



May 13, 2016

Honorable Mark Leno, Chair
Senate Budget and Fiscal Review Committee

Attention: Mr. Mark Ibele, Staff Director (2)

Honorable Phil Ting, Chair
Assembly Budget Committee

Attention: Mr. Christian Griffith, Chief Consultant (2)

Amendment to Budget Bill Item 3100-001-0267, Support, California Science Center

Increased Contract Costs—It is requested that Item 3100-001-0267 be increased by \$515,000 to provide funding for increased parking and landscaping contracts for the California Science Center, Office of Exposition Park Management (Expo Park). Expo Park is requesting \$335,000 to fund a new parking operator contract beginning July 1, 2016 and \$180,000 for a 12-month period to reflect increased landscaping costs. These increases are due to additional costs and workload requirements on parking and landscape contractors, whose services are needed to maintain the property at Expo Park.

The effect of my requested action is reflected on the attachment.

If you have any questions or need additional information regarding this matter, please call Amanda Martin, Principal Program Budget Analyst, at (916) 324-0043.

MICHAEL COHEN
Director
By:

/s/ Amy M. Costa

AMY M. COSTA
Chief Deputy Director

Attachment

cc: On following page

cc: Honorable Ricardo Lara, Chair, Senate Appropriations Committee
Attention: Mr. Mark McKenzie, Staff Director
Honorable Jim Nielsen, Vice Chair, Senate Budget and Fiscal Review Committee
Attention: Vacant, Appropriations Fiscal Director
Attention: Mr. Kirk Feely, Budget Fiscal Director
Honorable Lorena Gonzalez, Chair, Assembly Appropriations Committee
Attention: Mr. Pedro R. Reyes, Chief Consultant
Honorable Jay Obernolte, Vice Chair, Assembly Budget Committee
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Mr. Mac Taylor, Legislative Analyst (4)
Mr. Craig Cornett, Senate President pro Tempore's Office (2)
Mr. Christopher W. Woods, Assembly Speaker's Office (2)
Mr. Seren Taylor, Director of Strategic Policy, Assembly Republican Leader's Office
Mr. Jim Richardson, Policy and Fiscal Director, Assembly Republican Leader's Office
Mr. Patrick Kemp, Assistant Secretary of Administration and Finance, Natural Resources Agency
Mr. Jeffery Rudolph, Executive Director, California Science Center
Ms. Ana Lasso, General Manager, Office of Exposition Park Management
Ms. Patty Marquez, Budget Officer, California Science Center



DEPARTMENT OF
FINANCE
OFFICE OF THE DIRECTOR

EDMUND G. BROWN JR. ■ GOVERNOR

STATE CAPITOL ■ ROOM 1145 ■ SACRAMENTO CA ■ 95814-4998 ■ WWW.DOF.CA.GOV

May 13, 2016

Honorable Mark Leno, Chair
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Attention: Mr. Mark Ibele, Staff Director (2)

Honorable Phil Ting, Chair
Assembly Budget Committee

Attention: Mr. Christian Griffith, Chief Consultant (2)

Amendment to Budget Bill Item 3340-001-8080, Support, California Conservation Corps

Technical Adjustment—It is requested that Item 3340-001-8080 be increased by \$10,000 to provide a technical adjustment for program delivery costs that were inadvertently omitted when preparing the Governor's Budget.

The effect of my requested action is reflected on the attachment.

If you have any questions or need additional information regarding this matter, please call Amanda Martin, Principal Program Budget Analyst, at (916) 324-0043.

MICHAEL COHEN
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/s/ Amy M. Costa

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Mr. Seren Taylor, Director of Strategic Policy, Assembly Republican Leader's Office
Mr. Jim Richardson, Policy and Fiscal Director, Assembly Republican Leader's Office
Mr. Patrick Kemp, Assistant Secretary of Administration and Finance, Natural Resources Agency
Mr. Bruce Saito, Director, California Conservation Corps
Ms. Amy Cameron, Chief Deputy Director, California Conservation Corps
Ms. Dawne Bortolazzo, Chief of Administrative Services, California Conservation Corps
Ms. Sui Lim, Budget Officer, California Conservation Corps



May 13, 2016

Honorable Mark Leno, Chair
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Honorable Phil Ting, Chair
Assembly Budget Committee

Attention: Mr. Christian Griffith, Chief Consultant (2)

Addition of Budget Bill Item 3360-001-0115, and Eliminate Item 3360-001-3237, Support, Energy Resources Conservation and Development Commission

Clean Energy and Pollution Reduction Act of 2015 (SB 350) Fund Shift—It is requested that Item 3360-001-0115 be added in the amount of \$7,646,000 and 26.5 positions and Item 3360-001-3237 be eliminated to support the Energy Commission in the implementation of SB 350. It is also requested that Budget Bill language be adopted to authorize the use of Air Pollution Control Fund penalty monies for this purpose on a one-time basis (see Attachment 1).

The effect of my requested action is reflected on the attachment.

If you have any questions or need additional information regarding this matter, please call Ellen Moratti, Principal Program Budget Analyst, at (916) 324-0043.

MICHAEL COHEN
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By:

/s/ Amy M. Costa

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Mr. Christopher W. Woods, Assembly Speaker's Office (2)
Mr. Seren Taylor, Director of Strategic Policy, Assembly Republican Leader's Office
Mr. Jim Richardson, Policy and Fiscal Director, Assembly Republican Leader's Office
Mr. Patrick Kemp, Assistant Secretary for Administration and Finance, Natural Resources Agency
Mr. Mark Hutchinson, Deputy Director, Administrative Services, Energy Resources Conservation
and Development Commission
Ms. Melanie Vail, Budget Officer, Energy Resources Conservation and Development Commission

3360-001-0115—For support of State Energy Resources
Conservation and Development Commission,
payable from the Air Pollution Control Fund7,646,000
Schedule:
(1) 2380019-Electricity Analysis..... 496,000
(2) 2385010-Building and Appliances..... 4,107,000
(3) 2385028-Demand Analysis..... 1,214,000
(4) 2390028-Renewable Energy..... 1,829,000

Provisions:

1. The amount appropriated in this item includes revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.
2. Notwithstanding any other provision of law, of the amount appropriated in this item, \$7,646,000 shall be from penalty revenues that are subject to separate accounting in accordance with Health and Safety Code Sections 38580, 39674-39675, 42400-42410, 43025-43031.5, 43154, 43211, and 43212. These funds shall be available to support the Energy Commission in the implementation of Chapter 547 of the Statutes of 2015.



