

AMENDED IN ASSEMBLY MAY 4, 2020

CALIFORNIA LEGISLATURE—2019–20 REGULAR SESSION

**ASSEMBLY BILL**

**No. 3256**

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**Introduced by Assembly Members Eduardo Garcia, Bloom, Bonta,  
Friedman, Cristina Garcia, Mullin, Reyes, and Wood  
(Coauthors: Assembly Members Eggman and Robert Rivas)**

February 21, 2020

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*An act to add Division 47 (commencing with Section 80200) to the Public Resources Code, relating to ~~climate risks~~, a wildfire prevention, safe drinking water, climate resilience, drought preparation, and flood protection program, by providing the funds necessary therefor through an election of the issuance and sale of bonds of the State of California and for the handling and disposition of those funds.*

LEGISLATIVE COUNSEL'S DIGEST

AB 3256, as amended, Eduardo Garcia. ~~Climate risks: bond measure.~~ *Wildfire Prevention, Safe Drinking Water, Climate Resilience, Drought Preparation, and Flood Protection Bond Act of 2020.*

The California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Act of 2018, approved by the voters as Proposition 68 at the June 5, 2018, statewide direct primary election, authorizes the issuance of bonds in the amount of \$4,000,000,000 pursuant to the State General Obligation Bond Law to finance a drought, water, parks, climate, coastal protection, and outdoor access for all program.

This bill would ~~state the intent of the Legislature to enact a bond measure that would address climate risks to the State of California.~~ *enact the Wildfire Prevention, Safe Drinking Water, Climate Resilience, Drought Preparation, and Flood Protection Bond Act of 2020, which,*

*if approved by the voters, would authorize the issuance of bonds in the amount of \$6,980,000,000 pursuant to the State General Obligation Bond Law to finance projects for a wildfire prevention, safe drinking water, climate resilience, drought preparation, and flood protection program.*

*This bill would provide for the submission of these provisions to the voters at the November 3, 2020, statewide general election.*

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

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

- 1 SECTION 1. The people of California find and declare all of
- 2 the following:
- 3 (a) The climate crisis presents a significant threat to the health,
- 4 safety, and prosperity of the people of California. The changing
- 5 climate increases the risk of extreme weather events, biodiversity
- 6 loss, catastrophic wildfire, and sea level rise, resulting in harm to
- 7 California’s agricultural industry, water supply, unique ecosystems,
- 8 and economy.
- 9 (b) According to the state’s Fourth Climate Change Assessment,
- 10 “[e]merging findings for California show that costs associated with
- 11 direct climate impacts by 2050 are dominated by human mortality,
- 12 damages to coastal properties, and the potential for droughts and
- 13 mega-floods.”
- 14 (c) Improving climate resiliency will require investments in
- 15 planning and both capital- and non-capital costs.
- 16 (d) Strategic restoration and stewardship of California’s natural
- 17 infrastructure will increase the state’s resilience to the changing
- 18 climate and can prevent or reduce many of the forecasted impacts
- 19 of climate change.
- 20 (e) State investments to improve climate resiliency must reflect
- 21 the varying type and severity of climate impacts across the state.
- 22 Already vulnerable communities often face greater risks from
- 23 climate change.
- 24 (f) Planning, investment, and action to address current and future
- 25 climate change impacts must be guided by the best available
- 26 science, including local and traditional knowledge.
- 27 (g) Investment in transformative, cost-effective, and
- 28 evidence-based projects that increase the state’s resilience to

1 climate change will protect the lives of all Californians, conserve  
2 our unique ecosystems, and save billions of dollars by preventing  
3 or reducing damage that may otherwise occur.

4 ~~SEC. 2. It is the intent of the Legislature to enact legislation~~  
5 ~~for a bond measure that would address climate risks to the State~~  
6 ~~of California.~~

7 *SEC. 2. Division 47 (commencing with Section 80200) is added*  
8 *to the Public Resources Code, to read:*

9

10 *DIVISION 47. WILDFIRE PREVENTION, SAFE DRINKING*  
11 *WATER, CLIMATE RESILIENCE, DROUGHT PREPARATION,*  
12 *AND FLOOD PROTECTION BOND ACT OF 2020*

13

14 *CHAPTER 1. GENERAL PROVISIONS*

15

16 *80200. This division shall be known, and may be cited, as the*  
17 *Wildfire Prevention, Safe Drinking Water, Climate Resilience,*  
18 *Drought Preparation, and Flood Protection Bond Act of 2020.*

19 *80201. (a) In expending funds pursuant to this division, an*  
20 *administering state agency shall give priority to projects that*  
21 *leverage private, federal, and local funding or produce the greatest*  
22 *public benefit.*

23 *(b) A project funded pursuant to this division shall include*  
24 *signage informing the public that the project received funding*  
25 *from the Wildfire Prevention, Safe Drinking Water, Climate*  
26 *Resilience, Drought Preparation, and Flood Protection Bond Act*  
27 *of 2020.*

28 *80202. For purposes of this division, the following definitions*  
29 *apply:*

30 *(a) "Air board" means the State Air Resources Board.*

31 *(b) "Committee" means the Wildfire Prevention, Safe Drinking*  
32 *Water, Climate Resilience, Drought Preparation, and Flood*  
33 *Protection Bond Finance Committee created pursuant to Section*  
34 *80282.*

35 *(c) "Fund" means the Wildfire Prevention, Safe Drinking Water,*  
36 *Climate Resilience, Drought Preparation, and Flood Protection*  
37 *Fund created pursuant to Section 80209.*

38 *(d) "Groundwater sustainability agency" has the same meaning*  
39 *as defined in Section 10721 of the Water Code.*

1 (e) “Interpretation” includes, but is not limited to, a  
2 visitor-serving amenity that enhances the ability to understand  
3 and appreciate the significance and value of natural, historical,  
4 and cultural resources and that may use educational materials in  
5 multiple languages, digital information in multiple languages, and  
6 the expertise of a naturalist or other skilled specialist.

7 (f) “Nonprofit organization” means a nonprofit corporation  
8 qualified to do business in California and qualified under Section  
9 501(c)(3) of the Internal Revenue Code.

10 (g) “Tribe” means a California native American tribe that  
11 appears on the California Tribal Consultation List maintained by  
12 the Native American Heritage Commission.

13 (h) “Water board” means the State Water Resources Control  
14 Board.

15 80203. An amount that equals not more than 5 percent of the  
16 funds allocated for a program funded pursuant to this division  
17 may be used to pay the administrative costs of that program.

18 80204. (a) The Department of Finance shall provide for an  
19 independent audit of expenditures pursuant to this division. The  
20 Secretary of the Natural Resources Agency shall publish a list of  
21 all program and project expenditures pursuant to this division not  
22 less than annually, in written form, and shall post an electronic  
23 form of the list on the agency’s internet website in a downloadable  
24 spreadsheet format. The spreadsheet shall include information  
25 about the location and footprint of each funded project, the  
26 project’s objectives, the status of the project, anticipated outcomes,  
27 any matching moneys provided for the project by the grant  
28 recipient, and the applicable chapter of this division pursuant to  
29 which the grant recipient received moneys.

30 (b) If an audit, required by statute, of any entity that receives  
31 funding authorized by this division is conducted pursuant to state  
32 law and reveals any impropriety, the California State Auditor or  
33 the Controller may conduct a full audit of any or all of the activities  
34 of that entity.

35 (c) The state agency issuing any grant with funding authorized  
36 by this division shall require adequate reporting of the expenditures  
37 of the funding from the grant.

38 (d) The costs associated with the publications, audits, statewide  
39 bond tracking, cash management, and related oversight activities  
40 provided for in this section shall be funded from this division.

