

# Summary of California Legislation



**2001**

**STATE WATER RESOURCES CONTROL BOARD  
CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY**

Note:

During 2001, two extraordinary legislative sessions also took place. Bills from these sessions are signified by an “x” or an “xx” following the initials that indicate the bill’s house of origin. Therefore, a bill introduced during the First Extraordinary Session would be written as ABx or SBx, while a bill introduced during the Second Extraordinary Session would be written as ABxx or SBxx.

Chaptered bills are bills that have been enacted by the Legislature and signed by the Governor. Each chapter number is listed in chronological order, reflecting the order in which each bill is signed.

Except for “urgency” bills, all bills chaptered in 2001 become effective on January 1, 2002. Urgency bills become effective when signed by the Governor.



**STATE OF CALIFORNIA**

Gray Davis, Governor

**STATE WATER RESOURCES CONTROL BOARD**

Arthur G. Baggett, Jr., Chairman

Peter S. Silva, Vice Chair

Richard Katz, Member

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Celeste Cantú, Executive Director

**STATE WATER RESOURCES CONTROL BOARD**

**OFFICE OF LEGISLATIVE AND PUBLIC AFFAIRS**

**2001 CALIFORNIA LEGISLATION**

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**<http://www.swrcb.ca.gov/general/publications/index.html>**

## BILLS BY SUBJECT

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AB 1231	Nation	Forest Watershed Analysis: Salmonid Population Assessment Protocols
AB 1331	Kelley	Water Quality: Grant Program
AB 1334	Harman	Caulerpa Species
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## **WATER RIGHTS/WATER TRANSFERS**

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AB 946	Kelley	Water Rights
AB 1327	Leslie	Water Rights: Truckee River
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AB 901	Daucher	Water Supply Planning
AB 1483	Richman	California Threatened Water Supply of 2001
SB 221	Kuehl	Land Use: Water Supplies
SB 727	Costa	Environmental Water Account of 2001



## ABBREVIATIONS

AB	Assembly Bill
ACL	Administrative Civil Liability
ARB	Air Resources Board
BCDC	San Francisco Bay Conservation and Development Commission
BDO	Board, Department or Office within Cal/EPA
BOF	State Board of Forestry
Cal/EPA	California Environmental Protection Agency
CalTrans	California Department of Transportation
CDF	California Department of Forestry and Fire Protection
CDFA	California Department of Food and Agriculture
CEC	California Energy Resources Conservation and Development Commission
CEQA	California Environmental Quality Act
CIWMB	California Integrated Waste Management Board
CLEAN	Cleanup Loans and Environmental Assistance to Neighborhoods
CSU	California State University
CUPA	Certified Unified Program Agency
DBW	State Department of Boating and Waterways
DFFP	State Department of Forestry and Fire Protection
DFG	State Department of Fish and Game
DHS	State Department of Health Services
DGS	State Department of General Services
DOC	State Department of Conservation
DOIT	State Department of Information Technology
DPR	State Department of Pesticide Regulation
DTSC	State Department of Toxic Substances Control
DWR	State Department of Water Resources
EIS/EIR	Environmental Impact Statement/Report
FERC	Federal Energy Regulatory Commission
GIS	Geographic Information System
GOPR	Governor's Office of Planning and Research

LAO	Legislative Analyst's Office
LEA	Local Enforcement Agency
MMA	Marine Managed Area
MMP	Mandatory Minimum Penalty
MTBE	Methyl Tertiary Butyl Ether
NPDES	National Pollutant Discharge Elimination System
NPS	Nonpoint Source
OAL	Office of Administrative Law
OEHHA	State Office of Environmental Health Hazard Assessment
OES	State Office of Emergency Services
OPA	State Office of Permit Assistance
PUC	Public Utilities Commission
RA	State Resources Agency
RWQCB	Regional Water Quality Control Board
SB	Senate Bill
SBE	State Board of Education
SCC	State Coastal Conservancy
SDE	State Department of Education
SFM	State Fire Marshal
SMBRP	Santa Monica Bay Restoration Project
SRF	State Revolving Fund
SSO	Sewer System Overflow
SWP	State Water Project
SWQPA	State Water Quality Protection Area
SWRCB	State Water Resources Control Board
TCA	State Trade and Commerce Agency
THP	Timber Harvest Plan
TMDL	Total Maximum Daily Loads
UC	University of California
USEPA	United States Environmental Protection Agency
UST	Underground Storage Tanks
USTCF	Underground Storage Tank Cleanup Fund
WDR	Waste Discharge Requirement