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Honorable Phil Ting, Chair
Assembly Budget Committee

Attention: Mr. Christian Griffith, Chief Consultant (2)

Addition of Budget Bill Item 3540-004-0001, Support, Department of Forestry and Fire Protection

Helicopter Procurement—It is requested that Item 3540-004-0001 be added in the amount of \$12 million to initiate helicopter procurement, pending an accepted winning bid. Budget Bill language is requested to allow augmentation of this item once the fiscal year 2016-17 costs are known and after notification to the Legislature (see Attachment 1). This proposal will initiate the multi-year process of replacing the Department of Forestry and Fire Protection's aging fleet of 12 helicopters.

The effect of my requested action is reflected on the attachment.

If you have any questions or need additional information regarding this matter, please call Amanda Martin, Principal Program Budget Analyst, at (916) 324-0043.

MICHAEL COHEN
Director
By:

/s/ Amy M. Costa

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Chief Deputy Director

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Mr. Seren Taylor, Director of Strategic Policy, Assembly Republican Leader's Office
Mr. Jim Richardson, Policy and Fiscal Director, Assembly Republican Leader's Office
Mr. Patrick Kemp, Assistant Secretary for Administration and Finance, Natural Resources Agency
Ms. Janet Barentson, Deputy Director, Department of Forestry and Fire Protection
Ms. Melissa Gamer, Budget Officer, Department for Forestry and Fire Protection

3540-004-0001—For support of Department of Forestry and Fire Protection
..... 12,000,000

Schedule:

(1) 2465-Fire Protection 12,000,000

Provisions:

1. Funds appropriated in this item are for the procurement of replacement helicopters, related support costs and to pay procurement fees. The Department of Forestry and Fire Protection shall notify the Legislature at least 30 days prior to award of the contract on the helicopter model being acquired, the per unit cost, procurement cost by fiscal year, and when the aircraft will be delivered. The Department of Finance may augment this item consistent with the pending contract award procurement cost for fiscal year 2016-17 and associated procurement fees. The funds shall not be approved sooner than 30 days after the notification in writing of the necessity therefor to the chairperson of the committee in each house that considers appropriations and the Chairperson of the Joint Legislative Budget Committee, or such lesser time as the chairpersons of the committees, or their designees, may in each instance jointly determine.

2. Notwithstanding any other provision of law or administrative procedure, the Department of Finance may augment this item for costs associated with studies, acquisition, preliminary plans, and working drawings for helicopter facility modifications related to the procurement of replacement helicopters. The funds shall not be approved sooner than 30 days after the notification in writing to the chairperson of the committee in each house that considers appropriations and the Chairperson of the Joint Legislative Budget Committee, or such lesser time as the chairpersons of the committees, or their designees, may in each instance jointly determine.



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Honorable Phil Ting, Chair
Assembly Budget Committee

Attention: Mr. Christian Griffith, Chief Consultant (2)

Addition of Budget Bill Items 3600-011-0321 and 3600-401, Support, Trailer Bill Language, Department of Fish and Wildlife

Renewable Resources Trust Fund Loan Repayment—It is requested that Item 3600-011-0321 be added to reflect a loan of \$3,461,000 from the Oil Spill Response Trust Fund to the Renewable Energy Resources Development Fee Trust Fund with provisional language specifying that the loan is to be repaid with fees collected for mitigation actions developed and approved by the Department of Fish and Wildlife pursuant to Fish and Game Code section 2069 (see Attachment 1). Chapter 9, Statutes of 2010 established the Renewable Energy Resources Development Fee Trust Fund and authorized a \$10 million loan from the Renewable Resources Trust Fund. Loan repayment was due December 31, 2013. At the time, the fund did not have sufficient funds to repay the loan in full; therefore, a partial repayment of \$6,539,000 was processed. The loan authority in this request will enable the Department of Fish and Wildlife to repay the balance of the loan from 2010, while continuing to solicit mitigation credits.

Extension of Loan Repayment—It is requested that Item 3600-401 be added to reflect the extension of a portion of the General Fund loan repayment to the Oil Spill Response Trust Fund (see Attachment 2). This proposal extends the repayment of \$35 million of the \$40 million Oil Spill Response Trust Fund transferred to the General Fund as a loan pursuant to Provision 1, Item 3600-011-0321, Budget Act of 2010 as added by Chapter 13, Statutes of 2011, and extended by Item 3600-401, Budget Act of 2013 (Chapter 20, Statutes of 2013).

Trailer Bill Language for Oil Spill Response Trust Fund—It is requested that trailer bill language be adopted to amend Government Code section 8670.48.3 to release the obligation of the State Oil Spill Administrator to collect oil spill response fees otherwise required to maintain the fund balance and to update the required dates for repayment of loans (see Attachment 3). The proposed language reflects necessary provisions for the proposals that are included in May Revision.

The effect of my requested action is reflected on the attachment.

If you have any questions or need additional information regarding this matter, please call Amanda Martin, Principal Program Budget Analyst, at (916) 324-0043.

