

Assembly Bill No. 515

CHAPTER 368

An act to add Section 141 to the Water Code, relating to the State Water Project.

[Approved by Governor September 29, 2005. Filed with
Secretary of State September 29, 2005.]

LEGISLATIVE COUNSEL'S DIGEST

AB 515, Richman. State Water Project: solar photovoltaic panels and systems.

Under existing law, the Department of Water Resources operates the State Water Project.

This bill would authorize the department to establish a program to authorize private entities to lease space above or adjacent to appropriate conveyance facilities of the State Water Project for the purposes of installing solar photovoltaic panels and related systems for the generation and transfer of electricity. The bill would require the department to evaluate proposals for installing solar photovoltaic panels and related systems. The bill would require a proposal submitted to the department for evaluation to include an engineering study of the proposed solar photovoltaic panels and related systems and an evaluation of the effect the solar photovoltaic panels and related systems may have on water supply, water quality, worker safety, and liability considerations. The bill would require the costs of the engineering study and the department's evaluation to be paid by the person or entity making the request. The bill would authorize the department to negotiate compensation for an agreement for the installation of solar photovoltaic panels and related systems for the transfer of electricity, that is equal to or exceeds the cost to the department of meeting its obligations under the agreement.

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

SECTION 1. The Legislature finds and declares that it is in the interest of the state to conserve resources and to promote projects that further that interest.

SEC. 2. Section 141 is added to the Water Code, to read:

141. (a) The department may establish a program to authorize private entities to lease space above or adjacent to appropriate conveyance facilities of the State Water Project for the purpose of installing solar photovoltaic panels and systems for generating electricity from those panels and transferring electricity through the related systems. Upon request, the department shall evaluate proposals for installing solar

photovoltaic panels and related systems for the generation and transfer of electricity. A proposal submitted to the department for evaluation shall include, but need not be limited to, an engineering study of the proposed solar photovoltaic panels and related systems and an evaluation of the effect the solar photovoltaic panels and related systems may have on water supply, water quality, worker safety, and liability considerations. The costs of the engineering study and the department's evaluation shall be paid by the person or entity making the request.

(b) After approval of a proposal as described in subdivision (a), the department may negotiate any level of compensation for an agreement for the installation of solar photovoltaic panels and related systems that is equal to, or greater than, the cost to the department of meeting its obligations under the agreement. These costs shall include, but are not limited to, the costs of operating and maintaining State Water Project facilities and lease administration that are directly related to the lease and use of the conveyance facilities.