

## Assembly Bill No. 930

### CHAPTER 619

An act to amend Sections 34 and 155 of the Sacramento Area Flood Control Agency Act (Chapter 510 of the Statutes of 1990), relating to flood management.

[Approved by Governor October 13, 2007. Filed with  
Secretary of State October 13, 2007.]

#### LEGISLATIVE COUNSEL'S DIGEST

AB 930, Jones. Sacramento Area Flood Control Agency: projects.

(1) The Sacramento Area Flood Control Agency Act grants to the Sacramento Area Flood Control Agency, which is an agency created pursuant to a joint exercise of powers agreement, the authority to impose assessments or special taxes, and issue bonds, to finance projects in accordance with specified laws. "Project" is defined for the purposes of the act to mean the acquisition, construction, or operation of any flood control facility authorized under the agreement, and not inconsistent with the act, including the acquisition of rights-of-way.

This bill would expand that definition to include the acquisition of easements. The bill would require that the acquisition of rights-of-way and easements outside the agency's boundaries be consistent with applicable county plans, including county general plans, and the State Plan of Flood Control. The bill would provide that nothing in the act authorizes the agency to exercise the power of eminent domain outside its boundaries, alters the existing powers granted to members of the agreement, or precludes the acquisition of time-limited easements.

(2) The existing act requires revenues derived from fees prescribed pursuant to its provisions for any area to only be used for flood control projects within that area.

This bill would instead require revenues derived from those fees for any area to only be used for flood control projects that protect that area.

*The people of the State of California do enact as follows:*

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

(a) The top priority of the Sacramento Area Flood Control Agency should be to undertake and complete the capital improvement projects that serve as the backbone of the Sacramento area flood control network.

(b) When used in conjunction with these capital improvement projects, easements and other nonstructural flood control projects provide important

and cost-effective tools for the Sacramento Area Flood Control Agency to use to augment the Sacramento region's system of flood protection.

SEC. 2. Section 34 of the Sacramento Area Flood Control Agency Act (Chapter 510 of the Statutes of 1990) is amended to read:

Sec. 34. (a) "Project" means the acquisition, construction, maintenance, or operation of any flood control facility authorized under the agreement and not inconsistent with this act, including, but not limited to, acquisition of rights-of-way and easements and payment of incidental expenses.

(b) Nothing in this section, or any other provision of this act, authorizes the agency to exercise the power of eminent domain outside its boundaries.

(c) Participation in a project includes making payments or other contributions pursuant to any contract entered into with another governmental agency that requires the other governmental agency to perform work on a project.

(d) The acquisition of rights-of-way and easements outside of the agency's boundaries shall be consistent with applicable county plans, including county general plans, and the State Plan of Flood Control.

(e) This section does not alter the existing powers granted to members of the agreement.

(f) This section does not preclude the acquisition of time-limited easements.

SEC. 3. Section 155 of the Sacramento Area Flood Control Agency Act (Chapter 510 of the Statutes of 1990) is amended to read:

Sec. 155. Revenues derived from fees prescribed pursuant to this chapter for any area may be used only for the acquisition, engineering, design, construction, reconstruction, maintenance, or operation of flood control projects that protect that area, or used to pay the debt service on, or reduce the principal of, any bonded indebtedness of that area.