MICHAEL COHEN
Director
By:

/s/ Amy M. Costa

AMY M. COSTA
Chief Deputy Director

Attachment

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Mr. Christopher W. Woods, Assembly Speaker's Office (2)
Mr. Seren Taylor, Director of Strategic Policy, Assembly Republican Leader's Office
Mr. Jim Richardson, Policy and Fiscal Director, Assembly Republican Leader's Office
Mr. Patrick Kemp, Assistant Secretary for Administration and Finance, Natural Resources Agency
Mr. Bryan Cash, Deputy Assistant Secretary, Natural Resources Agency
Mr. Gabe Tiffany, Deputy Director, Administration Division, Department of Fish and Wildlife
Mr. Dan Reagan, Budget Officer, Department of Fish and Wildlife

3600-011-0321—For transfer by the Controller, upon order of the Director of Finance, from the Oil Spill Response Trust Fund to the Renewable Energy Resources Development Fee Trust Fund.....(3,461,000)

Provisions:

1. The amount transferred in this item is a loan that shall be used to repay the balance of the \$10,000,000 loan that was made from the Renewable Resources Trust Fund to the Renewable Energy Resources Development Fee Trust Fund pursuant to Section 2099 of the Fish and Game Code and Chapter 9, Statutes of 2010, as amended by Chapter 559, Statutes of 2012.
2. Notwithstanding any other provision of law, the Department of Fish and Wildlife shall repay the amount transferred in this item to the Oil Spill Response Trust Fund upon receipt of sufficient revenues in the Energy Resources Development Fee Trust Fund.

Attachment 2

3600-401—Notwithstanding Provision 1 of Item 3600-011-0321 of the Budget Act of 2010 as added by Chapter 13 of the Statutes of 2011, and Item 3600-401 of the Budget Act of 2013, Chapter 20, Statutes of 2013, of the \$40,000,000 loan to the General Fund, \$35,000,000 will be repaid in the 2018-19 fiscal year, upon order of the Director of Finance.

SEC. X Section 8670.48.3 of the Government Code is amended to read:

“8670.48.3. (a) Notwithstanding subparagraph (A) of paragraph (1) of subdivision (f) of Section 8670.48, a loan or other transfer of money from the fund to the General Fund or a special fund pursuant to the Budget Act that reduces the balance of the Oil Spill Response Trust Fund to less than or equal to 95 percent of the designated amount specified in subdivision (a) of Section 46012 of the Revenue and Taxation Code shall not obligate the administrator to resume collection of the oil spill response fee otherwise required by this article and, for a General Fund loan or transfer, if both of the following conditions are met:

(1) The annual Budget Act requires a transfer or loan from the fund to the General Fund to be repaid to the fund with interest calculated at a rate earned by the Pooled Money Investment Account as if the money had remained in the fund.

(2) The annual Budget Act requires General Fund transfers or loans to be repaid to the fund on or before June 30, 2017~~2019~~.

(b) A transfer or loan described in subdivision (a) shall be repaid as soon as possible if a spill occurs and the administrator determines that response funds are needed immediately.

(c) If there is a conflict between this section and any other law or enactment, this section shall control.

(d) This section shall become inoperative on July 1, 2017~~2019~~, and, as of January 1, 2018~~2020~~, is repealed, unless a later enacted statute, that becomes operative on or before January 1, 2018~~2020~~, deletes or extends the dates on which it becomes inoperative and is repealed.”



May 13, 2016

Honorable Mark Leno, Chair
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Attention: Mr. Mark Ibele, Staff Director (2)

Honorable Phil Ting, Chair
Assembly Budget Committee

Attention: Mr. Christian Griffith, Chief Consultant (2)

Addition of Budget Bill Item 3780-490, Support, Native American Heritage Commission

Reappropriation—It is requested that Item 3780-490 be added (see Attachment 1) to reflect a reappropriation of \$997,000 General Fund to provide for the completion of a geographical database of California Environmental Quality Act agencies as they pertain to tribal boundaries. The database is required by Chapter 532, Statutes of 2014 (AB 52). This project is behind schedule because of delays that occurred in hiring for these activities. All positions are now filled, and the Native American Heritage Commission is requesting to reappropriate a portion of its current year funding to complete this task.

The effect of my requested action is reflected on the attachment.

If you have any questions or need additional information regarding this matter, please call Amanda Martin, Principal Program Budget Analyst, at (916) 324-0043.

MICHAEL COHEN
Director
By:

/s/ Amy M. Costa

AMY M. COSTA
Chief Deputy Director

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Attention: Mr. Kirk Feely, Budget Fiscal Director
Honorable Lorena Gonzalez, Chair, Assembly Appropriations Committee
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Mr. Christopher W. Woods, Assembly Speaker's Office (2)
Mr. Seren Taylor, Director of Strategic Policy, Assembly Republican Leader's Office
Mr. Jim Richardson, Policy and Fiscal Director, Assembly Republican Leader's Office
Mr. Patrick Kemp, Assistant Secretary of Administration and Finance, Natural Resources Agency
Mr. Bryan Cash, Deputy Assistant Secretary, Natural Resources Agency
Ms. Cynthia Gomez, Tribal Advisor and Assistant Secretary, Native American Heritage
Commission

3780-490—Reappropriation, Native American Heritage Commission. The balances of the appropriations provided in the following citations are reappropriated for the purposes provided for in those appropriations and shall be available for encumbrance or expenditure until June 30, 2017:

0001—General Fund

(1) Item 3780-001-0001, Budget Act of 2015 (Chs. 10 and 11, Stats. 2015)



May 13, 2016

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Senate Budget and Fiscal Review Committee

Attention: Mr. Mark Ibele, Staff Director (2)

Honorable Phil Ting, Chair
Assembly Budget Committee

Attention: Mr. Christian Griffith, Chief Consultant (2)

**Amendment to Budget Bill Item 3790-004-8076 and Addition of Item 3790-490, Support,
Department of Parks and Recreation**

State Parks Relevancy and History Pilot Program—It is requested that Item 3790-004-8076 be increased by \$348,000 State Parks Protection Fund over two years (\$181,000 for fiscal year 2016-17 and \$167,000 for 2017-18) and position authority be increased for two State Park Interpreters for the implementation of a two-year pilot program to update public interpretation at state parks. The Parks Relevancy and History Interpretation Pilot Program will develop a collaborative partnership with University of California, Riverside and Santa Barbara campuses to develop, test, and model well-researched, engaging, and relevant interpretation programming at California Citrus State Historic Park and El Presidio de Santa Barbara State Historic Park. The goal of the pilot is to develop a framework for updating historical and cultural programs throughout the statewide park system.

