

Central Valley Flood Protection Board **August 25, 2023**, Meeting

INFORMATIONAL BRIEFING

Legislative Update

BRIEFING SUMMARY

Legislative Status

The California Legislature reconvened August 14. Bills must pass through fiscal committees by September 1 and pass through both houses by September 14. The Governor must act by October 14 on any bills sent to his desk.

The August 16 status of active bills of interest is attached.

Federal news as of August 16, 2023

The Notice of Proposed Rulemaking for the Army Corps Principles, Requirements and Guidelines (PR&G) has not yet been released.

The National Flood Insurance Program (NFIP) is set to expire September 30 unless extended again or re-authorized.

The U.S. Army Corps of Engineers (USACE) is carrying out an annual administrative / legislative process that allows non-federal interests to propose new Corps studies or to ask to modify existing study, project, and/or environmental infrastructure program authorities. Known as the "WRRDA 2014 Sec. 7001" process, the USACE is accepting input through August 28, 2023.

Active Bills of Interest August 16, 2023

Thursday, 08/17/2023
Sorted by: Measure

[AB 277](#) ([Rodriguez, D](#)) **Extreme Weather Forecast and Threat Intelligence Integration Center.**

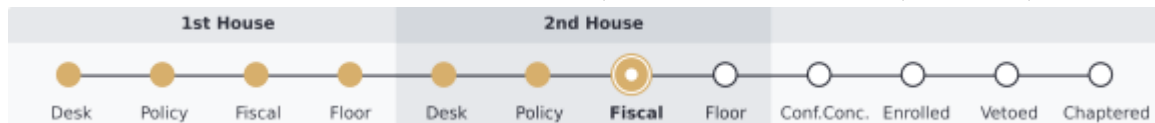
Current Text: 07/03/2023 - Amended [HTML](#) [PDF](#)

Introduced: 01/23/2023

Last Amended: 07/03/2023

Calendar:

08/21/23 S-APPROPRIATIONS 10 a.m. - 1021 O Street, Room 1200 PORTANTINO, ANTHONY, Chair



Summary: Current law establishes the Atmospheric Rivers: Research, Mitigation, and Climate Forecasting Program within the department to, upon appropriation of special fund moneys, research climate forecasting and the causes and impacts that climate change has on atmospheric rivers, to operate reservoirs in a manner that improves flood protection in the state, and to reoperate flood control and water storage facilities to capture water generated by atmospheric rivers. This bill would establish the State-Federal Flood Operations Center within the Department of Water Resources and would authorize the department to administer the center in the department's divisions, offices, or programs. The bill would provide that the purpose of the center is to function as the focal point for gathering, analyzing, and disseminating flood and water-related information to stakeholders and would authorize the center to take specified actions for that purpose, including to function during emergency situations to enable the department to centrally coordinate statewide emergency responses. (Based on 07/03/2023 text)

Votes:

03/13/23 - [ASM. EMERGENCY MANAGEMENT](#) (Y:7 N:0 A:0) (P)

04/18/23 - [ASM. W., P. & W.](#) (Y:15 N:0 A:0) (P)

05/18/23 - [ASM. APPR.](#) (Y:11 N:0 A:5) (P)

05/31/23 - [ASM. THIRD READING](#) (Y:79 N:0 A:1) (P)

06/22/23 - [SEN. N.R. & W.](#) (Y:11 N:0 A:0) (P)

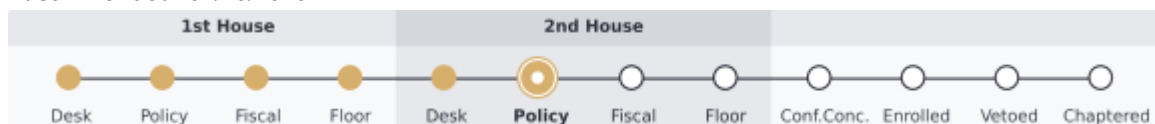
07/11/23 - [SEN. G.O.](#) (Y:14 N:0 A:1) (P)

