

## SB 23 (Caballero)

# Streamlining Delivery of Critical Water Projects while Protecting the Environment to Meet Challenges of Climate Change

*California is in a race against climate change. As the wets get wetter and dries get drier, our water systems must be prepared to ensure California can continue to thrive. Building water infrastructure for the 21st century requires regulatory frameworks to move quickly to keep up. SB 23 identifies opportunities to improve and streamline the regulatory permitting process, while preserving established environmental protections, so these critical infrastructure projects are built at the pace and scale needed to prepare for climate change.*

### The Challenge

While our weather patterns have always been variable, climate change has, and will continue to, exacerbate the weather whiplash that is intensifying both droughts and precipitation events. From 2020 to 2022, California experienced the driest three-year period on record. In 2023, this prolonged drought was met with a series of atmospheric rivers and a bomb cyclone that brought significant amounts of rain and snow, leading to widespread flooding, property damage, and evacuation orders for tens of thousands of residents.

**While the need for water supply and flood protection infrastructure is evident, getting these critical, timely projects approved and built can be a significant challenge.** Even after the California Environmental Quality Act (CEQA) process is complete, the permitting process can be mired in delays caused by overlapping jurisdictions of state and federal agencies, confusion over what's required for a completed application, and state agency and project applicant staffing issues. As delays occur, costs increase, and depending on the size of the project, delays can ultimately cost water rate payers and taxpayers tens of millions of dollars. This regulatory gridlock can also lead to worse environmental outcomes and delay projects that will benefit the environment.

### How SB 23 Can Help

SB 23 would streamline the regulatory permitting of water supply and flood risk reduction projects in four ways:

- 1 Reform the process by which an application for a Section 401 Water Quality Certification is deemed complete;
- 2 Require the review and approval of Section 401 Water Quality Certifications and Lake and Streambed Alteration Agreements to be completed within 180 days of submittal of a complete permit application;
- 3 Avoid duplicative planning efforts by allowing certain watershed management plans that are already developed and implemented to be used for mitigation required through Section 401 Water Quality Certifications; and
- 4 Allow project applicants to voluntarily contribute resources to state permitting agencies in order to provide agencies with additional resources to meet the permitting deadlines established in the bill.

## SB 23 Answers Governor Newsom's Call To Action

In August 2022, Governor Gavin Newsom unveiled a set of actions for increasing and diversifying California's water supply. The "Water Supply Strategy: Adapting to a Hotter, Drier Future" calls for a modernization of the state's water system through major investments in infrastructure to create new sources of water supply. The plan also sets specific goals for increasing the amount of water that is stored above and below ground, recycled and reused, and making new water available for use by capturing stormwater and desalinating ocean water and salty water in groundwater basins.

The "Water Supply Strategy" identifies permitting delays as a problem that must be addressed and calls on the Legislature to streamline processes so projects can be planned, permitted, and built more quickly, while still protecting the environment.

**SB 23 answers this call to action by proposing specific ideas for how California can streamline the regulatory permitting process for water supply and flood risk reduction projects without compromising environmental protection.** This bill would set deadlines for processing applications for a multitude of projects, reduce duplicative planning efforts, broaden the use of existing streamlining tools, and provide permitting agencies with additional resources to meet the requirements of this bill.

## Building 21st Century Infrastructure for a 21st Century Climate

Past investments in water storage have proven invaluable in managing extended periods of dry conditions. But we must recognize that new challenges require comprehensive, long-term solutions that will meet the needs of California's communities, economy, and environment through the 21st century. This means integrating modern infrastructure into multi-benefit water management approaches to improve water supply reliability and ecosystem resiliency.

SB 23 would streamline projects that utilize natural infrastructure, such as groundwater recharge to help achieve sustainable groundwater management. Regions of California, long dependent on imported water supplies, are making substantial investments in projects that will create new sources of supply. SB 23 will help accelerate recycled water, desalination, and stormwater capture projects so that these regions have access to a drought-proof sustainable supply of high-quality water.

**Streamlining projects incentivizes investment in water projects. Infrastructure investments not only prepare California for a changing climate, they generate jobs and contribute to state and local economies through taxes and purchasing of products and services.**

## URGENCY FOR INFRASTRUCTURE



### DROUGHT RESILIENCE

Water and land managers throughout California are facing steep challenges. The Sierra snowpack supplies about 30 percent of California's water storage, and climate scientists project by the 2040's the snowpack could disappear for years at a time. Prolonged droughts are straining our reservoirs and groundwater basins. The state needs more projects that capture, store, and recycle water amid declining opportunities for conservation and a rapidly changing climate.



### FLOOD PROTECTION

Intensified atmospheric rivers can bring large accumulations of rain and snowfall causing severe flooding that disrupts travel and forces people to evacuate their homes. Warmer temperatures due to climate change increase the amount precipitation that is possible, and late-season warmer, wetter storms can cause rapid melting of snowpack and the overwhelming of water and flood protection infrastructure. This year's storms illustrate the importance of widespread bolstering of flood risk reduction projects that protect life and property.