1 *These costs shall be shared proportionally by each program*  
2 *through this division. Actual costs incurred to administer nongrant*  
3 *programs authorized by this division shall be paid from the funds*  
4 *authorized in this division.*

5 *80205. If any moneys allocated pursuant to this division are*  
6 *not encumbered or expended by the recipient entity within the time*  
7 *period specified by the administering state agency, the unexpended*  
8 *moneys shall revert to the administering state agency for allocation*  
9 *consistent with the applicable chapter.*

10 *80206. A state agency that receives funding to administer a*  
11 *grant program under this division shall report to the Legislature*  
12 *annually in the budget on its expenditures pursuant to this division*  
13 *and the public benefits received from those expenditures.*

14 *80207. Funds provided pursuant to this division, and any*  
15 *appropriation or transfer of those funds, shall not be deemed to*  
16 *be a transfer of funds for the purposes of Chapter 9 (commencing*  
17 *with Section 2780) of Division 3 of the Fish and Game Code.*

18 *80208. For grants awarded for projects that serve a*  
19 *disadvantaged community or severely disadvantaged community,*  
20 *the administering state agency may provide advanced payments*  
21 *in the amount of 25 percent of the grant award to the recipient,*  
22 *including state-related entities, to initiate the project in a timely*  
23 *manner. The administering state agency shall adopt additional*  
24 *requirements for the recipient of the grant regarding the use of*  
25 *the advanced payments to ensure that the moneys are used*  
26 *properly.*

27 *80209. (a) The proceeds of bonds issued and sold pursuant*  
28 *to this division, exclusive of refunding bonds issued and sold*  
29 *pursuant to Section 80292, shall be deposited in the Wildfire*  
30 *Prevention, Safe Drinking Water, Climate Resilience, Drought*  
31 *Preparation, and Flood Protection Fund, which is hereby created*  
32 *in the State Treasury. Moneys in the fund shall be available, upon*  
33 *appropriation by the Legislature, for purposes of this division.*

34 *(b) Proceeds of bonds issued and sold pursuant to this division*  
35 *shall be allocated according to the following schedule:*

36 *(1) One billion six hundred twenty-five million dollars*  
37 *(\$1,625,000,000) for wildfire prevention and climate risk reduction,*  
38 *in accordance with Chapter 2 (commencing with Section 80220).*

39 *(2) One billion one hundred million dollars (\$1,100,000,000)*  
40 *for the protection of coastal lands, bays, and oceans from climate*

1 risks, in accordance with Chapter 3 (commencing with Section  
2 80230).

3 (3) One billion three hundred fifty-five million dollars  
4 (\$1,355,000,000) for the protection of California's water supplies  
5 from multiyear droughts, reducing flood risk from extreme events,  
6 and providing safe drinking water, in accordance with Chapter 4  
7 (commencing with Section 80240).

8 (4) One billion three hundred million dollars (\$1,300,000,000)  
9 for the protection of California's wildlife, biodiversity, fisheries,  
10 and working and agricultural lands from climate risks, in  
11 accordance with Chapter 5 (commencing with Section 80260).

12 (5) One billion six hundred million dollars (\$1,600,000,000)  
13 for regional climate resilience projects that address multiple risks,  
14 in accordance with Chapter 6 (commencing with Section 80270).  
15 80210. The Legislature may enact legislation necessary to  
16 implement programs funded by this division.

17  
18 *CHAPTER 2. WILDFIRE PREVENTION AND CLIMATE RISK*  
19 *REDUCTION*

20  
21 80220. For purposes of this chapter, "structure hardening"  
22 means the installation, replacement, or retrofitting of building  
23 materials, systems, or assemblies used in the exterior design and  
24 construction of existing nonconforming structures with features  
25 that are in compliance with Chapter 7A (commencing with Section  
26 701A.1) of Title 24 of the California Code of Regulations, or any  
27 appropriate successor regulatory code with the primary purpose  
28 of reducing risk to structures from wildfire or conforming to the  
29 low-cost retrofit list, and updates to that list, developed pursuant  
30 to paragraph (1) of subdivision (c) of Section 51189 of the  
31 Government Code.

32 80220.5. The sum of one billion six hundred twenty-five million  
33 dollars (\$1,625,000,000) shall be available, upon appropriation  
34 by the Legislature, for the prevention and reduction in the risk of  
35 wildfires to lives, properties, and natural resources. The goals of  
36 this chapter shall be the following:

37 (a) The creation of risk reduction buffer between communities  
38 and the wildland.

39 (b) The creation of strong local fire safe planning and risk  
40 reduction work to improve community fire resilience.

1 (c) *The improvement of forest and other habitat health to reduce*  
2 *the risk of fire, reduce fire intensity, and restore historic ecosystem*  
3 *function while improving water supply and water quality.*

4 (d) *The creation of cost-effective efforts to complete community*  
5 *and structure hardening projects that target entire neighborhoods*  
6 *or communities.*

7 80221. (a) *Of the funds made available by Section 80220.5,*  
8 *five hundred million dollars (\$500,000,000) shall be available to*  
9 *the Office of Emergency Services, in coordination and conjunction*  
10 *with the Department of Forestry and Fire Protection, for a*  
11 *prehazard mitigation grant program. The grant program shall be*  
12 *allocated to assist local and state agencies to leverage additional*  
13 *funds, including matching grants from federal agencies. The grant*  
14 *program shall fund efforts that include providing loans, rebates,*  
15 *direct assistance, and matching funds that prevent wildfires and*  
16 *reduce the risk of wildfires to communities, increasing community*  
17 *hardening. Eligible projects include, but are not limited to, the*  
18 *following:*

19 (1) *Grants to local agencies, state agencies, joint powers*  
20 *authorities, and tribes for projects that reduce wildfire risks to*  
21 *people and property consistent with an approved community*  
22 *wildfire protection plan.*

23 (2) *Grants to local agencies, state agencies, joint power*  
24 *authorities, tribes, resource conservation districts, fire safe*  
25 *councils, and nonprofit organizations for hardening of critical*  
26 *community infrastructure, evacuation centers, hardening projects*  
27 *that reduce the risk of wildfire for entire neighborhoods and*  
28 *communities, risk reduction buffers, and incentives to remove*  
29 *structures that significantly increase hazard risk.*

30 (b) *The Office of Emergency Services and the Department of*  
31 *Forestry and Fire Protection shall prioritize prehazard mitigation*  
32 *grant funding applications from local agencies based on the “Fire*  
33 *Risk Reduction Community” list, upon development of that list,*  
34 *pursuant to Section 4290.1.*

35 (c) *The Office of Emergency Services and the Department of*  
36 *Forestry and Fire Protection shall provide technical assistance*  
37 *to disadvantaged communities, vulnerable populations, including*  
38 *those with access and functional needs, at-risk infrastructure,*  
39 *socially disadvantaged farmers or ranchers, and economically*

1 *distressed areas to ensure the grant program reduces the*  
2 *vulnerability of those most in need.*

3 *80222. Of the funds made available by Section 80220.5, one*  
4 *billion twenty-five million dollars (\$1,025,000,000) shall be made*  
5 *available to the Natural Resources Agency and to its departments,*  
6 *boards, and conservancies for projects and grants to improve local*  
7 *fire prevention capacity, improve forest health and resiliency, and*  
8 *reduce the risk of wildfire spreading into populated areas from*  
9 *wildlands. Where appropriate, projects may include activities on*  
10 *lands owned by the United States. The funding made available by*  
11 *this section shall be allocated as follows:*

12 *(a) Three hundred million dollars (\$300,000,000) shall be made*  
13 *available to the Regional Fire and Forest Capacity Program to*  
14 *increase regional capacity to prioritize, develop, and implement*  
15 *projects that improve forest health and fire resilience, facilitate*  
16 *greenhouse gas emissions reductions, and increase carbon*  
17 *sequestration in forests throughout California. The funding shall*  
18 *be allocated based, to the extent feasible, on the findings of the*  
19 *review of the regional capacity required by Section 4123.7.*

20 *(b) Three hundred million dollars (\$300,000,000) shall be made*  
21 *available to the Department of Forestry and Fire Protection to*  
22 *support various long-term forest health projects, including*  
23 *reforestation; conservation easements; activities that promote*  
24 *long-term carbon storage; and upper watershed, riparian,*  
25 *mountain meadow, and inland wetland restoration. Projects shall*  
26 *reflect the concurrence of the Department of Fish and Wildlife*  
27 *and the water board, respectively, when a project may affect their*  
28 *statutory jurisdiction and shall be consistent with Section 4799.05.*

29 *(c) Three hundred million dollars (\$300,000,000) shall be made*  
30 *available to forests and other habitats, including, but not limited*  
31 *to, redwoods, conifers, oak woodlands, chaparral, deserts, and*  
32 *coastal forest watershed improvement projects that include the*  
33 *use of prescribed fire and improve water supply or water quality.*  
34 *Projects shall include the restoration of natural ecosystem*  
35 *functions in high fire hazard areas and provide multiple benefits*  
36 *including, but not be limited to, habitat protection, science-based*  
37 *fuel reduction, watershed protection, carbon sequestration,*  
38 *protection of older fire-resistant trees, and improved forest health.*  
39 *The Natural Resources Agency shall require a contribution of*  
40 *matching funds or in-kind work, as determined appropriate, from*

1 beneficiaries of the watershed, which may include, but not limited  
2 to, water districts, public utilities, local agencies, or private users.  
3 As a condition of funds granted pursuant to this section, the Natural  
4 Resources Agency shall ensure long-term benefits for projects  
5 funded pursuant to this subdivision, including an ongoing  
6 commitment to future maintenance and a commitment to long-term  
7 increases in carbon sequestration.

