quality actions (particularly in the San Francisco Bay and Sacramento-San Joaquin Delta watershed) and inclusion in CNRA and CalEPA's California Water Quality Monitoring Council to foster co-management and participation.

**AB 2947 (Lackey) Water: turfgrass conversion.** Would require state administered turfgrass conversion grants/rebates to allow conversion to water-efficient and climate-appropriate turfgrasses where (1) a net overall water savings is realized and (2) the most efficient irrigation equipment available is used, as identified by DWR's MWEL0.

**AB 3044 (Alanis) Urban retail water suppliers: urban water use objectives: report.** Would extend the date by DWR is required to submit a report to the Legislature on the progress of urban water suppliers from 2028 to 2029.

**AB 3121 (Hart) Urban retail water suppliers: written notice: conservation orders: dates.** Would extend two enforcement dates for the SWRCB to alert urban retail water suppliers that have not met their urban water use objectives via written notice from January 2025 to January 2026. The earliest date that the SWRCB could issue a conservation order would be pushed from 2026 to 2027.



**SB 1088 (Alvarado-Gil) Office of Emergency Services: state funding: water system infrastructure improvements.**

Would establish a Rural and Small Community Fire Resilience Program within OES, working with DWR, the SWRCB and other agencies to upgrade water infrastructure in Wildland Urban Interface areas.

**SB 1185 (Niello) Water conservation: water use objectives.** Would preclude the SWRCB from adopting water conservation objectives that (1) reduces a water supplier's actual water use by more than 20%, (2) exceeds a water use standard recommended by DWR, or (3) mandates a required amount of water for a variance (i.e. no minimums). The SWRCB would be required to develop a self-certification process for validating the amount of water in a variance and allow the water suppliers to use estimates.

**SB 1218 (Newman) Water: emergency water supplies.** Would declare that the policy of the state is to encourage and incentivize (but not mandate) the development of emergency water supplies for use during times of shortages due to a drought or unplanned service interruption.

**SB 1330 (Archuleta) Urban water supplier: water use.** Would make changes to existing law regarding water supply calculations, consideration and reporting of variances, water enforcement actions, and general reporting requirements applying to the SWRCB, urban retailer water suppliers, and DWR. The Board would be required to adopt DWR-recommended variances.

**SB 1373 (Cortese) Water data dashboard.** Would require DWR to collaborate with the California Water Data Consortium to create an online water dashboard including federal and state data concerning the movement of water through the CVP and the SWP.



## Flood

**AB 2450 (Aguiar-Curry) Flood control: City of Woodland: Lower Cache Creek.** Would authorize the State to provide up to 99% of the non-federal cost share for the Lower Cache Creek Flood Risk Management Project on the Lower Cache Creek in Woodland if the project meets certain benchmarks, such as federal authorization and a specific cost-benefit analysis by DWR's Director.

**SB 586 (Eggman) Flood management: Mossdale Tract.** Would move the deadline for the Mossdale Tract to achieve an urban level of flood protection from 2028 to 2040.

**SB 1139 (Ashby) Flood protection; City of Sacramento: Sacramento Area Flood Control Agency.** Would extend the existing deadline for the City of Sacramento to achieve an urban level of flood protection from 2025 to 2030 and declare SAFCA liable for its share of any property damage caused by a flood if its acts in unreasonably approving new developments in the covered areas.

**SB 1390 (Caballero) Groundwater recharge: floodflows: diversions.** Would amend existing law (SB 122 (Budget and Fiscal Review) 2023) concerning the requirement to obtain an appropriative right for flood flow diversions for the purpose of groundwater recharge.

## Groundwater Management

**AB 828 (Connolly) Sustainable groundwater management: managed wetlands.** Would temporarily (until January 2028) exempt disadvantaged communities served by a small water system and managed wetland extractors from being subject to extraction allocations and certain fees under SGMA.



**AB 2079 (Bennett) Groundwater extraction: large-diameter, high-capacity wells: permits.** Would place restrictions on local agencies' permitting of a new, large-diameter wells. Specifically, agencies would be barred from approving applications where the proximate location of the proposed well is within one quarter mile of a domestic well or a well that has subsided more than .5 feet since 2015.

**AB 2799 (Fong) Sustainable groundwater management: small farms: fees.** Would ask GSAs to consider the efforts of small farms (less than \$250,000 in gross income) that recharge groundwater into a basin upon which their property is located when imposing or increasing fees.

**SB 1156 (Hurtado) Groundwater sustainability: financial disclosures.** Would require executive members, board of directors or other decision-making member of a GSA to annually disclose any economic or financial interests pursuant to FPPC guidelines.

#### Grants/Funds

**AB 2465 (Gipson) Equity: socially disadvantaged groups and organizations: non-profit organizations: grants.** Would require specific state agencies, including DWR, to prioritize grant funding to nonprofit organizations that have a majority of its board of directors composed of farmers or ranchers that are part of a group that has been subjected to racial, ethnic, or gender prejudice. Additional points would be added to the scoring process and grantees would not be responsible for providing matching funds, nor demonstrate experience implementing similar projects. Sunsets in January 2031.

**AB 2781 (Irwin) State grants.** Would prohibit State agencies from contracting for the purpose of distributing grant funds to an organization that is composed of members that would receive the grants.



**AB 3017 (Hart) State-funded assistance grants and contracts: advance payments: tribes.** Would expand California's existing advance payment practices for state grants to include nonprofits and federally recognized tribes.

