

**ASSEMBLY BILL**

**No. 2092**

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**Introduced by Assembly Member Huffman**

February 18, 2010

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An act to add Sections 85215 and 85216 to the Water Code, relating to water.

LEGISLATIVE COUNSEL'S DIGEST

AB 2092, as introduced, Huffman. Delta Stewardship Council: Planning and administration: fee.

Existing law, the Sacramento-San Joaquin Delta Reform Act of 2009, establishes the Delta Stewardship Council as an independent agency of the state. The council is required, on or before January 1, 2012, to develop, adopt, and commence implementation of a comprehensive management plan for the Sacramento-San Joaquin Delta (Delta Plan), meeting specified requirements.

This bill would require the council to adopt a fee on water supply contractors of the State Water Project and the federal Central Valley Project to fund a portion of the planning and administrative costs of the council. The fee would be based on a reasonable estimate of the benefits received by the contractors of the State Water Project and the federal Central Valley Project from the council's planning and administrative activities. The State Board of Equalization would begin collecting the fee on July 1, 2011, and would be required to deposit the proceeds into the Delta Stewardship Council Planning Fund, which the bill would create. Moneys in the fund would be available to fund the council's planning and administrative costs, and the costs of the State Board of Equalization incurred in collecting the fee, upon appropriation by the Legislature.

The bill would require the council to also develop a long term financing plan to pay for the costs of implementing the Delta Plan that identifies the benefits to public and private persons and groups and allocates program costs based on those benefits.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

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

1 SECTION 1. Section 85215 is added to the Water Code, to  
2 read:

3 85215. (a) By March 31, 2011, the council shall adopt a fee  
4 on water supply contractors of the State Water Project and the  
5 federal Central Valley Project to fund a portion of the planning  
6 and administrative costs of the council.

7 (b) The fee imposed pursuant to subdivision (a) shall be based  
8 on a reasonable estimate of the benefits received by the contractors  
9 of the State Water Project and the federal Central Valley Project  
10 from the council’s planning and administrative activities.

11 (c) The State Board of Equalization shall begin collecting the  
12 fee adopted pursuant to subdivision (a) on July 1, 2011. The  
13 proceeds shall be deposited by the State Board of Equalization  
14 into the Delta Stewardship Council Planning Fund, which is hereby  
15 created in the State Treasury. Moneys in the fund shall be available  
16 to fund the council’s planning and administrative costs, and the  
17 costs of the State Board of Equalization incurred in collecting the  
18 fee, upon appropriation by the Legislature.

19 SEC. 2. Section 85216 is added to the Water Code, to read:

20 85216. By January 1, 2012, the council shall develop a long  
21 term financing plan to pay for the costs of implementing the Delta  
22 Plan that identifies the benefits to public and private persons and  
23 groups and allocates program costs based on those benefits. The  
24 plan shall include fee proposals to create revenues to pay for the  
25 private benefits associated with implementation of the Delta Plan.  
26 The council shall report to the Legislature regarding the plan  
27 adopted pursuant to this section after adoption of the plan.

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