8 (d) Fifty million dollars (\$50,000,000) shall be made available  
9 to the Department of Forestry and Fire Protection to provide  
10 funding to fire safe councils, nongovernmental organizations with  
11 demonstrated expertise, and resource conservation districts for  
12 the purchase of large equipment necessary to conduct fuel  
13 reduction and forest health projects. The department shall develop  
14 funding guidelines to ensure the equipment purchased receives  
15 necessary maintenance by the owner, is used appropriately by  
16 trained operators, provides public benefits, and is made available  
17 for fuel reduction and forest health projects in a cost-effective  
18 manner. Eligible equipment may include equipment for biomass  
19 utilization and shall have a durability suitable for capital  
20 expenditure.

21 (e) Seventy-five million dollars (\$75,000,000) shall be made  
22 available to the Sierra Nevada Conservancy for purposes of  
23 watershed improvement, forest health, biomass utilization, and  
24 forest restoration workforce development. Seventy percent of the  
25 funds made available by this subdivision shall be made available  
26 to the Sierra Nevada Watershed Improvement Program created  
27 by Section 33345.1.

28 80223. Of the funds made available by Section 80220.5, not  
29 less than fifty million dollars (\$50,000,000) shall be allocated to  
30 the air board, in consultation with the Natural Resources Agency  
31 and the Department of Forestry and Fire Protection, to incentivize  
32 new projects in California that provide long-term capital  
33 infrastructure to convert forest and other vegetation waste removed  
34 for wildfire mitigation to beneficial uses that maximize reductions  
35 in the emissions of greenhouse gases, provide local benefits for  
36 air quality, and help to increase local community resilience against  
37 climate change impacts.

38 80224. Of the funds made available by Section 80220.5, fifty  
39 million dollars (\$50,000,000) shall be available to the Department  
40 of Parks and Recreation to plan for and implement projects to

1 *reduce the risks of fire and for the fire hardening of infrastructure*  
2 *for units of the state park system.*

3 80225. *To the extent feasible, a project whose application*  
4 *includes the use of services of the California Conservation Corps*  
5 *or certified community conservation corps, as defined in Section*  
6 *14507.5, shall be given preference for receipt of a grant under*  
7 *this division.*

8

9 *CHAPTER 3. PROTECTING COASTAL LANDS, BAYS, AND OCEANS*  
10 *FROM SEA LEVEL RISE AND OTHER CLIMATE RISKS*

11

12 80230. *The sum of one billion one hundred million dollars*  
13 *(\$1,100,000,000) shall be available, upon appropriation by the*  
14 *Legislature, for the protection and restoration of coastal and ocean*  
15 *resources from sea level rise, ocean acidification, and other*  
16 *impacts of climate change. The goal of this chapter is to provide*  
17 *funding for projects that slow the impacts of sea level rise,*  
18 *especially in combination with storm surges, with nature-based*  
19 *solutions; increase the ability of the ocean and coastal systems to*  
20 *capture and store carbon dioxide; and support sustainable*  
21 *fisheries.*

22 80231. (a) *Eligible projects under this chapter include, but*  
23 *are not limited to, projects to protect, restore, and increase the*  
24 *resilience of coastal and ocean ecosystems, such as beaches, bluffs,*  
25 *grasslands, chaparral, shrublands, forests, waters, coastal*  
26 *watersheds, wetlands, natural resources, fisheries, and wildlife*  
27 *populations in coastal areas. Projects may address the protection*  
28 *and resilience of public recreation and public access facilities.*

29 (b) *The following criteria shall be used for projects under this*  
30 *chapter:*

31 (1) *Projects shall leverage local, nonbond state, federal, or*  
32 *private funding of at least 50 percent for infrastructure projects.*

33 (2) *Projects should prioritize natural infrastructure. For projects*  
34 *with multiple benefits to water supply, water quality, wildlife, and*  
35 *biodiversity, a match of at least 25 percent from local, state,*  
36 *federal, or private funding is required.*

37 (3) *Projects leveraging ongoing state funding for carbon*  
38 *sequestration, transportation, general funds shall be given priority.*

39 (4) *Up to 10 percent of project costs may be used for project*  
40 *planning.*

1 (5) *Projects are required to demonstrate ongoing monitoring*  
2 *and scientific review. Up to 5 percent of project funds may be used*  
3 *for this purpose.*

4 80232. (a) *Of the funds made available by Section 80230, the*  
5 *sum of six hundred million dollars (\$600,000,000) shall be*  
6 *available to the State Coastal Conservancy.*

7 (b) *Of the funds made available by subdivision (a), three*  
8 *hundred million dollars (\$300,000,000) shall be available for*  
9 *projects to protect, restore, and increase the resilience of beaches,*  
10 *bays, coastal dunes, wetlands, coastal forests, and coastal*  
11 *watershed resources pursuant to Division 21 (commencing with*  
12 *Section 31000), including land acquisition, or conservation*  
13 *easements on, land in or adjacent to the California coastal zone*  
14 *with open space, recreational, biological, cultural, scenic, or*  
15 *agricultural values, or lands adjacent to marine protected areas,*  
16 *including marine conservation areas, whose preservation will*  
17 *contribute to the ecological quality of those marine protected*  
18 *areas.*

19 (c) *Of the funds made available by subdivision (a), one hundred*  
20 *fifty million dollars (\$150,000,000) shall be available for*  
21 *competitive grants for demonstration and pilot projects that use*  
22 *natural infrastructure to protect critical infrastructure that is*  
23 *vulnerable to sea level rise and flooding.*

24 (d) *Of the funds made available by subdivision (a), one hundred*  
25 *million dollars (\$100,000,000) shall be available for grants to*  
26 *remove outdated or obsolete dams and water infrastructure. Up*  
27 *to 25 percent of the funds made available in this subdivision may*  
28 *be awarded for the public benefits associated with updating*  
29 *outdated dams and water infrastructure.*

30 (e) *Of the funds made available by subdivision (a), the sum of*  
31 *thirty million dollars (\$30,000,000) shall be available to the*  
32 *California Coastal Commission for grants for local adaptation*  
33 *planning and updating local coastal programs and twenty million*  
34 *dollars (\$20,000,000) shall be available to the San Francisco Bay*  
35 *Conservation and Development Commission for coastal planning*  
36 *and projects within its jurisdiction.*

37 80233. (a) *Of the funds made available by Section 80230, the*  
38 *sum of two hundred million dollars (\$200,000,000) shall be*  
39 *available to the Ocean Protection Council.*

1     ***(b) Of the amount made available by subdivision (a), one***  
2 ***hundred million dollars (\$100,000,000) shall be available for***  
3 ***deposit into the California Ocean Protection Trust Fund for***  
4 ***competitive grants consistent with Section 35650. Priority shall***  
5 ***be given to projects that assist coastal communities, including***  
6 ***those reliant on commercial fisheries, with adaptation to climate***  
7 ***change, including projects that address ocean acidification,***  
8 ***increasing ocean temperatures, sea level rise, and habitat***  
9 ***restoration and protection.***

10     ***(c) Of the funds made available by subdivision (a), fifty million***  
11 ***dollars (\$50,000,000) shall be available for projects that increase***  
12 ***the ability of the ocean and coastal ecosystems to capture,***  
13 ***sequester, and store carbon dioxide.***