[AB 305](#) ([Villapudua, D](#)) **California Flood Protection Bond Act of 2024.**

Current Text: 04/25/2023 - Amended [HTML](#) [PDF](#)

Introduced: 01/26/2023

Last Amended: 04/25/2023



Summary: Would enact the California Flood Protection Bond Act of 2024 which, if approved by the voters, would authorize the issuance of bonds in the amount of \$4,500,000,000 pursuant to the State General Obligation Bond Law for flood protection projects, as specified. The bill would provide for the submission of these provisions to the voters at the November 5, 2024, statewide general election. (Based on 04/25/2023 text)

Votes:

04/24/23 - [ASM. W., P. & W.](#) (Y:13 N:1 A:1) (P)

05/18/23 - [ASM. APPR.](#) (Y:13 N:1 A:2) (P)

05/31/23 - [ASM. THIRD READING](#) (Y:75 N:0 A:5) (P)

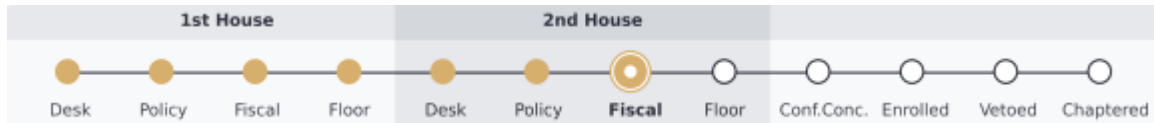
AB 345

(Wilson, D) Habitat restoration: flood control: advance payments.

Current Text: 06/26/2023 - Amended [HTML](#) [PDF](#)

Introduced: 01/31/2023

Last Amended: 06/26/2023



Summary: Current law establishes the Central Valley Flood Protection Board and authorizes the board to engage in various flood control activities along the Sacramento River, the San Joaquin River, their tributaries, and related areas. This bill would authorize the Department of Water Resources or the board to provide advance payments, as defined, to local agencies for projects that restore habitat for threatened and endangered species under state or federal law or improve flood protection, as provided. The bill would prohibit the amount of funds advanced by the department or the board to the local agency at any one time from exceeding 25% of the entire amount authorized to be provided under the funding agreement. The bill would require the project proponent to demonstrate a need for an advance payment and that the project proponent is sufficiently qualified to manage the project and the project’s finances. The bill would require the funds to be spent within 6 months and would require the recipient to provide an accountability report to the department or the board on a quarterly basis, as specified. (Based on 06/26/2023 text)

Votes:

03/28/23 - [ASM. W., P. & W.](#) (Y:15 N:0 A:0) (P)

05/18/23 - [ASM. APPR.](#) (Y:15 N:0 A:1) (P)

05/25/23 - [ASM. THIRD READING](#) (Y:78 N:0 A:2) (P)

06/22/23 - [SEN. N.R. & W.](#) (Y:11 N:0 A:0) (P)

07/10/23 - [SEN. APPR.](#) (Y:6 N:0 A:1) (P)

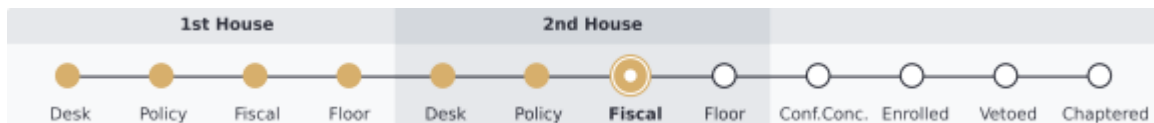
AB 923

(Bauer-Kahan, D) Flood plain restoration projects: Central Valley: study.