Extensions of Liquidation—It is requested that Item 3790-490 be added (See Attachment 1) to extend the liquidation period from June 30, 2016 to June 30, 2018 for two local assistance grants in the Habitat Conservation Fund Program that support the acquisition, enhancement, restoration, and development of animal habitats. The two projects originally awarded under Item 3790-101-0262, Budget Act of 2011 (Chapter 33, Statutes of 2011), were pushed back due to technical studies and permit requirements which delayed the construction start date.

The effect of my requested action is reflected on the attachment.

If you have any questions or need additional information regarding this matter, please call Amanda Martin, Principal Program Budget Analyst, at (916) 324-0043.

MICHAEL COHEN

Director

By:

/s/ Amy M. Costa

AMY M. COSTA

Chief Deputy Director

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Mr. Christopher W. Woods, Assembly Speaker's Office (2)
Mr. Seren Taylor, Director of Strategic Policy, Assembly Republican Leader's Office
Mr. Jim Richardson, Policy and Fiscal Director, Assembly Republican Leader's Office
Mr. Patrick Kemp, Assistant Secretary for Administration and Finance, Natural Resources Agency
Mr. Bryan Cash, Deputy Assistant Secretary, Natural Resources Agency
Ms. Lisa Mangat, Director, Department of Parks and Recreation
Ms. Liz McGuirk, Chief Deputy Director, Department of Parks and Recreation
Ms. Helen Carriker, Deputy Director, Administrative Services, Department of Parks and Recreation
Mr. Will Schaafsma, Assistant Deputy Director, Administrative Services, Department of Parks and Recreation
Ms. Jordan Burgess, Budget Officer, Department of Parks and Recreation

Item 3790-490—Reappropriation, Department of Parks and Recreation. Notwithstanding any other provision of law, the period to liquidate encumbrances of the following citations are extended to June 2018.

0262—Habitat Conservation Fund

(1) Item 3790-101-0262, Budget Act of 2011 (Ch. 33, Stats. 2011)

(1) 80.25-Recreational Grants



May 13, 2016

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Attention: Mr. Mark Ibele, Staff Director (2)

Honorable Phil Ting, Chair
Assembly Budget Committee

Attention: Mr. Christian Griffith, Chief Consultant (2)

Amendment to Budget Bill Item 3820-001-0001, Support, San Francisco Bay Conservation and Development Commission

Relocation of the San Francisco Bay Conservation and Development Commission—It is requested that Item 3820-001-0001 be increased by \$350,000 to provide funding to move its offices from its current location in the Hiram Johnson Building to the Regional Agency Headquarters Building. This relocation will allow the Commission to benefit from the efficiencies and improved coordination of being co-located in the same building as many of its partners.

The effect of my requested action is reflected on the attachment.

If you have any questions or need additional information regarding this matter, please call Amanda Martin, Principal Program Budget Analyst, at (916) 324-0043.

MICHAEL COHEN
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Mr. Jim Richardson, Policy and Fiscal Director, Assembly Republican Leader's Office
Mr. Patrick Kemp, Assistant Secretary of Administration and Finance, Natural Resources Agency
Mr. Bryan Cash, Deputy Assistant Secretary, Natural Resources Agency
Mr. Larry Goldzband, Executive Director, San Francisco Bay Conservation and Development
Commission



May 13, 2016

Honorable Mark Leno, Chair
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Honorable Phil Ting, Chair
Assembly Budget Committee

Attention: Mr. Christian Griffith, Chief Consultant (2)

Amendment to Budget Bill Item 3860-001-0001, and Addition of Items 3860-401 and 3860-402, Support, Department of Water Resources

Facilitation Support Services for Groundwater Sustainability Agencies—It is requested that Item 3860-001-0001 be increased by \$1 million to provide facilitation support services to local public agencies seeking to determine effective groundwater sustainability agency governance structures, as required by the Sustainable Groundwater Management Act.

Statewide Agricultural Land Use Data to Support Groundwater Sustainability Agencies—It is requested that Item 3860-001-0001 be increased by \$1 million to support the application of remote sensing technology to establish statewide agricultural land use data critical for groundwater sustainability agencies to estimate agricultural water demand and to develop accurate water budgets required in groundwater sustainability plans.

Drought Preparedness and Resiliency for Urban Water Agencies—It is requested that Item 3860-001-0001 be increased by \$4,260,000 to support activities for improving drought preparedness and resiliency for local urban water agencies and long-term water conservation through Water Shortage Contingency Plan improvements and development of long-term urban water use targets. The State Water Resources Control Board is also requesting funding in a separate finance letter.

Loan Repayment Deferrals—It is requested that Item 3860-401 be added to defer repayment of the \$1.1 million General Fund loan repayment to the California Water Fund, transferred to the General Fund pursuant to Item 3860-013-0144, Budget Act of 2008 (Chapters 268 and 269, Statutes of 2008), and extended by Item 3860-401, Budget Act of 2012 (Chapters 21 and 29, Statutes 2012) (see Attachment 1).

