

ZONE 7 BOARD OF DIRECTORS LEGISLATIVE COMMITTEE

DATE: Thursday, September 26, 2024
TIME: 4:00 pm
LOCATION: Boardroom
Zone 7 Administration Building
100 North Canyons Parkway, Livermore

Director Brown
Director Green
Director Palmer

AGENDA

1. Call Meeting to Order
2. Public Comment on Items Not on the Agenda
3. Review of State Legislative Process
4. Legislative Update – Gualco/Staff
5. Committee Schedule
6. Adjournment



100 North Canyons Parkway
Livermore, CA 94551
(925) 454-5000

DATE: September 26, 2024

TO: Legislative Committee

FROM: Carol Mahoney, Government Relations Manager

SUBJECT: Regulatory and 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 ended the second year of the two-year legislative cycle on August 31, 2024. The Governor has until September 30 to sign or veto the bills. Although the Legislative Committee did not formally recommend positions to the Board this legislative session, the attached Executive Summary provides the list of bills that were monitored. Because most of these bills’ status has not changed and remains under consideration by the Governor, Staff will provide an update on the status of individual bills during the committee meeting.

Prior to the discussion of bills, a presentation will be provided describing the overall legislative process.

The schedule for future Committee meetings will be discussed and the tentative Committee schedule is as follows:

Date	Time
December 10, 2024	10:00 a.m.
January 14, 2025	10:00 a.m.
March 11, 2025	10:00 a.m.
May 13, 2025	10:00 a.m.
August 12, 2025	10:00 a.m.
October 14, 2025	10:00 a.m.
December 9, 2025	10:00 a.m.

FUNDING: N/A

RECOMMENDED ACTION: Information only

ATTACHMENT: Legislative Executive Summary – for September 2024

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 09/3/2024
BROWN ACT LEGISLATION				
<u>AB 2302</u> <u>(Addis)</u>	Open meetings: local agencies: teleconferences	<p>Current law, until January 1, 2026, authorizes the legislative body of a local agency to use alternative teleconferencing in specified circumstances if, during the teleconference meeting, at least a quorum of the members of the legislative body participates in person from a singular physical location clearly identified on the agenda that is open to the public and situated within the boundaries of the territory over which the local agency exercises jurisdiction, and the legislative body complies with prescribed requirements. Current law imposes prescribed restrictions on remote participation by a member under these alternative teleconferencing provisions, including establishing limits on the number of meetings a member may participate in solely by teleconference from a remote location, prohibiting such participation for a period of more than 3 consecutive months or 20% of the regular meetings for the local agency within a calendar year, or more than 2 meetings if the legislative body regularly meets fewer than 10 times per calendar year. This bill would revise those limits, instead prohibiting such participation for more than a specified number of meetings per year, based on how frequently the legislative body regularly meets.</p>	<p>Watch</p> <p>Others: ACWA = Favor CMUA = Favor CSDA = Support3</p>	<p>Enrolled & Presented to the Governor</p>

GENERAL – ADMINISTRATION, ENVIRONMENTAL REGULATION, AND RELATED CONCERNS

[AB 1828](#)
[\(Waldron\)](#)

Personal income taxes: voluntary contributions: Endangered and Rare Fish, Wildlife, and Plant Species Conservation and Enhancement Account: Native California Wildlife Rehabilitation Voluntary Tax Contribution Fund: covered grants

Current law, until January 1, 2025, allows an individual taxpayer to contribute amounts in excess of the taxpayer's personal income tax liability for the support of specified funds and accounts, including, among others, to the Endangered and Rare Fish, Wildlife, and Plant Species Conservation and Enhancement Account. This bill would extend the operability of the taxpayer contribution until January 1, 2032, or until December 1 of a calendar year that the Franchise Tax Board determines the amount of contributions estimated to be received will not at least equal the minimum contribution amount of \$250,000, as provided.

Watch

To Engrossing & Enrolling

[AB 1957](#)
[\(Wilson\)](#)

Public contracts: best value construction contracting for counties

Current law authorizes certain counties (including Alameda) to use a best value construction contracting method to award individual annual contracts, not to exceed \$3,000,000, for repair, remodeling, or other repetitive work to be done according to unit prices, as specified. Current law requires the board of supervisors of a participating county to submit a report that contains specified information about the projects awarded using the best value procedures described above to the appropriate policy committees of the Legislature and the Joint Legislative Budget Committee before March 1, 2024. Current law repeals the pilot program provisions on January 1, 2025. This bill would instead authorize any county of the state to utilize this program and would extend the operation of those provisions until January 1, 2030.