14     ***80234. Of the funds made available by Section 80230, two***  
15 ***hundred million dollars (\$200,000,000) shall be available for***  
16 ***competitive grants to restore or enhance coastal and ocean***  
17 ***ecosystems. No less than 50 percent of the funds allocated by this***  
18 ***subdivision shall be for competitive grants for projects that use***  
19 ***nature-based solutions to address climate change impacts to***  
20 ***California's ocean and coastal ecosystems, including, but not***  
21 ***limited to, wetlands, estuarine habitat, kelp forests, seagrass***  
22 ***habitat, eelgrass beds, and the state's system of marine protected***  
23 ***areas. Grant programs may be administered by the State Coastal***  
24 ***Conservancy, the Department of Fish and Wildlife, the water***  
25 ***board, or the Ocean Protection Council. The administering agency***  
26 ***shall coordinate with all relevant state agencies, and relevant***  
27 ***local, regional, and state conservancies.***

28     ***80235. Of the funds made available by Section 80230, fifty***  
29 ***million dollars (\$50,000,000) shall be available to the Department***  
30 ***of Parks and Recreation to plan for and implement projects to***  
31 ***reduce the risks of sea level rise for units of the state park system.***

32     ***80236. Projects funded pursuant to this chapter shall be***  
33 ***consistent with climate and sea level rise policies and guidelines***  
34 ***established by the California Coastal Commission, the Ocean***  
35 ***Protection Council, the San Francisco Bay Conservation and***  
36 ***Development Commission, and the State Coastal Conservancy, if***  
37 ***applicable.***

1            *CHAPTER 4. PROTECTING CALIFORNIA'S WATER SUPPLY*  
2            *DURING DROUGHT, ENHANCING THE STATE'S FLOOD PROTECTION,*  
3            *AND ENSURING SAFE DRINKING WATER*

4  
5            80240. *The sum of one billion three hundred fifty-five million*  
6            *dollars (\$1,355,000,000) shall be available, upon appropriation*  
7            *by the Legislature, for climate resilience related to the delivery of*  
8            *water.*

9            80241. *Projects funded under this chapter shall ensure access*  
10           *to safe drinking water and water supply in multiyear droughts,*  
11           *and provide for protection from flood risks, especially risks that*  
12           *are magnified by sea level rise, storm surges, and increased*  
13           *intensity atmospheric rivers.*

14           80242. (a) *Before disbursing grants under this chapter, each*  
15           *state agency that receives funding to administer a competitive*  
16           *grant program under this division shall develop and adopt project*  
17           *solicitation and evaluation guidelines. The guidelines shall include*  
18           *monitoring and reporting requirements and may include a*  
19           *limitation on the dollar amount of grants to be awarded. If the*  
20           *state agency has previously developed and adopted project*  
21           *solicitation and evaluation guidelines that comply with the*  
22           *requirements of this section, it may use those guidelines.*

23           (b) *Guidelines adopted pursuant to subdivision (a) shall*  
24           *encourage, where feasible, the inclusion of the following project*  
25           *components:*

26           (1) *Efficient use and conservation of water supplies.*

27           (2) *The capture of stormwater to reduce stormwater runoff,*  
28           *reduce water pollution, or recharge groundwater supplies, or a*  
29           *combination thereof.*

30           (3) *Provision of safe and reliable drinking water supplies to*  
31           *park and open-space visitors, and state fairgrounds that serve as*  
32           *emergency evacuation facilities.*

33           (4) *Support to groundwater sustainability agencies for regional*  
34           *ground water sustainability.*

35           (5) *Increased climate resilience for wildlife and fish species.*

36           80243. (a) *Nothing in this chapter determines or alters water*  
37           *rights or water right priorities.*

38           (b) *Funds provided by this chapter shall not be used to acquire*  
39           *land via eminent domain.*

1 80244. *An eligible applicant under this chapter is a public*  
2 *agency, joint powers authority, nonprofit organization, public*  
3 *utility, tribe, or mutual water company. To be eligible for funding*  
4 *under this chapter, a project proposed by a public utility that is*  
5 *regulated by the Public Utilities Commission or a mutual water*  
6 *company shall have a clear and definite public purpose and shall*  
7 *benefit the customers of the water system and not the investors.*

8 80245. *Of the funds made available by Section 80240, three*  
9 *hundred ninety-five million dollars (\$395,000,000) shall be*  
10 *available to the Department of Water Resources in collaboration*  
11 *with the water board, upon appropriation by the Legislature, for*  
12 *competitive grants for projects that support sustainable*  
13 *groundwater management implementation. These funds are*  
14 *dedicated to supporting local groundwater sustainability agencies*  
15 *implementing projects and programs related to the groundwater*  
16 *sustainability plans for critically overdrafted basins. This includes*  
17 *projects with multiple benefits that encourage redundancy in the*  
18 *regional water system, groundwater recharge, including*  
19 *infrastructure projects, and interties. Funding allocated pursuant*  
20 *to this section shall support the regional approach identified in*  
21 *the Water Resilience Portfolio and shall be used for comprehensive*  
22 *regional projects that include water efficiency, water*  
23 *infrastructure, flood control, and groundwater recharge. Projects*  
24 *shall demonstrate multiple water resilience benefits.*

25 80246. *Of the funds made available by Section 80240, three*  
26 *hundred sixty million dollars (\$360,000,000) shall be available*  
27 *to the water board, upon appropriation by the Legislature, for*  
28 *competitive grants or loans for the purposes described in Chapter*  
29 *5 (commencing with Section 79720) of Division 26.7 of the Water*  
30 *Code to help provide clean, safe, and reliable drinking water to*  
31 *all Californians.*

32 80247. *Of the funds made available by Section 80240, four*  
33 *hundred million dollars (\$400,000,000) shall be available for the*  
34 *protection and restoration of rivers, lakes, and streams to improve*  
35 *climate resilience, water supplies, water quality, and other benefits.*  
36 *To the extent feasible, preference shall be given to natural*  
37 *infrastructure projects. Eligible projects include, but are not limited*  
38 *to, any of the following:*

39 (a) *Multibenefit river and urban stream parkway projects that*  
40 *protect and restore riparian habitats, improve climate resilience,*

1 *enhance natural drainages, protect and restore watersheds, and*  
2 *provide urban access, including for statewide obligations involving*  
3 *multistate agreements.*

4 *(b) At least 60 percent of the funds shall be available to the*  
5 *Natural Resources Agency for capital outlay projects that provide*  
6 *air quality and habitat benefits and that implement state obligations*  
7 *in arid, desert areas of the state.*

8 80248. *(a) Of the funds made available by Section 80240, one*  
9 *hundred fifty million dollars (\$150,000,000) shall be available for*  
10 *flood management projects that are components of multiple benefit*  
11 *flood management system improvements that reduce risks to public*  
12 *safety and provide improvement to wildlife habitat. Eligible project*  
13 *types include, but are not limited to, levee setbacks, projects*  
14 *connecting rivers with flood plains, enhancement of flood plains*  
15 *and bypasses, offstream groundwater recharge, and land*  
16 *acquisitions and easements necessary for these project types. To*  
17 *the extent feasible, project selection shall be guided by approved*  
18 *local hazard mitigation plans and preference shall be given to*  
19 *natural infrastructure projects. Eligible projects include any of*  
20 *the following:*

21 *(1) Multiple benefit flood management projects that reduce the*  
22 *impacts of climate change on inland or coastal infrastructure,*  
23 *communities, or ecosystems, and provide ecosystem, wildlife, or*  
24 *groundwater recharge benefits.*

25 *(2) Natural infrastructure projects to reduce flood intensity and*  
26 *slow watershed runoff.*

27 *(3) Projects that capture, clean, or otherwise productively use*  
28 *stormwater.*

29 *(4) Projects that provide matching grants for, or otherwise*  
30 *leverage funding from, the Federal Emergency Management*  
31 *Agency, the United States Army Corps of Engineers, or other*  
32 *federal mitigation and resilience funding.*

33 *(5) Projects that provide benefits to fish, waterfowl, wildlife,*  
34 *and anadromous and other native fish species along migratory*  
35 *corridors.*

36 *(6) Projects that restore streams to a more natural state by*  
37 *removing drainage obstructions, culverts, and paved channels to*  
38 *enable more stormwater to be absorbed and gradually released*  
39 *by soil and plants.*

1 (b) *Of the funds made available pursuant to this section, at least*  
2 *fifty million dollars (\$50,000,000) shall be allocated for*  
3 *multibenefit flood management projects in urban coastal*  
4 *watersheds.*

