

February 9, 2026

Assemblymember Alvarez
1021 O Street, Suite 5320
Sacramento, CA 95814

RE: SUPPORT – AB 35 (Alvarez): Proposition 4 Administrative Procedure Act (APA)
Exemption

Dear Asm. Alvarez,

On behalf of the County of Monterey, I write in strong support of AB 35 (Alvarez), which would exempt Proposition 4 spending from the Administrative Procedure Act (APA).

Exempting Proposition 4 funding from the APA is consistent with long standing precedent for natural resource bonds, including Proposition 84 and Proposition 68. Full exemption would enable funds to be deployed more quickly and efficiently, ensuring that protracted administrative processes do not hold up vital community projects. Agencies such as the State Water Resources Control Board (SWRCB), the Department of Water Resources and the Department of Food and Agriculture have noted that a standard process, complete with review by the Office of Administrative Law (OAL), could result in delays of 12 to 18 months before communities receive awards. These delays run counter to overwhelming support of the voters for Proposition 4 and their desire to see critical projects start in a timely manner.

In fact, there are pressing issues such as border rivers, groundwater recharge, water recycling, and wildfire prevention that require immediate funding. Existing programs were created using the processes dictated by prior bonds. Hence, the programs most able to spend funds quickly will be forced to needlessly restructure them to meet the regulatory requirement established by the September Appropriations bill. For example, the SWRCB's drinking water funding program will be adversely impacted since under the current rules, all funding sources within the program are covered under the SWRCB's Intended Use Plan (IUP), which allows flexibility in which sources of funding are used for different projects, and the IUP includes Proposition 4 funds. Without exemption from the APA process, the Prop 4 funding would have to be backed out of the IUP and limit the ability to use a broad mix of funding to achieve the State's goals of providing a safe and reliable drinking water supply.

Importantly, an exemption from the APA does not eliminate transparency, consultation, or public engagement. Agencies will continue to follow robust fiscal, reporting, and oversight requirements. Many agencies have already gone through extensive public processes for these existing programs. Instead, the exemption will streamline implementation, maintain consistency across programs, and avoid creating barriers to delivering critical funding where it is most needed.

Without an APA exemption, the delays already emerging threaten the success of essential projects across the state, including many that are shovel ready. Providing this exemption will accelerate timelines, reduce administrative burdens, and honor the commitment voters made to California's communities.

For these reasons, we strongly support AB 35 which will provide a full exemption from the APA for all Proposition 4 funding. Should you have any questions, please contact Senior Policy Advisor, Ashley Walker at 916-930-7780.

Sincerely,

Wendy Root Askew
Chair
County of Monterey Board of Supervisors