Current Text: 07/12/2023 - Amended [HTML](#) [PDF](#)

Introduced: 02/14/2023

Last Amended: 07/12/2023



Summary: The Central Valley Flood Protection Act of 2008 requires the Department of Water Resources to prepare, and the Central Valley Flood Protection Board, a state agency, to adopt, a plan identified as the Central Valley Flood Protection Plan. This bill would require the board, in coordination with the department, to identify priority flood plain restoration or floodway expansion projects where increased flows due to climate change are likely to overwhelm existing flood protection infrastructure, as specified. The bill would require the department and the board to conduct broad stakeholder outreach to identify priority projects and would require that those projects provide at least 2 of 4 specified public benefits. The bill would require the board, upon the appropriation of funds for this purpose, to begin preconstruction activities, including acquisition of land, easements, or rights of way, to expedite the priority projects identified. (Based on 07/12/2023 text)

Votes:

04/24/23 - [ASM. W., P. & W.](#) (Y:15 N:0 A:0) (P)

05/18/23 - [ASM. APPR.](#) (Y:11 N:0 A:5) (P)

05/31/23 - [ASM. THIRD READING](#) (Y:80 N:0 A:0) (P)

07/10/23 - [SEN. N.R. & W.](#) (Y:10 N:0 A:1) (P)

08/14/23 - [SEN. APPR.](#) (Y:7 N:0 A:0) (P)

AB 970

(Rivas, Luz, D) Insurance: Climate and Sustainability Insurance and Risk Reduction Program.

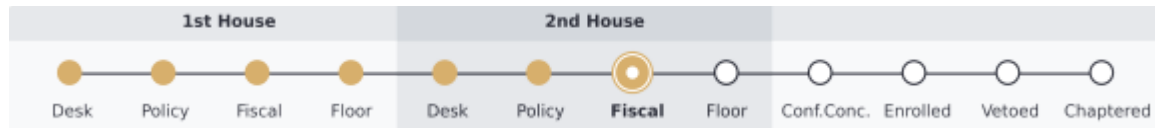
Current Text: 06/20/2023 - Amended [HTML PDF](#)

Introduced: 02/14/2023

Last Amended: 06/20/2023

Calendar:

08/21/23 S-APPROPRIATIONS 10 a.m. - 1021 O Street, Room 1200 PORTANTINO, ANTHONY, Chair



Summary: Current law creates the Department of Insurance, headed by the Insurance Commissioner, and prescribes the commissioner’s powers and duties, including various duties to regulate the business of insurance in this state and to enforce the execution of those laws. Current law requires the commissioner to convene a working group to identify, assess, and recommend risk transfer market mechanisms that, among other things, promote investment in natural infrastructure to reduce the risks of climate change related to catastrophic events, create incentives for investment in natural infrastructure to reduce risks to communities, and provide mitigation incentives for private investment in natural lands to lessen exposure and reduce climate risks to public safety, property, utilities, and infrastructure. This bill would require the department, upon appropriation, to establish and administer the Climate and Sustainability Insurance and Risk Reduction Program for the purpose of achieving specified goals, including developing proof of concepts that expand insurance options, especially in vulnerable and disadvantaged communities where climate risks are currently uninsured or underinsured. The bill, upon appropriation, would establish 8 climate insurance pilot projects in specified local jurisdictions to reduce physical risks from flooding and extreme heat and to reduce the protection gap in communities with high risks and low insurance uptake. The local jurisdictions would be required to develop and establish a specific pilot project in consultation with the department to achieve specified objectives, including prioritizing predisaster mitigation activities. (Based on 06/20/2023 text)

Votes:

03/22/23 - [ASM. INS.](#) (Y:12 N:0 A:2) (P)

05/18/23 - [ASM. APPR.](#) (Y:11 N:0 A:5) (P)

05/30/23 - [ASM. THIRD READING](#) (Y:75 N:0 A:5) (P)

06/28/23 - [SEN. INS.](#) (Y:7 N:0 A:0) (P)

07/12/23 - [SEN. GOV. & F.](#) (Y:8 N:0 A:0) (P)

AB 1567

(Garcia, D) Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, Clean Energy, and Workforce Development Bond Act of 2024.

