

Roles and Responsibilities of DWR, DFG, and SWRCB

(Excerpts from Chapter 8 of SBX7 2)

79740. (a) ... the commission may make the determinations, findings, and recommendations required of it by this chapter independent of the views of the director.

(b) ... \$3,000,000,000 is hereby continuously appropriated from the fund, without regard to fiscal years, to the commission for public benefits associated with water storage projects that improve the operation of the state water system, are cost effective, and provide a net improvement in ecosystem and water quality conditions, in accordance with this chapter. ...

(c) Projects shall be selected by the commission through a competitive public process that ranks potential projects based on the **expected return for public investment as measured by the magnitude of the public benefits provided**, pursuant to criteria established under this chapter.

79741. Projects for which the public benefits are eligible for funding under this chapter consist of only the following:

- (a) CALFED Surface storage projects
- (b) Groundwater storage projects
- (c) Conjunctive use and reservoir reoperation projects.
- (d) Local and regional surface storage projects that improve the operation of water systems in the state and provide public benefits.

79742. A project shall not be funded pursuant to this chapter unless it provides measurable improvements to the Delta ecosystem or to the tributaries to the Delta.

(1) **Ecosystem improvements**, including changing the timing of water diversions, improvement in flow conditions, temperature, or other benefits that contribute to restoration of aquatic ecosystems and native fish and wildlife, including those ecosystems and fish and wildlife in the Delta.

(2) **Water quality improvements** in the Delta, or in other river systems, that provide significant public trust resources, or that clean up and restore groundwater resources.

(3) **Flood control benefits**, including, but not limited to, increases in flood reservation space in existing reservoirs by exchange for existing or increased water storage capacity in response to the effects of changing hydrology and decreasing snow pack on California's water and flood management system.

(4) **Emergency response**, including, but not limited to, securing emergency water supplies and flows for dilution and salinity repulsion following a natural disaster or act of terrorism.

(5) **Recreational purposes**, including, but not limited to, those recreational pursuits generally associated with the outdoors.

(b) Funds shall not be expended pursuant to this chapter for the costs of environmental mitigation measures or compliance obligations except for those associated with providing the public benefits as described in Section 79743.

79744. In **consultation** with the Department of Fish and Game, the State Water Resources Control Board, and the department, the commission shall develop and adopt, by regulation, **methods for quantification** and **management** of public benefits described in Section 79743 by December 15, 2012.

The regulations shall include:

- The **priorities and relative environmental value of ecosystem benefits** as provided by the Department of Fish and Game and
- The **priorities and relative environmental value of water quality benefits** as provided by the State Water Resources Control Board.

79746. (a) The public benefit cost share of a project funded pursuant to this chapter, other than a project described in subdivision (c) of Section 79741, may not exceed 50 percent of the total costs of any project funded under this chapter.

(b) **No project may be funded unless it provides ecosystem improvements** as described in paragraph (1) of subdivision (a) of Section 79743 that are at least 50 percent of total public benefits of the project funded under this chapter.