Watch

**Chaptered 58,
Statutes of
2024**

GENERAL – ADMINISTRATION, ENVIRONMENTAL REGULATION, AND RELATED CONCERNS

[AB 2285](#)
[\(Rendon\)](#)

**Natural resources:
equitable outdoor
access: 30x30 goal:
urban nature-based
projects**

This bill would provide that state agencies and the Legislature shall aspire to recognize the coequal goals of the 30x30 goal and would require consideration of higher land value acquisition and development costs per acre, the acute health needs of a local population due to historic lack of greenspace access, local park assessment plans, and the availability of mobility options near a land conservation site. The bill would require state funding agencies when programming and awarding funds to revise, modify, or amend guidelines as necessary to meet the state's goals, to allow for urban nature-based projects on degraded lands to be eligible and competitive for state funds.

Watch

DEAD
Senate
Appropriations –
Held on
Suspense File

[AB 2320](#)
[\(Irwin\)](#)

**Wildlife Connectivity
and Climate
Adaptation Act of
2024: wildlife
corridors**

Current law requires the Natural Resources Agency, in implementing actions to achieve the goal to conserve at least 30% of the state's lands and coastal waters by 2030 established by executive order, to prioritize specified actions and requires the agency to provide an annual report to the Legislature. This bill would additionally require the agency, as part of that report, to include an update on the state's progress towards addressing the priority wildlife corridors, as defined, identified in the Restoring California's Wildlife Connectivity report by the Department of Fish and Wildlife, and goals for wildlife corridor protection in the next five years.

Watch

DEAD
Senate
Appropriations –
Held on
Suspense File

GENERAL – ADMINISTRATION, ENVIRONMENTAL REGULATION, AND RELATED CONCERNS

[AB 2561](#)
[\(McKinnor\)](#)

Local public employees: vacant positions

The Meyers-Milias-Brown Act (act) authorizes local public employees to form, join, and participate in the activities of employee organizations of their own choosing for the purpose of representation on matters of labor relations. This bill would authorize a recognized public organization to initiate the meet and confer process with a public agency if the total number of job vacancies within total classifications of the bargaining unit is equal to or exceeds 20% of the total authorized positions in that bargaining unit. The bill would require the public agency to promptly meet and confer with the employee organization within 30 days about substantive strategies to fill vacancies. The bill would require a public agency to present the status of vacancies and recruitment and retention efforts at a public hearing at least once per fiscal year prior to the adoption of its final budget, and would entitle the employee organization to present at the hearing.

Watch

Others:
CUMA = Oppose
CSDA = Oppose2

To Engrossing & Enrolling

NATURAL RESOURCES BOND

[SB 867 \(Allen\)](#)

Safe Drinking Water, Wildfire Prevention, Drought Preparedness, and Clean Air Bond Act of 2024

If approved by the voters, would authorize the issuance of bonds in the amount of \$10,000,000,000 to finance projects for safe drinking water, drought, flood, and water resilience, wildfire and forest resilience, coastal resilience, extreme heat mitigation, biodiversity and nature-based climate solutions, climate-smart, sustainable, and resilient farms, ranches, and working lands, park creation and outdoor access, and clean air programs.

Watch

Others:
ACWA = Watch
CMUA = Support if Amended
CSDA = Watch

Chapter 83, Statutes of 2024 – Approved for November 2024 Ballot as Proposition 4

UTILITY MANAGEMENT, REVENUE AND RELATED FINANCIAL MATTERS

<p><u>AB 1827</u> <u>(Papan)</u></p>	<p>Local government: fees and charges: water: higher-consumptive water parcels</p>	<p>This bill would provide that the fees or charges for property-related water service imposed or increased may include the incrementally higher costs of water service due to specified factors, including the higher water usage demand of parcels. The bill would provide that the incrementally higher costs of water service associated with higher water usage demands, the maximum potential water use, or projected peak water usage may be allocated using any method that reasonably assesses the water service provider's cost of serving those parcels.</p>	<p>Watch Others: ACWA = Support CMUA = Support CSDA = Support3</p>	<p>Enrolled & Presented to the Governor</p>
<p><u>AB 2149</u> <u>(Connolly)</u></p>	<p>Operations Gates: Standards: Inspections</p>	<p>Requires a regulated gate, defined as any gate that weighs more than 50 pounds and is more than 48 inches wide or more than 84 inches high that is located in an area that is open to the public, an entire community or neighborhood, or any considerable number of persons to meet certain standards.</p>	<p>Watch ACWA = Not Favor CSDA = Oppose3</p>	<p>DEAD Senate Appropriations – Held on Suspense File</p>
<p><u>AB 2257</u> <u>(Wilson)</u></p>	<p>Local government: property-related water and sewer fees and assessments: remedies</p>	<p>This bill would prohibit, if a local agency complies with specified procedures, a person or entity from bringing a judicial action or proceeding alleging noncompliance with the constitutional provisions for any new, increased, or extended fee or assessment, as defined, unless that person or entity has timely submitted to the local agency a written objection to that fee or assessment that specifies the grounds for alleging noncompliance, as specified. This bill would provide that local agency responses to the timely submitted written objections shall go to the weight of the evidence supporting the agency's compliance with the substantive limitations on fees and assessments imposed by the constitutional provisions.</p>	<p>Watch Others: ACWA = Sponsor CMUA = Support CSDA = Support3</p>	<p>To Engrossing & Enrolling</p>