**ACA 2 (Alanis) Water Resiliency Act of 2024.** Would amend the State constitution to create a fund for water resiliency within the State Treasurer's Office. 1.5% of the State's revenue would be required to be transferred to the fund annually with continuous appropriations to the California Water Commission for the cost of implementing these provisions and for specific infrastructure projects. It would also authorize projects funded to have a streamlined review under the California Environmental Quality Act (CEQA)

**SB 1246 (Limon) California Prompt Payment Act: non-profit organizations.** Would amend existing law under the California Prompt Payment Act to further define a grant to mean a signed final agreement between the State and a non-profit organization. Where the State disputes the invoice, the bill would additionally require the agency to pay the undisputed portion of an invoice within 45 days so long as the undisputed portion is equal to or less than \$250 or 5 percent of the invoice.

### Ecosystem

**AB 1284 (Ramos) Tribal ancestral lands and waters: co-governance and co-management agreements.** Would encourage the CNRA, at the request of a federally recognized Tribe, to enter co-management and co-governance agreements for a given territory, area, or set of natural resources.

**AB 2552 (Friedman) Pesticides: first-generation anticoagulant rodenticides.** Would prohibit the use of certain types of rodenticides in wildlife habitat areas or within 5,000 feet of a wildlife habitat area. Other rodenticides, as specified, would only be able to be used under specific circumstances. Violations of these provisions would result in a civil penalty not to exceed \$25,000 per day, per violation.



**AB 2610 (Garcia) Protected species: authorized take: Salton Sea Management Program: System Conservation.** Would allow DFW to authorize take of species arising from the implementation of the Salton Sea Management Program or any System Conservation Implementation Agreement or Quantification Settlement Agreement between the listed entities from 2024 to 2026.

**AB 2875 (Friedman) Wetlands: state policy.** Would establish a state policy supporting the protection and preservation of wetlands with the intent to ensure no net loss of wetland acreage, calling for long term gain instead.

**AB 2916 (Friedman) Environmental health: floating devices: expanded polystyrene.** Would prohibit the use of unencased expanded polystyrene in a buoy, dock, pier, or other floating device in State waters.

### CEQA

**AB 2940 (Muratsuchi) California Environmental Quality Act: environmental leadership development projects: transmission projects.** Would include transmission projects that bring new renewable energy generation onto the State's grid to be eligible to be streamlined through the CEQA process under the Jobs and Economic Improvement Through Environmental Leadership Act of 2021.

**SB 1259 (Neillo) California Environmental Quality Act: judicial review.** Would allow a defendant in a suit challenging actions taken by a public agency under CEQA to file a motion to request the identification of any entity and interests and who has made a monetary contribution of \$10,000 or more to the preparation of the petition and subsequent action where the subject matter of the lawsuit is a public works project helps to address a critical need in the project area and results in an investment of at least \$25 million. Any action initiated must be resolved within 365 days of filing the certified record of proceedings.





## Energy

**AB 1834 (Garcia) Electricity Supply Strategic Reliability Reserve Program: local publicly owned electric utilities.** Would require DWR to determine if the resources that it procured through the ESSRRP were used in a given month to meet a publicly owned electric utility's identified reliability need.

**AB 2537 (Addis) Energy: offshore wind generation: grant program.** Would establish within the State Treasury a Local and Tribal Communities Offshore Wind Capacity Building Fund to be used, upon appropriation, to award grants to encourage these entities to engage in the process of off-shore wind projects.

## State Administration/Contracts

**AB 1588 (Wilson) Affordable Internet and Equality Act of 2024.** Would prohibit state agencies from entering into contracts for services from an internet service provider unless the provider offers a low-cost residential package. Exceptions apply to certain state departments and an internet service provider with fewer than 100,000 California residential subscribers. The Department of Technology would be required to post all eligible providers on their public website for identification purposes.

**AB 2153 (Lowenthal) California Public Records Act: public agency employees: notice: personnel and medical information.** Would make the personnel, medical, or similar records of state employees in connection with the performance of the employee's work duties discoverable through the PRA process and require the department issuing the records to notify the employee of such disclosures.

**AB 2283 (Pacheco) Public Records: personnel records: notice.** Would require a 48-hour notice be provided to a public employee by an agency where a PRA is submitted to collect the employee or an employee's family member's residential address, medical history, or photographs of the employee.



**AB 2409 (Papan) Office of Planning and Research: permitting accountability transparency dashboard.** Would require state agencies to submit permit information to the Office of Planning and Research for critical infrastructure projects with an estimated cost of \$100 million dollars or more on or before January 2026.

**AB 3236 (Hoover) Public contracts: Small Business Procurement and Contract Act.** Would increase the monetary threshold from \$250,000 to \$500,000 for a contract awarded to a certified small business, microbusiness, or a disabled veteran enterprise so that the entity is excluded from certain competitive bidding requirements under the Small Business Procurement and Contract Act.

**SB 1073 (Skinner) State acquisition of goods and services: low-carbon cement or concrete products.** Would permit State agencies to enter into forward contracts (up to 10 years in the future) for low-carbon cement or concrete products.

**SB 1034 (Seyarto) California Public Records Act: state of emergency.** Would amend the Public Records Act to increase the amount of time that a state or local entity must respond to a request for records from 10 to 14 days in the event a state of emergency is proclaimed by the Governor, but only in specific enumerated circumstances.

**SB 1114 (Niello) State agencies: budget and personnel disclosure.** Would require State agencies to post on their public websites a table including total personnel and total authorized budget (for three years) and the budget funding sources.

**SB 1325 (Durazo) Public contracts: best value procurement: equipment.** Would allow State or local agencies to use the best value procurement method (objective criteria related to price, quality, and other qualifications) for contracting for the purchase of equipment with a base value of \$250,000 or more. Guidelines may include but are limited to the adoption of a “high road jobs plan” policy (includes information that details the impact of the contract on the employment and training of workers), which could add several additional points to the overall score for the contract.