5 80249. *Of the funds made available by Section 80240, fifty*  
6 *million dollars (\$50,000,000) shall be available to the Central*  
7 *Valley Flood Protection Board for further development of the State*  
8 *Plan of Flood Control, including the San Joaquin River and*  
9 *Sacramento Valley flood risk management plans. The Central*  
10 *Valley Flood Protection Board shall ensure equitable distribution*  
11 *of funds.*

12 80250. *To the extent feasible, a project that includes water*  
13 *efficiencies, stormwater capture for infiltration or reuse, or carbon*  
14 *sequestration features in the project design may be given priority*  
15 *for grant funding under this chapter.*

16 80251. *Moneys allocated by this chapter shall not be used to*  
17 *fulfill any environmental mitigation requirements imposed by law,*  
18 *including paying for the costs of the design, construction,*  
19 *operation, mitigation, or maintenance of Delta conveyance*  
20 *facilities. Those costs shall be the responsibility of the water*  
21 *agencies that benefit from the design, construction, mitigation, or*  
22 *maintenance of those facilities.*

23 80252. *To the extent feasible, a project whose application*  
24 *includes the use of services of the California Conservation Corps*  
25 *or certified community conservation corps, as defined in Section*  
26 *14507.5, and resource conservation districts, shall be given*  
27 *preference for receipt of a grant under this chapter.*

28

29 *CHAPTER 5. PROTECTING FISH, WILDLIFE, NATURAL AREAS,*  
30 *WORKING LANDS, AND AGRICULTURE FROM CLIMATE RISKS*

31

32 80260. *The sum of one billion three hundred million dollars*  
33 *(\$1,300,000,000) shall be available, upon appropriation by the*  
34 *Legislature, for the purposes of this chapter. Projects pursuant to*  
35 *this chapter shall have the goal to do any of the following:*

36 (a) *Restore natural lands to better maintain ecosystem benefits*  
37 *as climate conditions change.*

38 (b) *Enhance fish and wildlife corridors and habitat linkages to*  
39 *enhance the ability of wildlife to adapt to changing climate*  
40 *conditions.*

1 (c) *Protect our farms, ranches, and working lands from*  
2 *changing climate conditions.*

3 80261. (a) *Of the funds made available by Section 80260, four*  
4 *hundred million dollars (\$400,000,000) shall be available to the*  
5 *Wildlife Conservation Board for the protection of California’s fish*  
6 *and wildlife resources in response to changing climate conditions,*  
7 *as well as for restoration and stewardship projects that restore or*  
8 *manage land or habitat to improve its resilience to climate impacts*  
9 *and natural disasters. Eligible projects include, but are not limited*  
10 *to, the following:*

11 (1) *Salmon and other fishery preservation, enhancement, and*  
12 *habitat restoration projects.*

13 (2) *Projects to protect and restore wetlands and other fish and*  
14 *wildlife habitat, including, but not limited to, habitat used by*  
15 *migratory birds.*

16 (3) *Projects for the protection and restoration of fish and wildlife*  
17 *corridors and habitat linkages, the construction or repair of*  
18 *corridors, and the removal or modification of barriers. Projects*  
19 *may include planning, monitoring, and data collection necessary*  
20 *to track movement of wildlife around and across transportation*  
21 *facilities and to establish the best locations to construct wildlife*  
22 *crossing features, including fish passage improvements.*

23 (4) *Land acquisition projects, including, but not limited to, those*  
24 *that protect land from development or prevent the conversion of*  
25 *rangeland, grazing land, or grassland to nonagricultural uses.*

26 (5) *Projects for conservation actions on private lands, including,*  
27 *but not limited to, incentives, matching grants, and technical*  
28 *assistance for private landowners to implement conservation*  
29 *actions.*

30 (6) *Projects for the protection of threatened and endangered*  
31 *species, including projects within natural community conservation*  
32 *plans adopted pursuant to the Natural Community Conservation*  
33 *Planning Act (Chapter 10 (commencing with Section 2800) of*  
34 *Division 3 of the Fish and Game Code) or habitat conservation*  
35 *plans. Projects may include land acquisition through either*  
36 *easement or fee title.*

37 (7) *Projects that include acquisition of water or water rights*  
38 *from willing sellers, acquisition of land that includes water rights*  
39 *or contractual rights to water, and other projects that provide*

1 water for fish and wildlife or improve aquatic or riparian habitat  
2 conditions.

3 (8) Projects for the development and implementation of regional  
4 conservation investment strategies that include climate resilience  
5 elements and are not otherwise funded by the state pursuant to  
6 Section 800 of the Streets and Highways Code.

7 (9) Restoration activities to control or eradicate invasive plants  
8 or insects that degrade wildlife corridors or habitat linkages,  
9 inhibit the recovery of threatened or endangered species, or reduce  
10 the climate resilience of a natural system and its species.

11 (10) Protection and restoration of redwood forests in order to  
12 accelerate old growth characteristics, maximize carbon  
13 sequestration, improve water quality, and build climate resilience.

14 (11) Protection and restoration of oak woodlands pursuant to  
15 Section 1363 of the Fish and Game Code and grasslands pursuant  
16 to Section 10330 of the Public Resources Code.

17 (b) Funding made available by subdivision (a) shall not be used  
18 to offset mitigation obligations otherwise required, but may be  
19 used as part of a funding partnership to enhance, expand, or  
20 augment conservation efforts required by mitigation.

21 80262. Of the funds made available by Section 80260, one  
22 hundred million dollars (\$100,000,000) shall be available to the  
23 Wildlife Conservation Board for groundwater sustainability  
24 projects that provide wildlife habitat. Projects may support  
25 implementation of the Sustainable Groundwater Management Act  
26 (Part 2.74 (commencing with Section 10720) of Division 6 of the  
27 Water Code). Eligible projects include, but are not limited to, the  
28 following:

29 (a) Projects that create, protect, or restore permanent wildlife  
30 habitat.

31 (b) Projects that permanently create, protect, or restore seasonal  
32 wetland habitat that provides aquifer replenishment.

33 (c) Projects that improve groundwater supply, including  
34 groundwater recharge, improved baseflows in rivers and streams,  
35 and groundwater supply improvement for fish and wildlife habitat.

36 (d) (1) Projects that convert land to lesser water use while  
37 maintaining natural and working lands.

38 (2) Any groundwater recharge achieved under this section shall  
39 remain in the basin to improve groundwater conditions. Payments  
40 shall be linked to achievement and delivery of defined conservation

1 *outcomes, the duration of those outcomes, and the commitment of*  
2 *matching funds.*

3 *80263. Of the funds made available by Section 80260, one*  
4 *hundred million dollars (\$100,000,000) shall be available to the*  
5 *Department of Fish and Wildlife to improve the climate resilience*  
6 *of fish and wildlife habitat. Eligible projects include, but are not*  
7 *limited to, the following:*

8 *(a) Projects on lands managed by the Department of Fish and*  
9 *Wildlife to reduce the risks of fire, flood, inundation, sea level rise,*  
10 *and other risks associated with climate change and for the*  
11 *protection and restoration of infrastructure and natural resources.*

12 *(b) Competitive grants for projects that enhance or restore*  
13 *inland or diadromous native fish species habitat. Projects include,*  
14 *but are not limited to, enhanced stream flows, improved fish*  
15 *passage, reconnection of riverine and floodplain habitat, and other*  
16 *actions to help fish adapt to climate change.*

17 *80264. To the extent feasible in implementing this chapter, a*  
18 *state agency receiving funding under this chapter shall seek to*  
19 *achieve wildlife conservation objectives through projects on public*  
20 *lands or voluntary projects on private lands. Projects on private*  
21 *lands shall be evaluated based on the durability of the benefits*  
22 *created by the investment. Funds may be used for payments for*  
23 *the protection or creation of measurable habitat improvements or*  
24 *other improvements to the condition of endangered or threatened*  
25 *species, including through the development and implementation*  
26 *of habitat credit exchanges.*

27 *80265. (a) Of the funds made available pursuant to Section*  
28 *80260, the sum of five hundred million dollars (\$500,000,000)*  
29 *shall be available to the Natural Resources Agency for*  
30 *conservancies specified in subdivision (b). The Natural Resources*  
31 *Agency shall allocate funds according to each conservancy's*  
32 *governing statutes and funds shall be for climate resilience and*  
33 *reducing the risks of climate change impacts upon communities,*  
34 *fish and wildlife, and natural resources.*