UTILITY MANAGEMENT, REVENUE AND RELATED FINANCIAL MATTERS

SB 937
(Wiener)

Development projects: fees and charges

The Mitigation Fee Act prohibits a local agency that imposes fees or charges on a residential development for the construction of public improvements or facilities from requiring the payment of those fees or charges until the date of the final inspection or the date the certificate of occupancy is issued, whichever occurs first, except for utility service fees, which the local agency is authorized to collect at the time an application for utility service is received. The act exempts specified units in a residential development proposed by a nonprofit housing developer if the housing development meets certain conditions. This bill would limit the utility service fees exception described above to utility service fees related to connections, and cap those fees at the costs incurred by the utility provider resulting from the connection activities. The bill would extend the above-described exemption for those units in a residential development that meets those conditions to any housing developer.

Watch

Others:
ACWA = Watch
CMUA = Neutral
CSDA = Oppose
Unless Amended2

To Engrossing & Enrolling

SB 1072
(Padilla)

Local government: Proposition 218: remedies

This bill would require, if a property-related fee or charge creates revenues in excess of the local government's reasonable cost of providing the specific benefit or specific government service, that the excess revenues be used only to reduce the subsequently adopted and following property-related fee or charge.

Watch

Others:
ACWA = Favor
CMUA = Support
CSDA = Support3

To Engrossing & Enrolling

WATER RIGHTS

[AB 460](#)
[\(Bauer-Kahan\)](#)

**State Water
Resources Control
Board: water rights
and usage: civil
penalties**

Under existing law, the diversion or use of water other than as authorized by specified provisions of law is a trespass, subject to specified civil liability. This bill would require the State Water Resources Control Board to adjust for inflation, by January 1 of each year, beginning in 2026, the amounts of civil and administrative liabilities or penalties imposed by the board or in water right actions brought at the request of the board, as specified.

Watch

Others:
CMUA = Support
SWC =Support1

To Engrossing &
Enrolling

[AB 1272](#)
[\(Wood\)](#)

**State Water
Resources Control
Board: drought
planning**

Would require the State Water Resources Control Board, in consultation with the Department of Fish and Wildlife, to adopt principles and guidelines for diversion and use of water in coastal watersheds, as specified, during times of water shortage for drought preparedness and climate resiliency. The bill would require that the principles and guidelines allow for the development of locally generated watershed-level plans to support public trust uses, public health and safety, and the human right to water in times of water shortage, among other things.

Watch

[Vetoed](#) By
Governor

WATER SUPPLY

[AB 1573](#)
[\(Friedman\)](#)

**Water conservation:
landscape design:
model ordinance**

Requires updated model ordinance to include provisions that require that plants included in a landscape design plan be selected based on their adaptability to climatic, geological, and topographical conditions of the project site, as specified. The bill would also exempt landscaping that is part of a culturally specific project, as defined, ecological restoration projects that do not require a permanent irrigation system, mined-land reclamation projects that do not require a permanent irrigation system, and existing plant collections, as part of botanical gardens and arboretums open to the public, from the model ordinance.

Not Favor

Others:
ACWA = Not Favor
Unless Amend

DEAD
Senate -
Inactive file
since 2023

WATER SUPPLY

[SB 366](#) [\(Caballero\)](#)

The California Water Plan: long-term supply targets

Would revise and recast certain provisions regarding The California Water Plan to require the department to instead establish a stakeholder advisory committee and to expand the membership of the committee to include tribes, labor, and environmental justice interests. The bill would require the Department of Water Resources to coordinate with the California Water Commission, the State Water Resources Control Board, other state and federal agencies and the stakeholder advisory committee to develop a comprehensive plan for addressing the state's water needs and meeting specified interim planning targets established by the bill.

