

---

**SENATE COMMITTEE ON ENERGY, UTILITIES AND  
COMMUNICATIONS**

**Senator Josh Becker, Chair  
2025 - 2026 Regular**

---

<b>Bill No:</b>	AB 59	<b>Hearing Date:</b>	7/7/2025
<b>Author:</b>	Aguiar-Curry		
<b>Version:</b>	6/23/2025 Amended		
<b>Urgency:</b>	No	<b>Fiscal:</b>	Yes
<b>Consultant:</b>	Sarah Smith		

**SUBJECT:** Reclamation District No. 108: hydroelectric power

**DIGEST:** This bill indefinitely extends the authority of certain reclamation districts (RDs) to operate hydroelectric facilities and requires RD 108 to submit a specified report to the Legislature regarding its hydroelectric operations by January 1, 2031.

**ANALYSIS:**

Existing law:

- 1) Defines “reclamation” as public works and equipment needed to drain, irrigate, or water lands within a RD and other district operations. (Water Code §50013)
- 2) Authorizes the formation of a RD, as specified, for the purposes of performing reclamation on any land subject to overflow from neighboring rivers and water bodies. (Water Code §50110)
- 3) Allows RD 1004 and RD 108 to operate hydroelectric facilities and associated transmission lines, as specified. Existing law allows a RD operating a hydroelectric power plant to sell power generated by its facility to a public utility or public agency supply electricity; however, existing law prohibits the RD from selling this electricity to any customers other than a public utility or public agency. (Water Code §50906)
- 4) Provides RD 1004 with indefinite authority to operate a hydroelectricity facility while providing RD 108 with authority to operate a hydroelectricity facility until January 1, 2026. (Water Code §50906)

This bill:

- 1) Removes the January 1, 2026, sunset on RD 108’s authority to operate a hydroelectric facility.

- 2) Requires RD 108 to submit a report to the Assembly and Senate Committees on Local Government containing the following information:
  - a) Whether the district has obtained permission from the Colusa Local Agency Formation Commission to enact its hydroelectric authority.
  - b) Whether the district is using its hydroelectric authority or has plans to use its hydroelectric authority.
  - c) Specified information about the RD's hydroelectric power sales if the RD is generating hydroelectric power.
  - d) The RD's reasons for not using its hydroelectric authority if it is not using this power.
- 3) Requires RD 108 to submit the report required by this bill by the following dates:
  - a) January 1, 2031.
  - b) Between January 1, 2035, and January 1, 2036.

## Background

*Draining the swamp: what are reclamation districts?* A RD is a form of special district established to carry out duties related to flood control, drainage, and irrigation. California's RDs are among the oldest public works projects in the state and initially formed to reclaim lands from swamps and overflows from adjacent bodies of water. This bill specifically pertains to RD 108, which is located along the western side of the Sacramento River and provides water for 48,000 acres of farmland in Colusa and Yolo Counties.

*Possible links to development of Sites Reservoir.* RD 108 is one of several parties of the Sites Project Authority, which is the Joint Powers Authority formed to construct and manage the Sites Reservoir. While proposals for Sites Reservoir started in the 1950s, the project has not yet started construction. The creation of Sites Reservoir has not proceeded without controversy. A number of environmental organizations and other stakeholders oppose the reservoir's construction. According to the Sites Project Authority, the reservoir is primarily intended to serve as a water storage facility to provide the state with sufficient water during droughts; however, the reservoir could also generate hydroelectric power during outflows.

*RD 108 has yet to exercise its hydroelectric powers.* In 2020, the Legislature passed the most recent sunset extension for RD 108's hydroelectric generation (SB

1473 (Committee on Governance and Finance, Chapter 371, Statutes of 2020). During the Legislature's consideration of SB 1473, the Northern California Water Association stated that RD 108 would be unable to participate in the Sites Project Authority without maintaining the authority to generate hydroelectric power. It is not clear if the Sites Reservoir will be developed to generate power or what role RD 108 would play in hydroelectric generation produced by the Sites Reservoir. However, RD 108 has indicated that it is currently working with a company on a solar project and may expand this partnership to include low head hydroelectric generation, which can use river flows to generate power. This bill requires RD 108 to report to the Legislature on the extent to which the RD is using its authority to generate hydroelectric power. This bill requires the RD to report on its activities twice over a 10-year period.

*Bill indefinitely extends the authority of RD 108 to operate hydroelectric facilities.* While prior legislation extended the authority of RD 108 to operate hydroelectric facilities, this bill indefinitely extends that authority. Currently, statute provides RD 1004 with indefinite hydroelectric generation authority; however, statute has historically included a sunset in RD 108's authorization. Removal of a sunset would provide RD 108 with the same authority for power generation as RD 1004.

*Dual referral.* This bill passed out of the Senate Local Government Committee on June 18, 2025 with a vote of 7-0.

### **Prior/Related Legislation**

SB 1473 (Committee on Governance and Finance, Chapter 371, Statutes of 2020) among other changes related to local government code, extended RD 108's authority to operate a hydroelectric facility until January 1, 2026.

AB 568 (Dodd, Chapter 134, Statutes of 2015) authorized RD 108 to construct and operate a hydroelectric facility until January 1, 2021.

**FISCAL EFFECT:** Appropriation: No Fiscal Com.: Yes Local: Yes

### **SUPPORT:**

Northern California Water Association (Sponsor)  
California Central Valley Flood Control Association  
County of Colusa  
County of Yolo

**OPPOSITION:**

None received

**ARGUMENTS IN SUPPORT:** According to the author:

Reclamation District 108 (RD 108) delivers water to nearly 48,000 acres of farmland within southern Colusa County and northern Yolo County. RD 108 is responsible for water supply, levee maintenance, drainage, and flood control within its boundaries and has high energy costs due to its pumping facilities, including for projects that reduce water use by recycling water within the district. This bill allows RD 108 to continue to explore affordable solutions to reduce energy costs through hydropower by extending its existing hydropower authority.

**-- END --**