

Senate Bill No. 34

Passed the Senate September 10, 2007

Secretary of the Senate

Passed the Assembly September 6, 2007

Chief Clerk of the Assembly

This bill was received by the Governor this _____ day
of _____, 2007, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to amend Section 79473 of the Water Code, relating to water.

LEGISLATIVE COUNSEL’S DIGEST

SB 34, Torlakson. Sacramento-San Joaquin Delta: strategic financing plan.

The existing California Bay-Delta Authority Act establishes the California Bay-Delta Authority in the Resources Agency. The act requires the authority and the implementing agencies to carry out programs, projects, and activities necessary to implement the Bay-Delta Program, defined to mean those actions that address the goals and objectives of the CALFED Bay-Delta Programmatic Record of Decision, dated August 28, 2000, or as it may be amended.

Existing law requires the Secretary of the Resources Agency, in collaboration with the Secretary of Business, Transportation and Housing, to develop a strategic plan, including a strategic financing plan, to achieve a sustainable Sacramento-San Joaquin Delta.

This bill would require the strategic financing plan to include recommendations in accordance with a “beneficiaries pay” principle, as to persons and entities on which a fee would be imposed, and proposed fee categories in order to create a dedicated revenue stream to pay for maintenance and improvements to delta levees, project levees, and the levee conveyance system.

The people of the State of California do enact as follows:

SECTION 1. Section 79473 of the Water Code is amended to read:

79473. The Secretary of Resources, in collaboration with the Secretary of Business, Transportation and Housing, shall develop a strategic plan to achieve a sustainable Sacramento-San Joaquin Delta. The plan shall include all of the following:

- (a) A description, characterization, or definition of a sustainably managed delta, including the delta’s multiple resources and uses for each of the following:

(1) Ecosystem functions, including aquatic and terrestrial flora and fauna.

(2) Land use and land use patterns.

(3) Transportation uses, including streets, roads and highways, and waterborne transportation.

(4) Utility uses, including aqueducts, pipelines, and power transmission corridors.

(5) Water supply uses.

(6) Recreation uses, including current and future recreational and tourism uses.

(7) Other aspects of sustainability determined to be desirable by the Secretary of the Resources Agency or the Secretary of Business, Transportation and Housing.

(b) Measurable goals and objectives for achieving a sustainably managed delta.

(c) A list of necessary actions to achieve a sustainably managed delta.

(d) Recommendations for institutional changes, including creating new institutions, necessary for achieving a sustainably managed delta. The recommendations may include a discussion of any of the following:

(1) Oversight authorities.

(2) Implementation authorities.

(3) Land use authorities.

(e) (1) A strategic financing plan. The plan shall include recommendations, in accordance with a “beneficiaries pay” principle, as to those persons and entities on which a fee should be imposed. The recommendations shall include proposed fee categories in order to create a dedicated revenue stream to pay for the maintenance of, and improvements to, delta levees, project levees, and the levee conveyance system.

(2) The recommendations specified in paragraph (1) shall identify measures to ensure that revenues generated by the implementation of the strategic financing plan are not expended for any purposes other than those described in this section.

(f) Contingency plans addressing all of the following:

(1) Response plans for local impacts, such as a levee failure on a single island.

(2) Response plans for widespread catastrophic losses, such as losses that may occur as a result of a significant seismic event.

- (3) Adaptive management.
- (4) The likely impacts of global warming, climate change, and sea-level rise.

Approved _____, 2007

Governor