It is requested that Item 3860-402 be added to defer repayment of the \$2.4 million General Fund loan to the Environmental Water Fund, transferred to the General Fund pursuant to Item 3860-013-0244, Budget Act of 2008 (Chapters 268 and 269, Statutes of 2008), and extended by Item 3860-402, Budget Act of 2012 (Chapters 21 and 29, Statutes 2012) (see Attachment 1).

The effect of my requested action is reflected on the attachment.

If you have any questions or need additional information regarding this matter, please call Amanda Martin, Principal Program Budget Analyst, at (916) 324-0043.

MICHAEL COHEN

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Mr. Jim Richardson, Policy and Fiscal Director, Assembly Republican Leader's Office
Mr. Patrick Kemp, Assistant Secretary for Administration and Finance, Natural Resources Agency
Mr. Mark Cowin, Director, Department of Water Resources
Ms. Kathie Kishaba, Deputy Director, Business Operations, Department of Water Resources
Ms. Perla Netto-Brown, Controller, Department of Water Resources
Mr. Duard MacFarland, Budget Officer, Department of Water Resources

3860-401—Notwithstanding Provision 1 of Item 3860-013-0144, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008), and Item 3860-401, Budget Act of 2012 (Chs. 21 and 29, Stats. 2012), the \$1,100,000 loan authorized by that item shall be fully repaid to the California Water Fund by June 30, 2018, upon order of the Director of Finance.

3860-402—Notwithstanding Provision 1 of Item 3860-013-0244, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008), and Item 3860-402, Budget Act of 2012 (Chs. 21 and 29, Stats. 2012), the \$2,400,000 loan authorized by that item shall be fully repaid to the Environmental Water Fund by June 30, 2018, upon order of the Director of Finance.



May 13, 2016

Honorable Mark Leno, Chair
Senate Budget and Fiscal Review Committee

Attention: Mr. Mark Ibele, Staff Director (2)

Honorable Phil Ting, Chair
Assembly Budget Committee

Attention: Mr. Christian Griffith, Chief Consultant (2)

Amendment to and Addition of Various Budget Bill Items, Support, and Trailer Bill Language, Multiple Departments—Integrating Environmental Justice into Disadvantaged Communities and California Pesticide Air Monitoring Network

Integrating Environmental Justice into Disadvantaged Communities

In 2013, the California Environmental Protection Agency (CalEPA) created the Environmental Justice Compliance and Enforcement Working Group (Working Group) to more fully integrate environmental justice into enforcement of environmental laws. Through the Working Group, Cal-EPA and its boards and departments led pilot enforcement and compliance initiatives in two of the most environmentally burdened areas of the state, one in Fresno and another in the Boyle Heights and Pacoima neighborhoods in Los Angeles. The Working Group conducted community outreach, engaged local agency enforcement partners, conducted compliance assistance and inspections, and took actions to return regulated entities to compliance when violations were observed.

These pilot programs had positive results. In addition to correcting violations discovered through inspections, the pilot programs also created conditions that will lead to greater environmental compliance in the future and improved and more coordinated working relationships between the community and the local, state, and federal regulating agencies involved in the initiatives. These pilot projects demonstrate a need for permanent resources to continue and enhance enforcement and compliance activities in disadvantaged communities statewide.

It is requested that various items be increased as follows to address the need for permanent resources to continue and enhance enforcement and compliance activities in disadvantaged communities statewide.

CalEPA—It is requested that Item 0555-001-0028 be increased by \$344,000 and 2 positions to lead and coordinate CalEPA's efforts to improve environmental justice results statewide. It is also requested that trailer bill language be adopted to clarify CalEPA and departmental responsibilities in addressing environmental justice issues (see Attachment 1).

Air Resources Board (ARB)—It is requested that Item 3900-001-0115 be increased by \$140,000 and 1 position to address workload coordinating and monitoring the ARB's environmental justice efforts with CalEPA and other participating departments.

Department of Pesticide Regulation (DPR)—It is requested that Item 3930-001-0106 be increased by \$140,000 and 1 position to address workload coordinating and monitoring the department's environmental justice efforts with CalEPA and other participating departments.

State Water Resources Control Board (SWRCB)—It is requested that Item 3940-001-0439 be increased by of \$140,000 and 1 position to address workload coordinating and monitoring the SWRCB's environmental justice efforts with CalEPA and other participating departments.

Department of Resources Recycling and Recovery —It is requested that the following items be increased to address workload coordinating and monitoring the department's environmental justice efforts with CalEPA and other participating departments:

- Increase Item 3970-001-0100 by \$28,000
- Increase Item 3970-001-0133 by \$28,000
- Increase Item 3970-001-0226 by \$29,000
- Increase Item 3970-001-0387 by \$28,000 and 1 position
- Increase Item 3970-001-3065 by \$27,000

California Pesticide Air Monitoring Network

California's pesticide air monitoring network is currently comprised of six sites that are monitored year round by the DPR and the ARB for various fumigant pesticides. ARB has also conducted seasonal ambient studies for DPR, most recently to determine the effects of DPR's chloropicrin mitigation measures implemented in 2015.

Although the combination of seasonal and year-round air monitoring has done much to improve the understanding of health risks associated with pesticide application, the pesticide air monitoring network is still a limited monitoring network compared to other networks for ozone and fine particulates. This proposal expands the scope of the current year-round pesticide monitoring network from six to eight sites, and also increases the seasonal ambient monitoring studies to three locations. These steps will enable DPR to better assess risk in more of California's communities, especially in environmental justice areas which already bear a disproportionate share of the air pollution burden.

ARB—It is requested that Item 3900-001-0106 be added in the amount of \$463,000 on a two year limited-term basis to expand California's existing year round air monitoring network and seasonal site studies with a focus on environmental justice considerations.

It is requested that Item 3900-001-0115 be increased by \$851,000 on a two year limited-term basis to provide equipment for air monitoring near schools in environmental justice communities. Of this amount, \$715,000 is for equipment purchases and \$136,000 is for limited-term maintenance funding. It is also requested that provisional language be added specifying that Air Pollution Control Fund civil penalties be used for the one-time equipment costs (see Attachment 2).