Current Text: 05/26/2023 - Amended [HTML PDF](#)

Introduced: 02/17/2023

Last Amended: 05/26/2023



Summary: Would enact the Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, Clean Energy, and Workforce Development Bond Act of 2024, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$15,995,000,000 pursuant to the State General Obligation Bond Law

to finance projects for safe drinking water, wildfire prevention, drought preparation, flood protection, extreme heat mitigation, clean energy, and workforce development programs. (Based on 05/26/2023 text)

Votes:

- 04/18/23 - [ASM. W., P. & W.](#) (Y:10 N:2 A:3) (P)
- 04/24/23 - [ASM. NAT. RES.](#) (Y:8 N:1 A:2) (P)
- 05/18/23 - [ASM. APPR.](#) (Y:11 N:3 A:2) (P)
- 05/31/23 - [ASM. THIRD READING](#) (Y:63 N:0 A:17) (P)

SB 586

(Eggman, D) Flood management: deadlines.

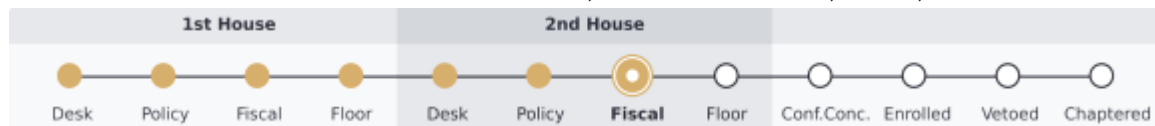
Current Text: 05/02/2023 - Amended [HTML](#) [PDF](#)

Introduced: 02/15/2023

Last Amended: 05/02/2023

Calendar:

08/23/23 A-APPROPRIATIONS 9 a.m. - 1021 O Street, Room 1100 HOLDEN, CHRIS, Chair



Summary: Current law provides that unless a city or county within the Sacramento-San Joaquin Valley makes certain findings after the effective date of specified amendments to its general plan and zoning ordinance, the Planning and Zoning Law prohibits a city or county from entering into a development agreement for property located in a flood hazard zone; approving a discretionary permit, ministerial permit, or other discretionary entitlement for a project that is located within a flood hazard zone, as specified; or approving a tentative map, or a parcel map for which a tentative map was not required, for a subdivision that is located within a flood hazard zone. Those findings include, among others, that the local flood management agency has made adequate progress on the construction of a flood protection system that will result in flood protection equal to or greater than the urban level of flood protection in urban or urbanizing areas. Current law further requires urban and urbanizing areas protected by any levee that is part of the facilities of the State Plan of Flood Control to achieve the urban level of flood protection by 2025, with specified exceptions to the deadline for the Mossdale Tract and West Sacramento. This bill would remove the specified exceptions to the deadline for the Mossdale Tract and West Sacramento, and instead provide that the deadline to achieve an urban level of protection, or to make adequate progress on the construction of a flood system providing an urban level of protection, does not apply to the Mossdale Tract and West Sacramento so long as a flood management agency has an active federal study, a completed federal study, or an authorized federal project receiving or awaiting the receipt of federal appropriations to advance design, construction, or project closeout activities, as specified. (Based on 05/02/2023 text)

Votes:

- 03/28/23 - [SEN. N.R. & W.](#) (Y:9 N:0 A:2) (P)
- 04/19/23 - [SEN. GOV. & F.](#) (Y:8 N:0 A:0) (P)
- 05/22/23 - [SEN. Senate 3rd Reading](#) (Y:40 N:0 A:0) (P)
- 06/20/23 - [ASM. W., P. & W.](#) (Y:15 N:0 A:0) (P)

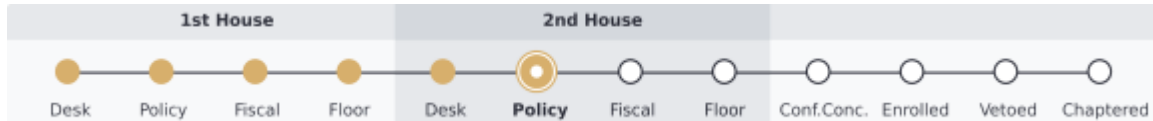
SB 638

(Eggman, D) Climate Resiliency and Flood Protection Bond Act of 2024.

