

AMENDED IN SENATE JULY 16, 2015

AMENDED IN ASSEMBLY MAY 5, 2015

AMENDED IN ASSEMBLY APRIL 8, 2015

AMENDED IN ASSEMBLY MARCH 26, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 1205

Introduced by Assembly Member Gomez
(Coauthors: Assembly Members McCarty and Rendon)
(Coauthor: Senator Hertzberg)

February 27, 2015

An act to add Chapter 10.5 (commencing with Section 5845) to Division 5 of the Public Resources Code, relating to rivers.

LEGISLATIVE COUNSEL'S DIGEST

AB 1205, as amended, Gomez. The California River Revitalization and Greenway Development Act of 2015.

Existing law establishes various plans and programs to preserve, protect, and rehabilitate lands adjacent to rivers in the state.

The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The state board is required to adopt a statewide greenhouse gas emissions limit equivalent to the statewide greenhouse gas emissions level in 1990 to be achieved by 2020.

This bill would require the Natural Resources Agency to establish a grant program for ~~eligible applicants to develop~~ projects on or adjacent to riparian corridors ~~that assist the state in implementing that, among~~

other things, furthers the regulatory purposes of the California Global Warming Solutions Act of 2006 and to ~~prioritize funding for projects that provide~~ consider the extent to which a project reduces emissions of greenhouse gases and provides the greatest level of specified cobenefits. The bill would create the CalRIVER Fund in the State Treasury, with moneys in the fund to be available upon appropriation to implement the grant program.

The bill would require the secretary of the agency to develop regulations, criteria, or procedural guidelines for the implementation of the grant program.

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

3 (a) Efforts to reduce greenhouse gas emissions and enhance
4 carbon sequestration on river systems will have significant
5 economic, social, and environmental cobenefits and can aid
6 progress on efforts to prepare for climate change risks.

7 (b) Investing in river systems allows for cobenefits, including
8 protection of water supply and water quality, air quality, species
9 habitat, recreation, jobs, flood protection, reduced heat-island
10 effects, and reduced energy use.

11 (c) To ensure resilience and proper carbon management of these
12 river systems, an integrated program must be developed to
13 maximize the carbon management of the systems as well as
14 effectively use existing state and regional funding.

15 SEC. 2. Chapter 10.5 (commencing with Section 5845) is added
16 to Division 5 of the Public Resources Code, to read:

17

18 CHAPTER 10.5. THE CALIFORNIA RIVER REVITALIZATION AND
19 GREENWAY DEVELOPMENT ACT OF 2015

20

21 5845. This chapter shall be known, and may be cited, as
22 CalRIVER.

23 5846. It is the intent of the Legislature that, in an effort to
24 reduce greenhouse gas emissions and increase greenhouse gas
25 sequestration, the state shall protect, restore, and enhance a network

1 of river systems and their riparian corridors to increase water
2 retention, improve water quality, improve urban greening and
3 urban reforestation, reduce the heat-island effect, ~~and improve~~
4 ~~mobility by decreasing~~ *increase active transportation, such as*
5 *biking and walking, improve nonmotorized mobility in the*
6 *surrounding communities, and decrease vehicle miles traveled.*

7 5847. (a) The Natural Resources Agency shall establish a grant
8 program for ~~eligible applicants to develop~~ projects on or adjacent
9 to riparian corridors that ~~assist the state in implementing~~ *further*
10 *the regulatory purposes of the California Global Warming*
11 *Solutions Act of 2006 (Division 25.5 (commencing with Section*
12 *38500) of the Health and Safety Code) and shall prioritize funding*
13 ~~pursuant to this chapter for projects that provide~~ *meets the*
14 *requirements of the Greenhouse Gas Reduction Fund Investment*
15 *Plan and Communities Revitalization Act (Chapter 4.1*
16 *(commencing with Section 39710) of Part 2 of Division 26 of the*
17 *Health and Safety Code).*

18 (b) *To be eligible for funding under the program, a project shall*
19 *demonstrate that it will achieve a reduction in emissions of*
20 *greenhouse gases. In selecting projects for funding, the Natural*
21 *Resources Agency, in consultation with the State Air Resources*
22 *Board, shall consider the extent to which a project reduces*
23 *emissions of greenhouse gases.*

24 (c) *In evaluating grant applications for funding, the Natural*
25 *Resources Agency shall, in addition to prioritizing projects*
26 *pursuant to subdivision (b), consider the extent to which a project*
27 *provides the greatest level of the following cobenefits:*

28 (1) *Recreational access to and improved human-interactions,*
29 *interaction with a river or riparian corridor, especially in urban*
30 *corridors and park-starved communities.*

31 (2) ~~Transportation~~ *Improved transportation* mobility, especially
32 pedestrian, bicycle, and public transit.

33 (3) *Economic viability of the surrounding community by*
34 *promoting appropriate development, especially in an urban setting.*

35 (4) *Development of visitor-serving and interpretive facilities.*

36 (5) *Access and development of pocket parks, community*
37 *gardens, demonstration gardens, and other urban greening.*

38 (6) *Species protections and the protection of habitat strongholds,*
39 *including improved wildlife corridors.*

(7) Improved resiliency in the face of unavoidable impacts from climate change.

(8) Improved water ~~supply~~ *supply, flood protection, and water quality: quality, including the water quality of impaired water bodies through river restoration.*

(9) Job training and workforce development, especially projects that involve disadvantaged youth and veterans.

(10) Improved stormwater retention.

~~(11) Improvements along impaired water bodies.~~

~~(b)~~

(d) Projects receiving funding pursuant to this chapter shall *also* be consistent with ~~all~~ *both* of the following:

~~(1) The California Global Warming Solutions Act of 2006 (Division 25.5 (commencing with Section 38500) of the Health and Safety Code).~~

~~(2)~~

(1) The California Water Action Plan published by the Governor.

~~(3)~~

(2) The Safeguarding California Plan published by the Natural Resources Agency.

~~(4) Chapter 830 of the Statutes of 2012.~~

(e) *Projects receiving funding pursuant to this chapter for flood protection shall be consistent, as applicable, with Chapter 4 (commencing with Section 8400) of Part 2 of Division 5, Part 6 (commencing with Section 9600) of Division 5, and Part 9 (commencing with Section 12980) of Division 6, of the Water Code.*

~~(e)~~

(f) The Natural Resources Agency shall also prioritize funding pursuant to this chapter for projects with the following characteristics:

(1) Are consistent with a parkway, greenway, or urban greening plan.

(2) Leverage moneys from the Water Quality, Supply, and Infrastructure Improvement Act of 2014, approved by the voters as Proposition 1 at the November 4, 2014, statewide general election.

(3) ~~Provide recreational access to a major metropolitan area of the state: and opportunities to major metropolitan areas of the state, including those that are relatively underserved by parks.~~

1 5848. The CalRIVER fund is hereby created in the State
2 Treasury to be administered by the Natural Resources Agency.
3 The moneys in the CalRIVER Fund, upon appropriation by the
4 Legislature, shall be expended by the Natural Resources Agency
5 in accordance with this chapter. The Legislature may transfer
6 moneys to the fund from bond proceeds and special funds,
7 including, but not limited to, ~~river parkway and urban creek~~
8 ~~programs~~ and the Greenhouse Gas Reduction Fund, created by
9 Section 16428.8 of the Government Code.

10 5849. *The secretary shall develop regulations, criteria, or*
11 *procedural guidelines for the implementation of this chapter.*