DPR—It is requested that Item 3930-001-0106 be increased by \$1,024,000 on a two year limited-term basis to expand California's existing year round air monitoring network and seasonal site studies with a focus on environmental justice considerations.

The effect of my requested action is reflected on the attachment.

If you have any questions or need additional information regarding this matter, please call Ellen Moratti, Principal Program Budget Analyst, at (916) 324-0043.

MICHAEL COHEN
Director
By:

/s/ Amy M. Costa

AMY M. COSTA
Chief Deputy Director

Attachment

cc: On following page

cc: Honorable Ricardo Lara, Chair, Senate Appropriations Committee
Attention: Mr. Mark McKenzie, Staff Director
Honorable Jim Nielsen, Vice Chair, Senate Budget and Fiscal Review Committee
Attention: Vacant, Appropriations Fiscal Director
Attention: Mr. Kirk Feely, Budget Fiscal Director
Honorable Lorena Gonzalez, Chair, Assembly Appropriations Committee
Attention: Mr. Pedro R. Reyes, Chief Consultant
Honorable Jay Obernolte, Vice Chair, Assembly Budget Committee
Attention: Mr. Eric Swanson, Staff Director
Honorable Lois Wolk, Chair, Senate Budget and Fiscal Review Subcommittee No. 2
Honorable Richard Bloom, Chair, Assembly Budget Subcommittee No. 3
Mr. Mac Taylor, Legislative Analyst (4)
Mr. Craig Cornett, Senate President pro Tempore's Office (2)
Mr. Christopher W. Woods, Assembly Speaker's Office (2)
Mr. Seren Taylor, Director of Strategic Policy, Assembly Republican Leader's Office
Mr. Jim Richardson, Policy and Fiscal Director, Assembly Republican Leader's Office
Mr. Matthew Rodriguez, Secretary, California Environmental Protection Agency
Mr. Eric Jarvis, Assistant Secretary, Fiscal and Administrative Programs, California Environmental
Protection Agency
Ms. Edie Chang, Deputy Executive Officer, Air Resources Board
Ms. Alice Stebbins, Division Chief, Administrative Services Division, Air Resources Board
Ms. Felicia Marcus, Chair, State Water Resources Control Board
Ms. Pam Biggins, Branch Chief, Budget, Contracts, and Grants Branch, Air Resources Board
Mr. Ken Yu, Manager, Budget Section, Air Resources Board
Mr. Brian Leahy, Director, Department of Pesticide Regulation
Ms. Anise Severns, Assistant Director, Administrative Services Division, Department of Pesticide
Regulation
Mr. Lu Saephanh, Branch Chief, Fiscal Services and Business Operations Branch, Department of
Pesticide Regulation
Mr. Tom Howard, Executive Director, State Water Resources Control Board
Mr. Eric Oppenheimer, Chief Deputy Director, State Water Resources Control Board
Mr. John Russell, Deputy Director, Administrative Services, State Water Resources Control Board
Mr. Bill Damian, Assistant Deputy Director, Administrative Services, State Water Resources
Control Board
Ms. Sue Montoya, Budget Officer, State Water Resources Control Board
Mr. Scott Smithline, Director, Department of Resources Recycling and Recovery
Mr. Ken DaRosa, Chief Deputy Director, Department of Resources Recycling and Recovery
Mr. Tom Estes, Deputy Director, Administration, Finance and Information Technology Services
Division, Department of Resources Recycling and Recovery
Ms. Sarah Keck, Chief, Fiscal Services Branch, Department of Resources Recycling and Recovery
Ms. Olga Garti, Budget Officer, Department of Resources Recycling and Recovery

Government Code section 12812.2

“(a) One of the deputies to the Secretary for Environmental Protection shall be a deputy secretary for law enforcement and counsel, who, subject to the direction and supervision of the secretary, shall have the responsibility and authority to do all of the following:

(1) Develop a program to ensure that the boards, departments, offices, and other agencies that implement laws or regulations within the jurisdiction of the California Environmental Protection Agency take consistent, effective, and coordinated compliance and enforcement actions to protect public health and the environment. The program shall include training and cross-training of inspection and enforcement personnel of those boards, departments, offices, or other agencies to ensure consistent, effective, and coordinated enforcement.

(2) (A) In consultation with the Attorney General, establish a cross-media enforcement unit to assist a board, department, office, or other agency that implements a law or regulation within the jurisdiction of the California Environmental Protection Agency, to investigate and prepare matters for enforcement action in order to protect public health and the environment. The unit may inspect and investigate a violation of a law or regulation within the jurisdiction of the board, department, office, or other agency, including a violation involving more than one environmental medium and a violation involving the jurisdiction of more than one board, department, office, or agency. The unit shall exercise its authority consistent with the authority granted to the head of a department pursuant to Article 2 (commencing with Section 11180) of Chapter 2 of Part 1.

(B) The boards, departments and offices within the California Environmental Protection Agency shall participate in the cross-media enforcement unit established pursuant to this section. The unit, including representatives from the boards, departments and offices, shall focus its activities in disadvantaged communities identified by the California Environmental Protection Agency, through the California Communities Environmental Health Screening Tool. The activities of the unit shall be consistent with Public Resources Code section 71110.

(3) Refer a violation of a law or regulation within the jurisdiction of a board, department, office, or other agency that implements a law or regulation within the jurisdiction of the California Environmental Protection Agency to the Attorney General, a district attorney, or city attorney for the filing of a civil or criminal action.

(4) Exercise the authority granted pursuant to paragraph (3) only after providing notice to the board, department, office, or other agency unless the secretary determines that notice would compromise an investigation or enforcement action.

