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AB-692 Lake Wohlford Dam: grant funding: liquidation. (2021-2022)

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Assembly Bill No. 692

CHAPTER 301

An act relating to flood management, and making an appropriation therefor.

[Approved by Governor September 24, 2021. Filed with Secretary of State September 24, 2021.]

LEGISLATIVE COUNSEL'S DIGEST

AB 692, Waldron. Lake Wohlford Dam: grant funding: liquidation.

Existing law, the Disaster Preparedness and Flood Prevention Bond Act of 2006, approved by the voters as Proposition 1E at the November 7, 2006, statewide general election, authorizes the issuance of bonds in the amount of \$4,090,000,000 for the purposes of financing disaster preparedness and flood prevention projects. The act makes \$300,000,000 of that amount available, upon appropriation to the Department of Water Resources, for grants for stormwater flood management projects, as specified. Existing law appropriates \$300,000,000 to the department for those purposes and requires those funds to be available for encumbrance until June 30, 2020, and for liquidation until June 30, 2023.

This bill would instead make those funds that were appropriated to the department and allocated to the City of Escondido for use on the Lake Wohlford Dam project available for liquidation until June 30, 2028, if the City of Escondido uses a skilled and trained workforce for the Lake Wohlford Dam project. By extending the period of time in which funds encumbered under an existing appropriation may be liquidated, the bill would make an appropriation.

This bill would make legislative findings and declarations as to the necessity of a special statute for the County of San Diego.

Vote: majority Appropriation: yes Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. The Legislature finds and declares the following:

- (a) The Lake Wohlford Dam in the County of San Diego is an important water storage and flood protection facility.
- (b) The Lake Wohlford Dam was constructed in 1895 as one of the first rock fill dams in California with a height of 76 feet and a capacity of approximately 3,500-acre feet of water.
- (c) In 1924, the capacity was increased to approximately 6,500-acre feet with the addition of 24 feet of hydraulic fill, silt, clay, and sand on top of the rock fill portion of the dam.
- (d) In 2007, the Federal Energy Regulatory Commission (FERC) required liquefaction studies to be done on Lake Wohlford and concluded, based upon those studies, that the fill portion of the dam might not be safe during a maximum (magnitude 7.5) earthquake event.

(e) Since the 2007 finding, the level of the dam has been reduced to the equivalent storage capacity of the original rock fill portion of the dam.

(f) In 2012, a grant of \$14,900,000 was awarded to the City of Escondido through Proposition 1E funds to pay for 50 percent of the costs of a "Lake Wohlford Dam Seismic Strengthening Project."

(g) Since it was awarded the grant, the city has been working with FERC, the Department of Water Resources Division of Safety of Dams, the Department of Fish and Wildlife, and other regulatory entities to determine the best course of action for repair or replacement of the dam.

(h) Completion of the repair or replacement of the dam is important for water availability, flood protection, and reduced demand for water from other regions to meet the needs of the residents served by this dam.

(i) Cost escalation on the various alternatives and protracted discussions with partner organizations have created significant delays in the project.

(j) Replacement of the dam cannot occur prior to the deadline for expending the Proposition 1E grant funds provided to the city.

(k) In recognition of these findings, it is the intent of the Legislature to extend the time period for expenditure of this Proposition 1E grant for five additional years to the year 2028.

SEC. 2. Notwithstanding Provision 7 of Item 3860-301-6052 of Section 2.00 of the Budget Act of 2015 (Chapter 10 of the Statutes of 2015), the moneys appropriated in Item 3860-301-6052 of Section 2.00 of the Budget Act of 2015 (Chapter 10 of the Statutes of 2015) that have been allocated to the City of Escondido for use on the Lake Wohlford Dam project are available for liquidation until June 30, 2028, if the City of Escondido uses a skilled and trained workforce, as defined in Section 2601 of the Public Contract Code, for the Lake Wohlford Dam project.

SEC. 3. The Legislature finds and declares that a special statute is necessary and that a general statute cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution because of the unique need of the Lake Wohlford Dam as a water storage and flood protection facility for the County of San Diego.