

AMENDED IN ASSEMBLY APRIL 7, 2010

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 1797

Introduced by Assembly Member Bill Berryhill

February 10, 2010

An act to add Section 148 to the Water Code, relating to the State Water Resources Development System, *and making an appropriation therefor.*

LEGISLATIVE COUNSEL'S DIGEST

AB 1797, as amended, Bill Berryhill. State Water Resources Development System: Delta Corridors Plan.

Under

(1) *Under* existing law, the Department of Water Resources operates the State Water Resources Development System that includes dams, reservoirs, and other infrastructure.

This bill would require the department to undertake an expedited evaluation and feasibility study with regard to the implementation of a specified Delta Corridors Plan as part of the State Water Resources Development System. *The bill would require the department to consult with the Department of Fish and Game to study specified impacts and benefits of the Delta Corridors Plan and to include in the study an assessment of the incorporation of the Two-Gates Fish Demonstration Project managed by the United States Bureau of Reclamation into the Delta Corridors Plan.* The department would be required to prepare and submit to the Legislature, on or before January 1, 2012, a report that includes its feasibility findings. If the department determines the implementation of the plan is feasible, the department would be required to include recommendations with regard to specific facilities to be

constructed, and to identify potential funding sources, for the purposes of implementing the plan.

(2) *Existing law, the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006, an initiative bond act approved by the voters as Proposition 84 at the November 7, 2006, statewide general election, authorizes the issuance of general obligation bonds in the amount of \$5,388,000,000, of which \$65,000,000 is made available to the department, upon appropriation by the Legislature, for planning and feasibility studies relating to the existing and potential future needs for California’s water supply, conveyance, and flood control systems.*

This bill would appropriate \$750,000 of these funds to the department to pay the costs of the feasibility study required by this bill.

Vote: majority. 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. Section 148 is added to the Water Code, to read:
- 2 148. (a) The department shall undertake an expedited
- 3 evaluation and feasibility study with regard to the implementation
- 4 of a through-Delta conveyance plan referred to as the Delta
- 5 Corridors Plan, as part of the State Water Resources Development
- 6 System. For the purposes of this section, the “Delta Corridors Plan”
- 7 means the plan described in the document entitled “Proposal to
- 8 Reconnect the San Joaquin River to the Estuary,” dated March 23,
- 9 2007.
- 10 (b) *The department, in conducting the study required pursuant*
- 11 *to subdivision (a), shall consult with the Department of Fish and*
- 12 *Game to study the potential environmental and ecological impacts*
- 13 *and benefits of the Delta Corridors Plan, including issues of water*
- 14 *quality and fish entrainment.*
- 15 (c) *The study required pursuant to subdivision (a) shall include*
- 16 *an evaluation of ways the Delta Corridors Plan could incorporate*
- 17 *the Two-Gates Fish Protection Demonstration Project managed*
- 18 *by the United States Bureau of Reclamation and shall assess the*
- 19 *potential impacts and benefits of operating that project in*
- 20 *conjunction with the Delta Corridors Plan.*
- 21 (b)

1 (d) On or before January 1, 2012, the department shall prepare
2 and submit to the Legislature a report that includes its findings
3 pursuant to subdivision (a). If the department determines that the
4 implementation of the plan described in subdivision (a) is feasible,
5 the department shall include in the report recommendations with
6 regard to specific facilities to be constructed, and shall identify
7 potential funding sources, for the purposes of implementing the
8 plan.

9 (e) (1) *The requirement for submitting a report imposed under*
10 *subdivision (e) is inoperative on January 1, 2016, pursuant to*
11 *Section 10231.5 of the Government Code.*

12 (2) *A report to be submitted pursuant to subdivision (d) shall*
13 *be submitted in compliance with Section 9795 of the Government*
14 *Code.*

15 *SEC. 2. Pursuant to Section 75041 of the Public Resources*
16 *Code, the sum of seven hundred fifty thousand dollars (\$750,000)*
17 *is hereby appropriated to the Department of Water Resources for*
18 *expenditure by the department to pay the costs of the feasibility*
19 *study required by Section 148 of the Water Code.*

20 ~~SEC. 2:~~

21 *SEC. 3. This act shall be known, and may be cited, as the Clean*
22 *Water Pathways Act.*