Watch

Others:
ACWA = Support
CMUA = Sponsor
CSDA = Support3
SWC = Support1

To Engrossing & Enrolling

[SB 1110](#) [\(Ashby\)](#)

Urban retail water suppliers: informational order: conservation order

Current law authorizes the State Water Resources Control Board, on and after January 1, 2024, to issue informational orders pertaining to water production, water use, and water conservation to an urban retail water supplier that does not meet its urban water use objective, as provided. This bill would instead authorize the board to issue the informational orders on and after January 1, 2026.

Watch

Others:
ACWA = Favor
CMUA = Support

DEAD
Assembly Appropriations – Held on Suspense File

[SB 1255](#) [\(Durazo\)](#)

Public water systems: needs analysis

This bill would require the State Water Resources Control Board to update a needs analysis of the state's public water systems to include an assessment, as specified, of the funds necessary to provide a 20% discount for low-income households served by community water systems with fewer than 3,000 service connections and for community water systems with fewer than 3,000 service connections to meet a specified affordability threshold on or before July 1, 2026, and on or before July 1 of every 3 years thereafter.

Watch

Others:
ACWA = Oppose Unless Amended
CMUA = Oppose Unless Amended

DEAD
Assembly Appropriations – Held on Suspense File

SGMA/GROUNDWATER

AB 828
(Connolly)

Sustainable groundwater management: managed wetlands

The Sustainable Groundwater Management Act requires all groundwater basins designated as high- or medium-priority basins by the Department of Water Resources to be managed under a groundwater sustainability plan or coordinated groundwater sustainability plans, except as specified. This bill would prohibit a groundwater sustainability agency from imposing a fee upon a small community water system serving a disadvantaged community or imposing a fee for managed wetland purposes provided the water use for each user does not increase above the extractor’s average annual extraction from 2015 to 2020.

Watch

Others:
ACWA = Oppose
CMUA = Not Favor

To Engrossing & Enrolling

AB 2060
(Soria)

Lake and streambed alteration agreements: exemptions

Existing law requires CDFW to determine whether the activity may substantially adversely affect an existing fish and wildlife resource and, if so, to provide a draft lake or streambed alteration agreement to the person, agency, or utility. Existing law establishes various exemptions to lake or streambed alteration agreements including, until January 1, 2029, an exemption for the diversion of flood flows for groundwater recharge, as provided. This bill would, until January 1, 2029, exempt from these provisions the temporary operation of existing infrastructure or temporary pumps being used to divert water to groundwater recharge as long as certain conditions are met, including the use of protective screens on temporary intakes, as provided, for diversions directly from rivers or streams, and implementation of appropriate species protection measures, as provided.

Watch

CMUA = Support

DEAD
Senate Floor – Inactive File

SGMA/GROUNDWATER

SB 1156
(Hurtado)

Groundwater sustainability agencies: financial disclosures

This bill would require members of the board of directors and executive, as defined of a groundwater sustainability agency to file statements of economic interests. The bill would require that these statements be filed with the Fair Political Practices Commission using the Commission's online system of filing statements of economic interest.

Watch

Enrolled & Presented to the Governor

SB 1390
(Caballero)

Groundwater recharge: floodflows: diversion

This bill would, among other things, expand the conditions that are required to be met for the diversion of floodwaters for groundwater recharge that do not require an appropriate water right. The bill would expand the definition of "floodflow" to include flows that are projected by the local or regional agency to inundate ordinarily dry areas in the bed of a terminal lake, as described above. The bill would revise the definition of "imminent" to mean a high degree of confidence that a condition will begin or is projected to begin within the next 72 hours. The bill places restrictions on when floodflow diversions from tributaries to the Delta may occur.

Watch

Others:
SWC = Support

DEAD
Assembly Floor – Third Reading

FLOOD PROTECTION

[AB 2827](#)
[\(Reyes\)](#)

**Invasive species:
prevention**

The bill would require the Department of Food and Agriculture, in collaboration with relevant state agencies and stakeholders, to develop and implement strategies to detect, control, monitor, and eradicate invasive species to protect the state's agriculture, environment, and natural resources. The bill would require the department, in consultation with other relevant state agencies, to allocate funds, if available, to implement and enforce these provisions.

Watch

Others:
CSDA = Watch
SWC = Watch-1

DEAD
Senate
Appropriations –
Held on
Suspense File

[AB 3227](#)
[\(Alvarez\)](#)

**California
Environmental
Quality Act:
exemption:
stormwater facilities:
routine maintenance**

This bill would, if certain conditions are met, exempt from the provisions of CEQA the routine maintenance of stormwater facilities that are fully concrete or that have a conveyance capacity of less than a 100-year storm event. This bill would repeal these provisions on January 1, 2030.

Watch

Others:
none

To Engrossing &
Enrolling