

AMENDED IN SENATE AUGUST 27, 2007

AMENDED IN ASSEMBLY JUNE 1, 2007

CALIFORNIA LEGISLATURE—2007—08 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1452**

---

---

**Introduced by Assembly Members ~~Wolk and Huffman~~ Member  
Wolk**

February 23, 2007

---

---

~~An act to add Part 6 (commencing with Section 9600) to Division 5 of the Water Code, relating to water. An act relating to fish and wildlife, and making an appropriation therefor.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 1452, as amended, Wolk. ~~Central valley flood protection. Wildlife management areas: payments.~~

*Existing law requires the Department of Fish and Game, when income is derived directly from real property acquired and operated by the state as wildlife management areas, as defined, to pay annually to the county in which the property is located an amount equal to the county taxes levied upon the property at the time title to the property was transferred to the state, and any assessments levied upon the property by any irrigation, drainage, or reclamation district.*

*This bill would appropriate \$7,415,000 from the General Fund to the department to make payments to counties for outstanding obligations under these provisions.*

~~Under existing law, the Department of Water Resources performs various flood control activities throughout the state. Existing law authorizes the Reclamation Board to engage in various flood control activities along the Sacramento River and the San Joaquin River, their~~

tributaries, and related areas. Existing law requires the board to establish and enforce standards for the maintenance and operation of, and to undertake other responsibilities with regard to, flood control works under its jurisdiction.

The Disaster Preparedness and Flood Prevention Bond Act of 2006 authorizes the issuance of bonds in the amount of \$4,090,000,000 for the purposes of financing a disaster preparedness and flood prevention program.

This bill would enact the Central Valley Flood Protection Act of 2008. The bill would prohibit the board from approving, and the department from providing, funding for any flood protection project that narrows flood channels or reduces the capacity of the flood protection system in the Sacramento-San Joaquin Valley to convey water. The bill would declare that it is the policy of the state that, to the maximum extent permitted by law, the expenditure of funds for flood protection in the Sacramento-San Joaquin Valley reflect specified priorities. The bill would require the department to correct deficiencies in flood protection facilities that present an imminent risk of failure and threaten human life. The department would be required to seek the maximum amount of federal and local cost-sharing contributions, but would be prohibited from delaying specified emergency repairs to obtain those contributions.

The department would be required to investigate, develop, and establish a floodway or bypass, acquire land, or construct one or more facilities to significantly reduce flood stage in the San Joaquin River Watershed. The bill would authorize the department to investigate and assess the level of flood protection for communities in the Sacramento-San Joaquin Valley. The bill would authorize the department to provide financial assistance to cities, counties, and other local public entities to repair and replace levees, weirs, bypasses, and facilities in accordance with certain requirements and to develop regional or local plans of flood protection. The bill would require the department to prepare a Central Valley Flood Protection Plan for the Sacramento-San Joaquin Valley. The bill would authorize the department to identify additional facilities that may become facilities of the State Plan of Flood Control, as defined.

For the purpose of implementing the Disaster Preparedness and Flood Prevention Bond Act of 2006, the bill would require certain contracts to provide for the payment of additional compensation as a bonus for early completion of a project; require the department to develop project solicitation and evaluation guidelines for a stormwater flood

~~management program; impose requirements relating to an annual investment strategy that the Governor is required to prepare; authorize the department to implement specified flood protection improvements for urban areas if certain requirements are met; and prohibit the expenditure of more than \$100,000,000 on behalf of prescribed levee improvement programs until the department and the Department of Fish and Game carry out certain duties.~~

Vote: ~~majority~~<sup>2/3</sup>. Appropriation: ~~no~~-yes. Fiscal committee: yes. State-mandated local program: no.

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

1     *SECTION 1. The Legislature finds and declares all of the*  
2     *following:*

3     *(a) Section 1504 of the Fish and Game Code requires that*  
4     *payments be made to counties equal to any property taxes owed*  
5     *on property held by the Department of Fish and Game pursuant*  
6     *to Section 1504.*

7     *(b) No payments have been made to counties pursuant to Section*  
8     *1504 of the Fish and Game Code since the 2001–02 fiscal year*  
9     *when a partial payment was made.*

10    *(c) Counties are now owed approximately \$7,415,000 for the*  
11    *unpaid property taxes.*

12    *(d) If this property were owned by a private party, a county*  
13    *could sell the property to recoup the unpaid property taxes.*

14    *(e) Because the sale of this state-owned property is not an option*  
15    *for a county, the State of California should fulfill its statutory*  
16    *obligation and pay the current and owed moneys.*

17    *(f) To that end, the Legislature further finds and declares that*  
18    *an appropriation is needed to meet the obligations of the*  
19    *Department of Fish and Game incurred pursuant to Section 1504*  
20    *of the Fish and Game Code since the 2001–02 fiscal year.*

21    *SEC. 2. The sum of seven million four hundred fifteen thousand*  
22    *dollars (\$7,415,000) is hereby appropriated from the General*  
23    *Fund to the Department of Fish and Game, to make payments to*  
24    *counties for obligations incurred pursuant to Section 1504 of the*  
25    *Fish and Game Code.*

1  
2  
3  
4  
5

**All matter omitted in this version of the bill  
appears in the bill as amended in the  
Assembly, June 1, 2007. (JR11)**

O