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**SB-539 Sepulveda Basin: planning process: nature-based climate solutions.** (2023-2024)

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**Senate Bill No. 539**

**CHAPTER 490**

An act relating to the Sepulveda Basin.

[ Approved by Governor October 08, 2023. Filed with Secretary of State October 08, 2023. ]

**LEGISLATIVE COUNSEL'S DIGEST**

SB 539, Stern. Sepulveda Basin: planning process: nature-based climate solutions.

The Regional Planning Law provides that the people of California have a fundamental interest in the orderly development of the urban regions of the state in which large segments of the state's population are concentrated. Existing law requires, in order to facilitate effective and harmonious planning and development of an area included in a regional planning district, all county and city legislative bodies, and all county, city, or other planning agencies within the regional planning district to file with the regional planning board, for its information, among other things, all published development plans.

Existing law establishes in the Natural Resources Agency the Department of Water Resources and the Santa Monica Mountains Conservancy. Existing law authorizes the department, either independently or in cooperation with any person or any county, state, federal, or other agency, to collect hydrologic data necessary for river forecasting, to make forecasts of stream flow, to provide for flood warning, and to provide for communication necessary for the collection and dissemination of that information. Existing law authorizes the conservancy to award grants or make interest-free loans to cities, counties, resource conservation districts, and recreation and park districts for the purpose of restoring areas which, because of scattered ownerships, poor lot layout, inadequate lot size, inadequate park and open space, incompatible land uses, or other conditions, are adversely affecting the Santa Monica Mountains environment or are impeding orderly development.

This bill would require the department and the conservancy to provide assistance to the City of Los Angeles and the United States Army Corps of Engineers, to the extent requested, in order to integrate nature-based climate solutions, as defined, into the planning process for the Sepulveda Basin, as defined.

This bill would make legislative findings and declarations as to the necessity of a special statute for the Sepulveda Basin.

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

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

**SECTION 1.** The Legislature finds and declares all of the following:

(a) Encompassing over 2,000 acres and nearly eight miles of the Los Angeles River and its tributaries, the Sepulveda Basin serves as an asset for the entire City of Los Angeles.

(b) The Sepulveda Basin is a federally owned flood management facility managed by the United States Army Corps of Engineers, and is home to a protected wildlife area, multiple recreational facilities, and a water reclamation facility.

(c) It is also a biodiversity hotspot. Historically, the Los Angeles River and its watershed have provided critical wildlife habitat for many native plants and animals. The Sepulveda Basin provides refuge for several threatened and endangered species, and species of special concern, and supports over 200 species of birds.

(d) The worsening effects of climate change pose new land management challenges that require the preservation and protection of existing open space, and the rehabilitation of lands that have been developed, through policies that promote natural geomorphic processes and ecosystem functions. Nature-based climate solutions and rewilding can build climate resilience and reduce overall climate change impacts.

(e) A November 2022 study by the University of California, Irvine shows that the Sepulveda Basin no longer has capacity to fully protect surrounding and downstream communities in a 100-year storm event.

(f) Floodplain reclamation, watershed restoration, and groundwater recharge would create new and much-needed safeguards against drought and floods.

(g) On April 29, 2019, Governor Gavin Newsom signed Executive Order No. N-10-19 that created California's Water Resilience Portfolio, declaring state leadership essential to restore the environmental health of our river systems, prioritizing multibenefit projects and the use of natural infrastructure, such as floodplains, and enabling the state to facilitate projects of statewide importance through collaboration.

(h) On October 7, 2020, Governor Gavin Newsom signed Executive Order No. N-82-20 making it the state goal to conserve at least 30 percent of California's land and coastal waters by 2030 and calling for accelerated use of nature-based climate solutions that deliver on California's climate change goals.

(i) The 2021 California Climate Adaptation Strategy, required by Assembly Bill 1482 (Chapter 603 of the Statutes of 2015), links together the state's sector-specific plans and is organized around outcome-based priorities, goals, and actions. The priorities include, but are not limited to, partnering and collaborating to leverage resources; accelerating nature-based climate solutions and strengthening climate resilience of natural systems; and bolstering public health and safety to protect against increasing climate risks.

(j) On May 18, 2021, the Department of Water Resources signed a memorandum of understanding with the United States Army Corps of Engineers to collaborate on engineering with nature, and to facilitate planning and implementation of natural and nature-based infrastructure projects in California in accordance with the state's Water Resilience Portfolio and the department's environmental stewardship policy.

(k) On March 28, 2022, Governor Gavin Newsom signed Executive Order No. N-7-22 directing state agencies to collaborate with tribes and federal, regional, and local agencies on actions related to promoting groundwater recharge and increasing storage.

(l) The Budget Act of 2022 included \$750 million in new funding to advance the state's 30x30 land conservation program. This funding will enable local and regional groups to expand environmental conservation across the state and expand practices that meet our climate, biodiversity, and equitable access goals.

(m) It is therefore in the state's interest to ensure that actions and resources support restoration of the Sepulveda Basin in a manner consistent with state policies and priorities described in this section.

**SEC. 2.** (a) For purposes of this section, the following terms apply:

(1) "Nature-based climate solutions" means activities, such as restoration, conservation, and land management actions, that provide protection from climate impacts and increase net carbon sequestration or reduce greenhouse gas emissions in natural and working lands.

(2) "Sepulveda Basin" means the approximately 2,000 acres of land owned and operated by the federal government as a flood management facility, north of Highway 101, west of Route 405, south of Victory Boulevard, and east of White Oak Avenue.

(b) The Department of Water Resources and the Santa Monica Mountains Conservancy shall provide assistance to the City of Los Angeles and the United States Army Corps of Engineers, to the extent requested, in order to integrate nature-based climate solutions into the planning process for the Sepulveda Basin.

**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 circumstances of the location of the Sepulveda Basin near the City of Los Angeles and its critical wildlife habitat for many native plants and animals.