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AB-269 Dam Safety and Climate Resilience Local Assistance Program. (2025-2026)

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CALIFORNIA LEGISLATURE— 2025–2026 REGULAR SESSION

ASSEMBLY BILL

NO. 269

Introduced by Assembly Member Bennett

January 17, 2025

An act to amend Section 6700 of the Water Code, relating to dams.

LEGISLATIVE COUNSEL'S DIGEST

AB 269, as introduced, Bennett. Dam Safety and Climate Resilience Local Assistance Program.

Existing law provides for the regulation and supervision of dams and reservoirs by the state, and requires the Department of Water Resources, under the police power of the state, to supervise the construction, enlargement, alteration, repair, maintenance, operation, and removal of dams and reservoirs for the protection of life and property, as prescribed. Existing law requires the department to, upon appropriation by the Legislature, develop and administer the Dam Safety and Climate Resilience Local Assistance Program to provide state funding for repairs, rehabilitation, enhancements, and other dam safety projects at existing state jurisdictional dams and associated facilities that were in service prior to January 1, 2023, subject to prescribed criteria.

This bill would include the removal of project facilities as additional projects eligible to receive funding under the program.

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

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

SECTION 1. Section 6700 of the Water Code is amended to read:

6700. (a) (1) The department shall, upon appropriation by the Legislature, develop and administer the Dam Safety and Climate Resilience Local Assistance Program established pursuant to this section. The purpose of the program shall be to provide state funding for repairs, *removal of project facilities*, rehabilitation, enhancements, and other dam safety projects at existing state jurisdictional dams and associated facilities that were in service prior to January 1, 2023.

(2) Before disbursing grant funds pursuant to this part, the department shall develop and adopt program guidelines and project solicitation documents. Any guidelines and project solicitation documents developed pursuant to this section are not subject to Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code.

(b) Dam safety and enhancement projects eligible to receive funding under the program include the following:

- (1) Dam repairs to allow water storage to full capacity.
- (2) New spillway and spillway repair projects at existing dams.
- (3) Dam and reservoir seismic retrofit projects.
- (4) Enhancement of water supply and downstream flood risk reduction such as implementation of Forecast-Informed Reservoir Operations.
- (5) One-time projects to remove sediment resulting from wildfires or extraordinary storm events.
- (6) Improvements to dam appurtenances to address dam safety-related deficiencies identified by the department.

(7) Removal of project facilities.

(c) Upon appropriation by the Legislature, funds shall be available to the department to provide grants to owners of state jurisdictional dams for dam safety projects that provide the following public benefits, in order of priority:

- (1) Protection of public safety.
- (2) Restoration of water storage.
- (3) Flood risk reduction.
- (4) Enhancement of water supply reliability.
- (5) Enhancement, protection, or restoration of habitat for fish and wildlife.
- (6) Protection of water quality.

(d) The department shall not award any funds under this section for raising dams, increasing reservoir space, or otherwise increasing water impoundment.

(e) A grant cost share of at least 50 percent shall be required for projects funded pursuant to this part. Federal funding and other state loans and grants may be used as grant cost share. The department may waive or reduce the grant cost share if it would cause extreme financial hardship to the grant recipient and the dam poses an unacceptable public safety risk.