35 *(b) The conservancy that are eligible for these funds include*  
36 *Baldwin Hills Conservancy, State Coastal Conservancy, California*  
37 *Tahoe Conservancy, Coachella Valley Mountains Conservancy,*  
38 *Sacramento-San Joaquin Delta Conservancy, San Diego River*  
39 *Conservancy, San Gabriel and Lower Los Angeles Rivers and*  
40 *Mountains Conservancy, San Joaquin River Conservancy, Santa*

1 *Monica Mountains Conservancy, Sierra Nevada Conservancy,*  
2 *and any subsequent conservancies approved by the Legislature,*  
3 *including changes to those conservancies. The State Coastal*  
4 *Conservancy's allocation shall include projects for its San*  
5 *Francisco Bay Area Conservancy Program and the Santa Ana*  
6 *River Conservancy programs.*

7 *(c) The Natural Resources Agency, in consultation with the*  
8 *Wildlife Conservation Board, shall allocate funds based on a*  
9 *review of the strength of the information outlined in each*  
10 *conservancy's climate resiliency plan required pursuant to Section*  
11 *80266. The Natural Resources Agency shall allocate no less than*  
12 *ten million dollars (\$10,000,000) of the funds made available*  
13 *pursuant to this section to each conservancy.*

14 *(d) When allocating funds pursuant to this section, the Natural*  
15 *Resources Agency shall give preference to all of the following:*

16 *(1) Projects that use natural infrastructure.*

17 *(2) Projects done jointly by more than one conservancy.*

18 *(3) Projects that maximize greenhouse gas reductions.*

19 *(4) Conservancies that provide technical assistance to*  
20 *disadvantaged communities, vulnerable populations, including*  
21 *those with access and functional needs, at-risk infrastructure,*  
22 *socially disadvantaged farmers or ranchers, and economically*  
23 *distressed areas.*

24 *(e) On or before March 1, 2021, the Natural Resources Agency*  
25 *shall develop and provide guidelines for climate resiliency plans*  
26 *to each conservancy.*

27 *(f) The Natural Resources Agency shall hold at least one public*  
28 *workshop before allocating the funds made available pursuant to*  
29 *this section and shall make information describing the final*  
30 *allocation publicly available on its internet website.*

31 *80266. (a) On or before January 1, 2022, the Baldwin Hills*  
32 *Conservancy, State Coastal Conservancy, California Tahoe*  
33 *Conservancy, Coachella Valley Mountains Conservancy,*  
34 *Sacramento-San Joaquin Delta Conservancy, San Diego River*  
35 *Conservancy, San Gabriel and Lower Los Angeles Rivers and*  
36 *Mountains Conservancy, San Joaquin River Conservancy, Santa*  
37 *Monica Mountains Conservancy, and Sierra Nevada Conservancy*  
38 *shall develop a climate resiliency plan that shall be adopted by*  
39 *each conservancy's governing board. Each climate resiliency plan*  
40 *shall do all of the following:*

1 (1) Describe how the impacts of climate change relate to the  
2 conservancy's mission and how they will affect the lands within  
3 its jurisdiction.

4 (2) Describe the conservancy's past investment and work  
5 addressing the impacts of climate change, reducing greenhouse  
6 gas emissions, and improving climate resiliency.

7 (3) Outline a list of all projects or programs that the  
8 conservancy would propose to fund with an allocation by the  
9 Natural Resources Agency pursuant to Section 80265.

10 (4) Describe the potential benefits of each project or program  
11 in increasing climate resilience and reducing the risks of climate  
12 change impacts upon communities, fish and wildlife, and natural  
13 resources.

14 (b) Each conservancy shall make the climate resiliency plan  
15 available on its internet website and provide the climate resiliency  
16 plan to the Natural Resources Agency.

17 80267. (a) For purposes of this section, the following  
18 definitions apply:

19 (1) "Socially disadvantaged farmers and ranchers" has the  
20 same meaning as defined in Section 512 of the Food and  
21 Agricultural Code.

22 (2) "Small- and medium-sized farms" means farms and ranches  
23 of 500 acres or less.

24 (b) Of the funds made available by Section 80260, two hundred  
25 million dollars (\$200,000,000) shall be available, upon  
26 appropriation by the Legislature, for purposes of protecting  
27 California's agricultural resources, open spaces, and lands from  
28 climate resilience. Projects pursuant to this chapter shall have  
29 climate resiliency goals including:

30 (1) Improving soil health to allow for better water retention,  
31 carbon sequestration, and reduced soil erosion to improve  
32 resiliency from droughts and floods while improving water quality.

33 (2) Improve on-farm water efficiency to improve resiliency from  
34 multiyear droughts.

35 (3) Improve the state's ability to respond to risks from invasive  
36 species.

37 (c) Of the funds made available by subdivision (b), one hundred  
38 fifty million dollars (\$150,000,000) shall be available to the  
39 Department of Food and Agriculture for improvements in climate

1 *resilience of agricultural lands and ecosystem health and allocated*  
2 *to eligible projects as follows:*

3 *(1) (A) Fifty million dollars (\$50,000,000) for grants to promote*  
4 *practices on farms and ranches that improve soil health, accelerate*  
5 *atmospheric carbon removal or soil carbon sequestration, improve*  
6 *water quality, enhance groundwater recharge and surface water*  
7 *supplies, or improve fish or wildlife habitat.*

8 *(B) At least 35 percent of the funds allocated pursuant to this*  
9 *paragraph shall be allocated to projects that provide direct and*  
10 *meaningful benefits to farmers and ranchers in disadvantaged*  
11 *communities.*

12 *(C) Priority shall be given to small- and medium-sized farms*  
13 *and socially disadvantaged farmers and ranchers.*

14 *(2) (A) Forty million dollars (\$40,000,000) for grants to*  
15 *promote on-farm water use efficiency with a focus on multiple*  
16 *benefit projects that improve groundwater management, climate*  
17 *resiliency, water quality, surface water use efficiency, drought and*  
18 *flood tolerance, or water supply and water quality conditions for*  
19 *fish and wildlife.*

20 *(B) At least 35 percent of the funds allocated pursuant to this*  
21 *paragraph shall be allocated to projects that provide direct and*  
22 *meaningful benefits to farmers and ranchers in disadvantaged*  
23 *communities.*

24 *(C) Priority shall be given to small- and medium-sized farms*  
25 *and socially disadvantaged farmers and ranchers.*

26 *(3) Forty million dollars (\$40,000,000) for projects that promote*  
27 *the reduction of methane emissions from dairy and livestock*  
28 *operations and improved water quality through alternative manure*  
29 *management and handling, including, but not limited to, the*  
30 *creation of composted manure products. Projects shall not include*  
31 *the funding of anaerobic digesters.*

32 *(4) Twenty million dollars (\$20,000,000) to be deposited in the*  
33 *Invasive Species Account established pursuant to Section 7706 of*  
34 *the Food and Agricultural Code for purposes of funding invasive*  
35 *species projects and activities recommended by the Invasive*  
36 *Species Council of California. Priority shall be given to projects*  
37 *that restore and protect ecosystem health.*

38 *(d) Of the funds made available by subdivision (b), fifty million*  
39 *dollars (\$50,000,000) shall be available to the Department of*  
40 *Conservation for projects for the protection, restoration, and*

1 *enhancement of farmland and rangeland, including, but not limited*  
2 *to, the acquisition of fee titles or easements, that improve climate*  
3 *resilience, open-space soil health, atmospheric carbon removal,*  
4 *soil carbon sequestration, erosion control, watershed restoration,*  
5 *conservation projects, water quality, water retention, and provide*  
6 *multiple benefits. In awarding funds for farmland and rangeland*  
7 *projects pursuant to this section, the Department of Conservation*  
8 *shall give preference to projects for small- and medium-sized farms*  
9 *At least 35 percent of the funds allocated pursuant to this section*  
10 *shall be allocated to projects that provide direct and meaningful*  
11 *benefits to farmers and ranchers in severely disadvantaged*  
12 *communities.*

13 *80268. Funds provided by this chapter shall not be expended*  
14 *to pay the costs of the design, construction, operation, mitigation,*  
15 *or maintenance of Delta conveyance facilities. Those costs shall*  
16 *be the responsibility of the water agencies that benefit from the*  
17 *design, construction, operation, mitigation, or maintenance of*  
18 *those facilities.*

