



# Santa Clara Valley Water District

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**File No.:** 21-0018

**Agenda Date:** 6/22/2021

**Item No.:** 3.1.

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## BOARD AGENDA MEMORANDUM

### **SUBJECT:**

Adopt Recommended Positions on State Legislation: AB 252 (R. Rivas and Salas) Multi-benefit Land Repurposing Incentive Program; AB 652 (Friedman) Juvenile Product Safety: Perfluoroalkyl and Polyfluoroalkyl Substances; and Other Legislation Which May Require Urgent Consideration for a Position by the Board.

### **RECOMMENDATION:**

- A. Adopt a Position of "Support" on: AB 252 (R. Rivas and Salas) Multi-benefit Land Repurposing Incentive Program; and
- B. Adopt a Position of "Support" on: AB 652 (Friedman) Juvenile Product Safety: Perfluoroalkyl and Polyfluoroalkyl Substances.

### **SUMMARY:**

**AB 252 (R. Rivas and Salas) Multi-benefit Land Repurposing Incentive Program.**

**Position Recommendation: Support**

**Priority: 3**

Under the Sustainable Groundwater Management Act (SGMA), local Groundwater Sustainability Agencies (GSAs) must ensure the proper management of groundwater basins, including that farmland irrigation or other uses do not pump water faster than the local groundwater basin can refill. To do this, it has been suggested that significant amounts of farmland could be taken out of production in key areas to reduce water demand. This bill seeks to provide financial incentives to farmers to convert some farmland to other less water intensive uses.

AB 252 would require the Department of Conservation (DOC) to establish the Multi-benefit Land Repurposing Program to fund local programs on multi-benefit land repurposing in critically over drafted basins. Local GSAs or counties would provide per-acre payments and grants to farmers to incentivize land conversion towards less water-intensive uses while maximizing public benefits on repurposed land.

### ***Importance to Santa Clara Valley Water District (Valley Water)***

Agriculture holds an important presence in the state economy. It provides jobs from the

production of numerous agricultural commodities. While agriculture continues to succeed, its intensive water demand must be carefully managed so as not to exhaust groundwater basins. In addition to the SGMA requirements to recharge groundwater, the current severe drought conditions in our state have created an increasing need to reduce water demand. One of the strategies suggested includes the conversion of farmland for other natural purposes that reduce water usage and allow for groundwater recharge.

To support such a transition, this bill provides funding for local programs that could convert farmland into multi-benefit open spaces, such as floodplains, pollinator habitats, or parks. Not only do these open spaces consume less water, they also facilitate groundwater recharge since they allow water to freely make its way into the ground. This strategy is expected to garner benefits for the farmer, in the form of payment, and the overall health of the groundwater basin while reducing the potential loss caused by fallowing farms.

While AB 252 will not provide direct benefits to Valley Water unless a basin within Santa Clara County becomes critically over drafted, the reduction in water use in other critically over drafted basins reduces pressure on Valley Water's imported water sources.

Staff recommends that the Board adopt a position of "Support" on AB 252.

*Pros*

- Would provide grants for land repurposing towards less water-intensive uses where most needed.
- Repurposing of land into multi-benefit open spaces would support groundwater recharge.

*Cons*

- Only critically over drafted basins would qualify for land conversion funding.

**AB 652 (Friedman) Juvenile Product Safety: Perfluoroalkyl and Polyfluoroalkyl Substances.  
Position Recommendation: Support  
Priority: 3**

AB 652 would, on and after July 1, 2023, prohibit any person (including manufacturers) from commercially selling or distributing any new, not previously owned, juvenile products containing intentionally added perfluoroalkyl and polyfluoroalkyl substances (PFAS). Instead of PFAS chemicals, manufacturers must use the least toxic alternative.

A juvenile product is defined as a product designed for use by infants and children younger than age 12. Examples include booster seats, infant carriers, strollers, and sleeping products.

Intentionally added PFAS is defined as having a functional or technical effect in the product.

***Importance to Valley Water***

PFAS are a class of more than 4,700 man-made chemicals widely used in manufacturing due to their unique ability to repel water, dirt, oil, and grease. This chemical property makes them extremely persistent in the environment which is why they are known as “forever” chemicals. Once released, PFAS tend to accumulate in groundwater before contaminating the drinking water supply.

Providing safe drinking water is one of Valley Water’s central missions. PFAS has recently gained heightened awareness from state and federal drinking water regulators as a chemical which may cause serious health effects. Exposure may lead to increased cholesterol levels, changes in liver enzymes, increased risk of high blood pressure in pregnant women, decreased infant birth weights, and increased risk of kidney or testicular cancer. In children, exposure also may lead to decreased immune response, impaired kidney function, and delayed onset of menstruation.

AB 652 would reduce PFAS exposure from juvenile products and reduce the amount of PFAS contamination that ultimately may impact the water supply.

Staff recommends that the Board adopt a position of “Support” on AB 652.

*Pros*

- Would reduce PFAS exposure in infants and children and likely improve health outcomes.
- Could reduce drinking water contamination due to PFAS.

*Cons*

- Lack of enforcement mechanism may dampen the bill’s effectiveness.

**FINANCIAL IMPACT:**

There is no financial impact associated with these items.

**CEQA:**

The recommended action does not constitute a project under CEQA because it does not have a potential for resulting in direct or reasonably foreseeable indirect physical change in the environment.

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**ATTACHMENTS:**

None.

**UNCLASSIFIED MANAGER:**

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