Current Text: 06/28/2023 - Amended [HTML](#) [PDF](#)

Introduced: 02/16/2023

Last Amended: 06/28/2023



Summary: Would enact the Climate Resiliency and Flood Protection Bond Act of 2024 which, if approved by the voters, would authorize the issuance of bonds in the amount of \$6,000,000,000 pursuant to the State General Obligation Bond Law, for flood protection and climate resiliency projects. (Based on 06/28/2023 text)

Votes:

- 03/28/23 - [SEN. N.R. & W.](#) (Y:9 N:0 A:2) (P)
- 04/19/23 - [SEN. GOV. & F.](#) (Y:7 N:1 A:0) (P)
- 05/01/23 - [SEN. APPR.](#) (Y:6 N:0 A:1) (P)
- 05/18/23 - [SEN. APPR.](#) (Y:5 N:2 A:0) (P)
- 05/31/23 - [SEN. Senate 3rd Reading](#) (Y:36 N:2 A:2) (P)

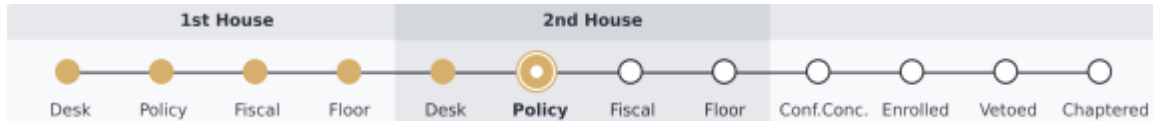
[SB 867](#)

(Allen, D) Drought, Flood, and Water Resilience, Wildfire and Forest Resilience, Coastal Resilience, Extreme Heat Mitigation, Biodiversity and Nature-Based Climate Solutions, Climate Smart Agriculture, Park Creation and Outdoor Access, and Clean Energy Bond Act of 2024.

Current Text: 06/22/2023 - Amended [HTML](#) [PDF](#)

Introduced: 02/17/2023

Last Amended: 06/22/2023



Summary: Would enact the Drought, Flood, and Water Resilience, Wildfire and Forest Resilience, Coastal Resilience, Extreme Heat Mitigation, Biodiversity and Nature-Based Climate Solutions, Climate Smart Agriculture, Park Creation and Outdoor Access, and Clean Energy Bond Act of 2024, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$15,500,000,000 pursuant to the State General Obligation Bond Law to finance projects for drought, flood, and water resilience, wildfire and forest resilience, coastal resilience, extreme heat mitigation, biodiversity and nature-based climate solutions, climate smart agriculture, park creation and outdoor access, and clean energy programs. (Based on 06/22/2023 text)

Votes:

- 03/28/23 - [SEN. N.R. & W.](#) (Y:8 N:0 A:3) (P)
- 04/26/23 - [SEN. GOV. & F.](#) (Y:6 N:1 A:1) (P)
- 05/08/23 - [SEN. APPR.](#) (Y:7 N:0 A:0) (P)
- 05/18/23 - [SEN. APPR.](#) (Y:5 N:1 A:1) (P)
- 05/31/23 - [SEN. Senate 3rd Reading](#) (Y:33 N:5 A:2) (P)
- 06/20/23 - [ASM. W.,P. & W.](#) (Y:11 N:2 A:2) (P)

Total Measures: 9

Total Tracking Forms: 9