19

20 *CHAPTER 6. STRENGTHENING CALIFORNIA'S REGIONAL CLIMATE*  
21 *RESILIENCE*

22

23 *80270. (a) The sum of one billion six hundred million dollars*  
24 *(\$1,600,000,000) shall be made available, upon appropriation by*  
25 *the Legislature, to the Strategic Growth Council for the reduction*  
26 *in the risk of climate impacts to communities, including, but not*  
27 *limited to, wildfire, sea level rise, and extreme heat events. The*  
28 *goal of these funds is to encourage the development and*  
29 *implementation of multiple-benefit, cross-sector projects that*  
30 *respond to the region's greatest climate vulnerabilities.*

31 *(b) These funds shall be available to local governments or*  
32 *regional collaboratives to implement the highest priority projects*  
33 *identified in qualified local or regional climate adaptation plans.*

34 *(c) The Strategic Growth Council shall develop guidelines for*  
35 *the development of qualified climate adaptation plans by June 1,*  
36 *2021. At a minimum, qualified climate adaptation plans shall*  
37 *include:*

38 *(1) An identification of the most critical vulnerabilities in its*  
39 *jurisdiction to public health, infrastructure, and natural resources.*

1 (2) *Corresponding strategies to reduce those vulnerabilities*  
2 *and the amount of risk and damage and identification of priority*  
3 *projects to implement those strategies.*

4 (3) *An assessment of the planning entity's ability to minimize*  
5 *climate vulnerabilities within its planning jurisdiction and whether*  
6 *its priority projects may have negative impacts on neighboring*  
7 *jurisdictions.*

8 (d) *The following documents may serve as a local government*  
9 *or regional collaborative climate adaptation plan so long as it*  
10 *meets the requirements of subdivision (c).*

11 (1) *The safety element of a general plan that has been updated*  
12 *pursuant to subdivision (g) of Section 65302 of the Government*  
13 *Code.*

14 (2) *A local hazard mitigation plan, reviewed by the Office of*  
15 *Emergency Services and approved by the Federal Emergency*  
16 *Management Agency in accordance with the federal Disaster*  
17 *Mitigation Act of 2000 (Public Law 106-390).*

18 (e) *Funds from this section may not be appropriated for at least*  
19 *one year following the Strategic Growth Council's adoption of*  
20 *guidelines for qualified climate adaptation plans.*

21 (f) *Funds from the section shall be allocated to applicants as*  
22 *follows:*

23 (1) *At least \_\_\_\_ percent of the funds shall be available to the*  
24 *applicant based on the percentage of the state's population*  
25 *included by the climate adaptation plan's jurisdiction, but not less*  
26 *than \_\_\_\_.* *A county that applies for funding for projects*  
27 *individually as well as part of a regional collaborative may*  
28 *determine what portion of its per capita funding should go to each*  
29 *project, but in no case should a county receive funding for its*  
30 *population more than once under this paragraph.*

31 (2) \_\_\_\_ *may be provided to increase the size of the awards*  
32 *under paragraph (1) to the extent the qualified climate adaptation*  
33 *plan does any of the following:*

34 (A) *Protects vulnerable communities.*

35 (B) *Protects natural resources prioritized by the state.*

36 (C) *Enhances statewide climate adaptation strategies, as*  
37 *identified by the most recent update of the Safeguarding California*  
38 *Plan developed by the Natural Resources Agency.*

39 (D) *Reduces carbon emissions.*

40 (E) *Sequesters carbon emissions.*

1 (F) Was developed with input from community groups  
2 (3) \_\_\_\_\_ shall be made available on a statewide competitive  
3 basis for projects prioritized in a qualified climate adaptation plan  
4 but not funded under paragraph (1).

5 (4) \_\_\_\_\_ shall be available to support local and regional  
6 collaboratives in developing qualified climate adaptation plans.

7 80271. Of the funds made available by Section 80270, two  
8 hundred million dollars (\$200,000,000) shall be available to the  
9 Strategic Growth Council for a competitive grant program to  
10 reduce the urban heat island impact. Priority shall be given to  
11 projects that provide multiple benefits, including rainwater capture,  
12 reduction of stormwater pollution, and increased use of natural  
13 spaces for urban vegetation and forestry.

14 80272. Of the funds made available by Section 80270, one  
15 hundred million dollars (\$100,000,000) shall be available, upon  
16 appropriation by the Legislature, to the Department of Food and  
17 Agriculture for grants to fairgrounds operated by the network of  
18 California fairs for modifications or upgrades that do either or  
19 both of the following activities:

20 (a) Enhance the ability of those facilities to serve as multirole  
21 community, staging, and evacuation centers to provide community  
22 resilience benefits during a disaster, state of emergency, local  
23 emergency, or public safety power shutoff event.

24 (b) Deploy communications and broadband infrastructure at  
25 those facilities to improve their capability to serve as a multirole  
26 community, staging, and evacuation centers and enhance local  
27 telecommunications service.

28

29

CHAPTER 7. FISCAL PROVISION

30

31 80280. (a) Bonds in the total amount of six billion nine  
32 hundred eighty million dollars (\$6,980,000,000), not including  
33 the amount of any refunding bonds issued in accordance with  
34 Section 80292, may be issued and sold to provide a fund to be used  
35 for carrying out the purposes expressed in this division and to  
36 reimburse the General Obligation Bond Expense Revolving Fund  
37 pursuant to Section 16724.5 of the Government Code. The bonds,  
38 when sold, issued, and delivered, shall be and constitute a valid  
39 and binding obligation of the State of California, and the full faith  
40 and credit of the State of California is hereby pledged for the

1 *punctual payment of both the principal of, and interest on, the*  
2 *bonds as the principal and interest become due and payable.*

3 *(b) The Treasurer shall cause the issuance and sell the bonds*  
4 *authorized by the committee pursuant to this section. The bonds*  
5 *shall be issued and sold upon the terms and conditions specified*  
6 *in a resolution to be adopted by the committee pursuant to Section*  
7 *16731 of the Government Code.*

8 *80281. The bonds authorized by this division shall be prepared,*  
9 *executed, issued, sold, paid, and redeemed as provided in the State*  
10 *General Obligation Bond Law (Chapter 4 (commencing with*  
11 *Section 16720) of Part 3 of Division 4 of Title 2 of the Government*  
12 *Code), as amended from time to time, and all of the provisions of*  
13 *that law, except subdivisions (a) and (b) of Section 16727 of the*  
14 *Government Code, apply to the bonds and to this division and are*  
15 *hereby incorporated in this division as though set forth in full in*  
16 *this division.*

17 *80282. (a) Solely for the purpose of authorizing the issuance*  
18 *and sale, pursuant to the State General Obligation Bond Law*  
19 *(Chapter 4 (commencing with Section 16720) of Part 3 of Division*  
20 *4 of Title 2 of the Government Code), of the bonds authorized by*  
21 *this division, the Wildfire Prevention, Safe Drinking Water, Climate*  
22 *Resilience, Drought Preparation, and Flood Protection Bond*  
23 *Finance Committee is hereby created. For purposes of this division,*  
24 *the Wildfire Prevention, Safe Drinking Water, Climate Resilience,*  
25 *Drought Preparation, and Flood Protection Bond Finance*  
26 *Committee is the “committee,” as that term is used in the State*  
27 *General Obligation Bond Law.*

28 *(b) The committee consists of the Director of Finance, the*  
29 *Treasurer, the Controller, and the Secretary of the Natural*  
30 *Resources Agency. Notwithstanding any other law, any member*  
31 *may designate a representative to act as that member in that*  
32 *member’s place for all purposes, as though the member were*  
33 *personally present.*

34 *(c) The Treasurer shall serve as the chairperson of the*  
35 *committee.*

36 *(d) A majority of the committee may act for the committee.*

37 *80283. The committee shall determine whether or not it is*  
38 *necessary or desirable to issue bonds authorized by this division*  
39 *in order to carry out the actions specified in this division and, if*  
40 *so, the amount of bonds to be issued and sold. Successive issues*

1 of bonds may be authorized and sold to carry out those actions  
2 progressively, and it is not necessary that all of the bonds  
3 authorized to be issued be sold at any one time.

4 80284. For purposes of the State General Obligation Bond  
5 Law (Chapter 4 (commencing with Section 16720) of Part 3 of  
6 Division 4 of Title 2 of the Government Code), “board,” as defined  
7 in Section 16722 of the Government Code, means the Secretary  
8 of the Natural Resources Agency.

