



March 15, 2022

Honorable Kevin Mullin
California State Assembly
1021 O Street, Suite 8320
Sacramento, CA 95814

RE: AB 2362 (Mullin) – SUPPORT IF AMENDED

Dear Assemblymember Mullin:

On behalf of the State Water Contractors (SWC), I am pleased to inform you that we will support your AB 2362, which would require the Natural Resources Agency – in consultation with the State Water Resources Control Board, the Department of Food and Agriculture, and CalEPA, to establish an interagency working group by July 1, 2023 to accelerate and streamline permitting for ecosystem restoration and climate adaptation projects, **if it is amended as described below.**

The SWC is an organization representing 27 of the 29 public water entities that hold contracts with the California Department of Water Resources for the delivery of State Water Project water. Collectively, the SWC members provide a portion of the water supply delivered to approximately 27 million Californians, roughly two-thirds of the state’s population, and to more than 750,000 acres of irrigated agriculture. Water supply delivered to the Bay Area, San Joaquin Valley, Central Coast, and Southern California from the State Water Project is diverted from the Sacramento-San Joaquin River Delta.

We wholeheartedly agree with the conceptual approach for accelerating and streamlining permitting for ecosystem restoration and climate adaptation projects embodied in your AB 2362. Too often, important opportunities to advance meaningful ecosystem restoration efforts are unnecessarily delayed as a result of conflicting or redundant permit requirements. We are pleased that your AB 2362 would focus on interagency coordination to consolidate guidance and direction, and provide for opportunities to avoid inadvertent conflicts and redundancies in the permitting process.

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Not only does the SWC support restoration of floodplains, tidal habitats and other wetlands to conserve species and address climate change effects, it is funding the restoration of thousands of acres of habitat as part of DWR's permits to operate the State Water Project. Additionally, the state has been working with various stakeholders in the Delta to develop Voluntary Agreements that present California's water and natural resources communities with a unique opportunity to combine flow and non-flow actions and to collectively study, test and resolve our differences to protect this environmental treasure – ultimately placing the Delta on a path to a healthier ecosystem while realizing more reliable water supplies. Your AB 2362 would provide an important linkage to facilitating streamlined, accelerated, and coordinated processes for undertaking these critical ecosystem restoration and climate adaptation activities.

As you move forward with AB 2362, **we encourage your consideration of the following proposed amendments to the measure to ensure that it maximizes its coordination, collaboration, and streamlining potential:**

- **Include a definition of “ecosystem restoration and climate adaptation projects” in the measure.** We understand that previous legislation in this streamlining space was limited to “coastal adaptation projects that use natural infrastructure,” and we would appreciate your consideration of amendments to provide greater clarity that the provisions of AB 2362 would be applicable to all aquatic-based ecosystem restoration and climate adaptation projects – not solely coastal projects. Important floodplain, gravel restoration, passage and other projects in upstream reaches of the watershed are critical for salmon populations.
- **Add the California Department of Fish and Wildlife, Delta Stewardship Council, the Bay Conservation and Development Commission, the California Water Commission, and other permit-issuing agencies, departments, boards, commissions, and offices to the coordination processes.** To ensure a truly coordinated and collaborative approach to accelerating and streamlining permitting, it is essential that all of the relevant permit-issuing bodies are engaged in the process.
- **Add timeframes for coordinated action on permit streamlining activities.** It is one thing to encourage and require coordination and collaboration of permitting processes; however, if the length of time that it takes an ecosystem restoration or climate adaptation project to advance through the permitting process is not meaningfully accelerated, then the objectives of the process will not be fully achieved.

With these amendments to AB 2362, the SWC could consider supporting your measure. We look forward to working with you and your staff to shape appropriate amendment language to memorialize these proposed modifications.

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Please don't hesitate to contact me at jpierre@swc.org or at (707) 280-9673, or SWC's legislative advocate Glenn Farrel at glenn@gfadfocacy.com or (916) 216-1747, if you have any questions regarding the SWC's position on AB 2362.

Sincerely,



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State Water Contractors



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