

Senate Bill No. 310

Passed the Senate June 5, 1997

Secretary of the Senate

Passed the Assembly July 21, 1997

Chief Clerk of the Assembly

This bill was received by the Governor this ____ day
of _____, 1997, at ____ o'clock __M.

Private Secretary of the Governor



CHAPTER ____

An act to amend Section 12657 of, and to add Section 12661.5 to, the Water Code, relating to water.

LEGISLATIVE COUNSEL'S DIGEST

SB 310, Costa. Flood protection.

Existing law provides for state cooperation with the federal government in the construction of specified flood control projects.

This bill would adopt and authorize the project for flood control on the Kaweah River, Terminus Dam, in accordance with prescribed recommendations, at an estimated cost to the state of the sum that may be appropriated by the Legislature for state participation, upon the recommendation and advice of the Reclamation Board. The bill would authorize the board to pay 50% of the nonfederal capital costs of the recreation and fish and wildlife enhancement features of the project. The bill would prescribe related matters.

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

SECTION 1. Section 12657 of the Water Code is amended to read:

12657. (a) Except as otherwise provided in Chapter 1 (commencing with Section 12570) and this chapter, the Reclamation Board shall give assurances satisfactory to the Secretary of the Army that the local cooperation, required by Section 3 of the act of Congress approved December 22, 1944 (Public Law 534, 78th Congress, Second Session), Section 2 of the act of Congress approved August 18, 1941 (Public Law 228, 78th Congress, First Session), and Section 103 of the act of Congress approved November 17, 1986 (Public Law 99-662, 99th Congress, Second Session) will be furnished by the state in connection with the flood control projects authorized and adopted in Sections 12648, 12648.1, 12648.2, 12648.3, 12648.4, 12648.5, 12648.6, 12648.7, 12649.1,



12650, 12651, 12652, 12654, 12656.5, 12661.5, 12666, 12667, and 12670.2, and on any flood control projects on any stream flowing into or in the Sacramento Valley or the San Joaquin Valley heretofore or hereafter approved and authorized by Congress.

(b) Assurances provided pursuant to subdivision (a) shall not be made until the local agency has, by binding agreement with the Reclamation Board, agreed to assume all obligations under Sections 12585 to 12585.5, inclusive.

SEC. 2. Section 12661.5 is added to the Water Code, to read:

12661.5. (a) The project for flood control on the Kaweah River, Terminus Dam, is adopted and authorized substantially in accordance with the recommendations of the Chief of Engineers, in the report “Kaweah River Basin Investigation Feasibility Study, California,” dated December 23, 1996, and as adopted and authorized by the Water Resources Development Act of 1996 as approved by Congress on October 12, 1996 (Public Law 104-303), at an estimated cost to the state of the sum that may be appropriated by the Legislature for state participation, upon the recommendation and advice of the Reclamation Board. The Reclamation Board may pay 50 percent of the nonfederal capital costs of the recreation and fish and wildlife enhancement features of the project.

(b) The Kaweah Delta Water Conservation District may, in lieu of the Reclamation Board, give assurances satisfactory to the Secretary of the Army that the local cooperation required by federal law, including the Water Resources Development Act of 1996, will be furnished in connection with the project.

(c) The Kaweah Delta Water Conservation District, in conjunction with the Department of the Army, may, in lieu of the Reclamation Board, carry out the plans and project and may make modifications and amendments of the plans as necessary to carry out the plans for the purposes of Chapter 1 (commencing with Section 12570) and this chapter.



(d) Authorization of the project shall be contingent upon the recommendation, advice, and approval of the Reclamation Board and upon the expenditure of two hundred thousand dollars (\$200,000) by the department for local assistance for the project.



Approved _____, 1997

Governor