9 80285. There shall be collected each year and in the same  
10 manner and at the same time as other state revenue is collected,  
11 in addition to the ordinary revenues of the state, a sum in an  
12 amount required to pay the principal of, and interest on, the bonds  
13 each year. It is the duty of all officers charged by law with any  
14 duty regarding the collection of the revenue to do and perform  
15 each and every act that is necessary to collect that additional sum.

16 80286. Notwithstanding Section 13340 of the Government  
17 Code, there is hereby continuously appropriated from the General  
18 Fund in the State Treasury, for the purposes of this division, and  
19 without regard to fiscal years, an amount that will equal the total  
20 of the following:

21 (a) The sum annually necessary to pay the principal of, and  
22 interest on, bonds issued and sold pursuant to this division, as the  
23 principal and interest become due and payable.

24 (b) The sum that is necessary to carry out Section 80289.

25 80287. The board may request the Pooled Money Investment  
26 Board to make a loan from the Pooled Money Investment Account,  
27 including other authorized forms of interim financing that include,  
28 but are not limited to, commercial paper, in accordance with  
29 Section 16312 of the Government Code, for the purpose of carrying  
30 out this division. The amount of the request shall not exceed the  
31 amount of the unsold bonds that the committee has, by resolution,  
32 authorized to be sold for the purpose of carrying out this division,  
33 excluding any refunding bonds authorized pursuant to Section  
34 80292, less any amount loaned and not yet repaid pursuant to this  
35 section and withdrawn from the General Fund pursuant to Section  
36 80289 and not yet returned to the General Fund. The board shall  
37 execute those documents required by the Pooled Money Investment  
38 Board to obtain and repay the loan. Any amounts loaned shall be  
39 deposited in the fund to be allocated in accordance with this  
40 division.

1     80288. *Notwithstanding any other provision of this division,*  
2 *or of the State General Obligation Bond Law (Chapter 4*  
3 *(commencing with Section 16720) of Part 3 of Division 4 of Title*  
4 *2 of the Government Code), if the Treasurer sells bonds pursuant*  
5 *to this chapter that include a bond counsel opinion to the effect*  
6 *that the interest on the bonds is excluded from gross income for*  
7 *federal tax purposes under designated conditions or is otherwise*  
8 *entitled to any federal tax advantage, the Treasurer may maintain*  
9 *separate accounts for the bond proceeds invested and for the*  
10 *investment earnings on those proceeds and may use or direct the*  
11 *use of those proceeds or earnings to pay any rebate, penalty, or*  
12 *other payment required under federal law or take any other action*  
13 *with respect to the investment and use of those bond proceeds, as*  
14 *may be required or desirable under federal law in order to*  
15 *maintain the tax-exempt status of those bonds and to obtain any*  
16 *other advantage under federal law on behalf of the funds of this*  
17 *state.*

18     80289. *For purposes of carrying out this division, the Director*  
19 *of Finance may authorize the withdrawal from the General Fund*  
20 *of an amount or amounts not to exceed the amount of the unsold*  
21 *bonds that have been authorized by the committee to be sold for*  
22 *the purpose of carrying out this division, excluding refunding*  
23 *bonds authorized pursuant to Section 80292, less any amount*  
24 *loaned pursuant to Section 80287 and not yet repaid and any*  
25 *amount withdrawn from the General Fund pursuant to this section*  
26 *and not yet returned to the General Fund. Any amounts withdrawn*  
27 *shall be deposited in the fund to be allocated in accordance with*  
28 *this division. Any moneys made available under this section shall*  
29 *be returned to the General Fund, with interest at the rate earned*  
30 *by the moneys in the Pooled Money Investment Account, from*  
31 *proceeds received from the sale of bonds for the purpose of*  
32 *carrying out this division.*

33     80290. *All moneys deposited in the fund that are derived from*  
34 *premiums and accrued interest on bonds sold pursuant to this*  
35 *division shall be reserved in the fund and shall be available for*  
36 *transfer to the General Fund as a credit to expenditures for bond*  
37 *interest, except that amounts derived from premiums may be*  
38 *reserved and used to pay the cost of bond issuance before any*  
39 *transfer to the General Fund.*

1 80291. Pursuant to the State General Obligation Bond Law  
2 (Chapter 4 (commencing with Section 16720) of Part 3 of Division  
3 4 of Title 2 of the Government Code), the cost of bond issuance  
4 shall be paid or reimbursed out of the bond proceeds, including  
5 premiums, if any. To the extent the cost of bond issuance is not  
6 paid from premiums received from the sale of bonds, these costs  
7 shall be allocated proportionally to each program funded through  
8 this division by the applicable bond sale.

9 80292. The bonds issued and sold pursuant to this division  
10 may be refunded in accordance with Article 6 (commencing with  
11 Section 16780) of Chapter 4 of Part 3 of Division 4 of Title 2 of  
12 the Government Code, which is a part of the State General  
13 Obligation Bond Law. Approval by the voters of the state for the  
14 issuance of the bonds under this division shall include approval  
15 of the issuance of any bonds issued to refund any bonds originally  
16 issued under this division or any previously issued refunding bonds.  
17 Any bond refunded with the proceeds of a refunding bond as  
18 authorized by this section may be legally defeased to the extent  
19 permitted by law in the manner and to the extent set forth in the  
20 resolution, as amended from time to time, authorizing that refunded  
21 bond.

22 80293. Notwithstanding Section 16727 of the Government  
23 Code, funds provided pursuant to this division may be used for  
24 grants and loans to nonprofit organizations to repay financing  
25 described in Section 22064 of the Financial Code related to  
26 projects that are consistent with the purpose of the respective  
27 provisions of this division.

28 80294. The proceeds from the sale of bonds authorized by this  
29 division are not “proceeds of taxes” as that term is used in Article  
30 XIII B of the California Constitution, and the disbursement of these  
31 proceeds is not subject to the limitations imposed by that article.

32 SEC. 3. Section 2 of this act shall take effect upon the approval  
33 by the voters of the Wildfire Prevention, Safe Drinking Water,  
34 Climate Resilience, Drought Preparation, and Flood Protection  
35 Bond Act of 2020, as set forth in Section 2 of this act.

36 SEC. 4. (a) (1) Notwithstanding Sections 9040, 9043, 9044,  
37 9061, and 9082 of the Elections Code, or any other law, Section  
38 2 of this act shall be submitted by the Secretary of State to the  
39 voters at the November 3, 2020, statewide general election.

1 (2) *The requirement of Section 9040 of the Elections Code that*  
2 *a measure submitted to the people by the Legislature appear on*  
3 *the ballot of the November 3, 2020, statewide general election*  
4 *occurring at least 131 days after the adoption of the proposal by*  
5 *the Legislature shall not apply to Section 2 of this act.*

6 (b) *The Secretary of State shall include in the ballot pamphlets*  
7 *mailed pursuant to Section 9094 of the Elections Code the*  
8 *information specified in Section 9084 of the Elections Code*  
9 *regarding Section 2 of this act. If that inclusion is not possible,*  
10 *the Secretary of State shall publish a supplemental ballot pamphlet*  
11 *regarding Section 2 of this act to be mailed with the ballot*  
12 *pamphlet. If the supplemental ballot pamphlet cannot be mailed*  
13 *with the ballot pamphlet, the supplemental ballot pamphlet shall*  
14 *be mailed separately.*

15 (c) *Notwithstanding Section 9054 of the Elections Code or any*  
16 *other law, the translations of the ballot title and the condensed*  
17 *statement of the ballot title required pursuant to Section 9054 of*  
18 *the Elections Code for Section 2 of this act may be made available*  
19 *for public examination at a later date than the start of the public*  
20 *examination period for the ballot pamphlet.*

21 (d) *Notwithstanding Sections 13115 and 13117 of the Elections*  
22 *Code, Section 2 of this act and any other measure placed on the*  
23 *ballot by the Legislature for the November 3, 2020, statewide*  
24 *general election after the 131-day deadline set forth in Section*  
25 *9040 of the Elections Code shall be placed on the ballot, following*  
26 *all other ballot measures, in the order in which they qualified as*  
27 *determined by chapter number.*

28 SEC. 5. *The provisions of this act are severable. If any*  
29 *provision of this act or its application is held invalid, that invalidity*  
30 *shall not affect other provisions or applications that can be given*  
31 *effect without the invalid provision or application.*

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