(b) Nothing in this section shall authorize the deputy secretary for law enforcement and counsel to duplicate, overlap, compromise, or otherwise interfere with an investigation or enforcement action undertaken by a board, department, office, or other agency that implements a law or regulation subject to the jurisdiction of the California Environmental Protection Agency.

(c) The Environmental Protection Agency shall post on its Web site, updated no later than December 1 of each year, the status of the implementation of this section.”

Add the following provisions to Item 3900-001-0115:

1. The amount appropriated in this item includes revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.
2. Notwithstanding any other provision of law, of the amount appropriated in this item, \$851,000 shall be from penalty revenues that are subject to separate accounting in accordance with Health and Safety Code Sections 38580, 39674-39675, 42400-42410, 42420-42421, 43016, 43025-43031.5, 43154, 43211, and 43212. These funds shall be available for a one-time equipment purchase of air monitoring equipment and maintenance expenses of said equipment to assist the Department of Pesticide Regulation in their air monitoring network program.



May 13, 2016

Honorable Mark Leno, Chair
Senate Budget and Fiscal Review Committee

Attention: Mr. Mark Ibele, Staff Director (2)

Honorable Phil Ting, Chair
Assembly Budget Committee

Attention: Mr. Christian Griffith, Chief Consultant (2)

Amendment to and Addition of Various Budget Bill Items, Support and Local Assistance, Multiple Departments—Emergency Drought Response

The State of California is experiencing its fifth consecutive year of below-average rain and snow, and is currently facing severe drought conditions in various parts of the state. The four years between 2012 and 2015 were the driest four consecutive years on record in California. The winter of 2015-16 brought welcome storms to Northern California, but the Southern half of the state remains dry. Although the state's major northern reservoirs—Shasta, Oroville, and Folsom—all have higher-than-average storage levels for this time of year, storage in southern state reservoirs continues to lag. San Luis Reservoir—a key supplier to urban Southern California and the San Joaquin Valley—holds only half its average storage this time of year, and less than it held a year ago. The May Revision proposes additional resources for emergency drought response, based on current drought conditions. The details of this request are as follows:

Department of Forestry and Fire Protection—It is requested that Item 3540-001-0001 be increased by \$11 million to provide support costs and grants in affected counties to address dead and dying trees caused by drought and beetle infestation and that provisional language be added making the funds available for three years (see Attachment 1).

It is requested that Item 3540-001-0001 be increased by \$10,441,000 and 22 temporary help positions to provide for a contract for exclusive use helicopters for firefighting. The Department of Forestry and Fire Protection anticipates increased fire activity due to drought and tree mortality.

Department of Fish and Wildlife—It is requested that Item 3600-001-0001 be amended to redirect \$4.2 million General Fund for actions to benefit Delta smelt. It is also requested that 3 positions be reduced from the Governor's Budget Drought Proposal. Populations of Delta smelt are at historic lows as a result of unprecedented drought conditions. This proposal provides additional resources to improve habitat, promote food production, enhance aquatic weed control, and expand monitoring efforts to boost smelt populations. Funding for these efforts will be redirected from other drought response efforts originally proposed in the Governor's Budget, but no longer necessary as a result of improved conditions in the northern part of the state.

Department of Water Resources (DWR)—It is requested Item 3860-001-0001 be decreased by \$42 million. With improved hydrologic conditions from the Sacramento River basin this past winter the DWR will not need to install the proposed emergency salinity barrier for the spring of 2016 and therefore no funding is needed to remove any such barrier in the fall of 2016.

It is requested that Item 3860-001-0001 be decreased by \$3 million for the Save Our Water campaign to reflect the reduced need for a statewide campaign this year.

It is requested that Item 3860-101-0001 be increased by \$5 million to provide local assistance for local agencies to address cost effective long-term solutions for drinking water shortages in disadvantaged communities.

It is requested that Item 3860-490 be amended to reappropriate funds from various support appropriations from prior years to support the planning, permitting, and installation of emergency drought barriers in the spring of 2017 if conditions warrant (see Attachment 2).

The effect of my requested action is reflected on the attachment.

If you have any questions or need additional information regarding this matter, please call Amanda Martin, Principal Program Budget Analyst, at (916) 324-0043.

MICHAEL COHEN
Director
By:

/s/ Amy M. Costa

AMY M. COSTA
Chief Deputy Director

Attachment

cc: On following page

cc: Honorable Ricardo Lara, Chair, Senate Appropriations Committee
Attention: Mr. Mark McKenzie, Staff Director
Honorable Jim Nielsen, Vice Chair, Senate Budget and Fiscal Review Committee
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Mr. Seren Taylor, Director of Strategic Policy, Assembly Republican Leader's Office
Mr. Jim Richardson, Policy and Fiscal Director, Assembly Republican Leader's Office
Mr. Patrick Kemp, Assistant Secretary for Administration and Finance, Natural Resources Agency
Mr. Bryan Cash, Deputy Assistant Secretary, Natural Resources Agency
Mr. Mark Cowin, Director, Department of Water Resources
Ms. Kathie Kishaba, Deputy Director, Business Operations, Department of Water Resources
Ms. Perla Netto-Brown, Controller, Department of Water Resources
Mr. Duard MacFarland, Budget Officer, Department of Water Resources
Ms. Janet Barentson, Deputy Director, Department of Forestry and Fire Protection
Ms. Melissa Gamer, Budget Officer, Department for Forestry and Fire Protection
Mr. Gabe Tiffany, Deputy Director, Administration Division, Department of Fish and Wildlife
Mr. Dan Reagan, Budget Officer, Department of Fish and Wildlife

Add the following provisions to Item 3540-001-0001:

12. Notwithstanding Section 1.80, up to \$5,000,000 of the appropriation in this item shall be available for encumbrance and expenditure until June 30, 2019 and shall be available for liquidation until June 30, 2021, for Tree Mortality activities as directed by the Tree Mortality Task Force funded from the General Fund.

13. Notwithstanding any other provision of law or administrative procedure, of the amount appropriated in this item, up to \$5,000,000 shall be available through June 30, 2019 to pay personal services related to the tree mortality work carried out as directed by the Tree Mortality Task Force.

14. Notwithstanding any other provision of law and applicable regulations, the Department of Forestry and Fire Protection may provide hazard mitigation funding, as directed by the Tree Mortality Task Force, to the California Conservation Corp, non-profit organizations and local entities, including but not limited to, local government, fire districts, community services districts, water districts, and special districts, tribal entities, certified local conservation corps, and Fire Safe Councils.

"Item 3860-490—Reappropriation, Department of Water Resources. The balances of the appropriations provided in the following citations, unless otherwise indicated, are reappropriated for the purposes provided for in those appropriations and shall be available for encumbrance or expenditure until June 30, 2018:

0445—Feasibility Projects Subaccount

- (1) Item 3860-001-0445, Budget Act of 2013 (Chs. 20 and 354, Stats. 2013), as reappropriated by Item 3860-491, Budget Act of 2014 (Chs. 25 and 663, Stats. of 2014), for the Water Recycling and Desalination Feasibility Studies

6005—Flood Protection Corridor Subaccount

- (1) Item 3860-101-6005, Budget Act of 2015 (Chs. 10 and 11, Stats. 2015), for the Flood Corridor Program

6010—Yuba Feather Flood Protection Subaccount

- (1) Item 3860-001-6010, Budget Act of 2013 (Chs. 20 and 354, Stats. 2013), as reappropriated by Item 3860-491, Budget Act of 2014 (Chs. 25 and 663, Stats. of 2014), for the Yuba Feather Flood Protection Program

6026—Bay-Delta Multipurpose Water Management Subaccount

- (1) Item 3860-301-6026, Budget Act of 2009 (Ch. 1, 2009-10 3rd Ex. Sess., as revised by Ch. 1, 2009-10 4th Ex. Sess.), as reappropriated by Item 3860-492, Budget Act of 2012 (Chs. 21 and 29, Stats. 2012)
(2) 10.95.180—Franks Tract Pilot Project

6031—Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002

- (1) Item 3860-001-6031, Budget Act of 2010 (Ch. 712, Stats. 2010), as reappropriated by Item 3860-490, Budget Act of 2011 (Ch. 33, Stats. 2011), Item 3860-491, Budget Acts of 2013 (Chs. 20 and 354, Stats. 2013) and 2014 (Chs. 25 and 663, Stats. 2014), and as partially reverted by Item 3860-495, Budget Acts of 2013 (Chs. 20 and 354, Stats. 2013) and 2014 (Chs. 25 and 663, Stats. 2014), as reappropriated by Item 3860-490, Budget Act of 2015 (Chs. 10 and 11, Stats. 2015), for Proposition 50 Emergency Drought Barriers
- (2) Item 3860-101-6031, Budget Act of 2003 (Ch. 157, Stats. 2003), as reappropriated by Item 3860-491, Budget Act of 2004 (Ch. 208, Stats. 2004), Items 3860-491 and 3860-492, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006), Item 3860-491, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008), as reverted by Item 3860-495, Budget Act of 2009 (Ch. 1, 2009-10 3rd Ex. Sess., as revised by Ch. 1, 2009-10 4th Ex. Sess.), as reappropriated by Item 3860-492, Budget Act of 2010 (Ch. 712, Stats. 2010), Item 3860-493, Budget Act of 2012 (Chs. 21 and 29, Stats. 2012), as reverted by Item 3860-496, Budget Act of 2012 (Chs. 21 and 29, Stats. 2012), Item 3860-496, Budget

Act of 2013 (Chs. 20 and 354, Stats. 2013), and as reappropriated by Item 3860-493, Budget Act of 2014 (Chs. 25 and 663, Stats. of 2014), for the Desalination Grant Projects

- (3) Item 3860-101-6031, Budget Act of 2013 (Chs. 20 and 354, Stats. 2013), as reappropriated by Item 3860-491, Budget Act of 2014 (Chs. 25 and 663, Stats. 2014), for Water Use Efficiency Grants and the Water Desalination Grant Program
- (4) Item 3860-301-6031, Budget Act of 2009 (Ch. 1, 2009–10 3rd Ex. Sess., as revised by Ch. 1, 2009–10 4th Ex. Sess.), as reappropriated by Item 3860-492, Budget Act of 2012 (Chs. 21 and 29, Stats. 2012)
(2) 10.95.180—Franks Tract Pilot Project

6051—Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006

- (1) Item 3860-001-6051, Budget Act of 2015 (Chs. 10 and 11, Stats. 2015), for the Proposition 84 Integrated Regional Water Management Grant Program and Proposition 84 Water Conservation
- (2) Item 3860-101-6051, Budget Act of 2015 (Chs. 10 and 11, Stats. 2015), for the Flood Corridor Program
- (3) Item 3860-301-6051, Budget Act of 2010 (Ch. 712, Stats. 2010), as reappropriated by Item 3860-492, Budget Act of 2013 (Chs. 20 and 354, Stats. 2013)
 - (2) 30.95.026-Land Acquisition for Mitigation Banks to Support Delta Levee Repairs

6083—Water Quality, Supply, and Infrastructure Improvement Fund of 2014

- (1) Item 3860-001-6083, Budget Act of 2015 (Chs. 10 and 11, Stats. 2015), for administration of Proposition 1 Integrated Regional Water Management Grants, Proposition 1 Agricultural Water Conservation, Proposition 1 Urban Water Conservation, Proposition 1 Desalination Grants, Proposition 1 Groundwater Grants
- (2) Item 3860-101-6083, Budget Act of 2015 (Chs. 10 and 11, Stats. 2015), for Proposition 1 Agricultural Water Conservation, and Proposition 1 Groundwater Grants”