## ASSEMBLY BILLS

**AB 15 (Harman) Storm Water Discharges (Senate Appropriations Committee).** This bill would require the SWRCB to establish a 50-50 matching grant program for public local agencies to fund diversion of dry weather storm sewer flows to publicly-owned treatment works for treatment rather than releasing the discharges on public beaches. The SWRCB would be required to adopt regulations to carry out the grant program and produce a study to identify measures that would reduce or eliminate violations of the beach sanitation standards. The bill would appropriate \$2,000,000 from the General Fund for these purposes.

**AB 61 (Florez) Safe Drinking Water Revolving Fund (Chapter 619, Statutes of 2001).** This new law expands eligibility for state and federal grants and loans provided to local water system projects under the Safe Drinking Water State Revolving Fund program, which is administered by the DHS, by including private not-for-profit water companies.

**AB 95 (Cardenas) 2001-02 Budget (Senate Rules Committee).** This was the Assembly version of the 2001-02 Budget Bill. The bill would have made appropriations for all state agencies, including the SWRCB and the RWQCBs. See SB 739 (Peace) for the enacted 2001-02 Budget Bill.

**AB 104 (Nation) Motor Vehicle Mitigation Subaccount (Vetoed).** This bill would have authorized the SCC to adopt a fee of up to \$4 on the registration or renewal of registration of every motor vehicle in the eligible counties within the San Francisco Bay Area if at least three of the nine area counties elected to participate in the environmental mitigation program established by this bill. The fee, which would sunset on 1/1/10, would have been used to fund mitigation projects addressing the environmental impact of motor vehicles.

**AB 152 (Calderon) San Gabriel Water Quality Authority: Board Members (Chapter 810, Statutes of 2001).** This new law amends the San Gabriel Basin Water Quality Authority Act to allow the San Gabriel Basin Water Quality Authority to enter into contracts without violating conflict of interest laws.

**AB 192 (Canciamilla) State Bodies: Open Meetings (Chapter 243, Statutes of 2001).** This new law updates and reorganizes the Bagley-Keene Open Meeting Act.

**AB 254 (Frommer) Brownfield Loans: Cleanup Loans and Environmental Assistance to Neighborhoods (CLEAN) Program (Chapter 548, Statutes of 2001).** This new law: (1) broadens the criteria for urbanized areas of the state that would qualify for the program; (2) clarifies that the

state regulatory oversight costs would not be paid by loan recipients provided that adequate state funds are provided to cover such costs; (3) broadens the types of mechanisms that could be used to secure a CLEAN program loan; and (4) specifies the roles of the SWRCB and the RWQCBs in the CLEAN program. The companion bills to AB 254 are SB 232 (Sher) and SB 468 (Sher).

**AB 271 (Canciamilla) Environmental Quality: Infill Development (Assembly Natural Resources Committee).** This bill would require the guidelines, which are to be developed and adopted by the GOPR and certified by the Secretary of the RA for implementation of CEQA, to exempt any proposed development that occurs within an urbanized unincorporated area on a project site of no more than five acres substantially surrounded by urban uses that meets all other conditions for infill development projects.

**AB 285 (Wayne) Sewage System Overflows: Reporting (Chapter 498, Statutes of 2001).** This new law requires the SWRCB, in the years funds are appropriated for this purpose, to: (1) develop report forms to be used for reporting SSOs; (2) establish and maintain a database on SSOs; and (3) report the SSO data to the Legislature and the public.

**AB 331 (Goldberg) 2002 Recycled Water Task Force (Chapter 590, Statutes of 2001).** This new law requires the DWR to convene a Recycled Water Task Force, with specified tasks and membership (including a representative from the SWRCB) and to report to the Legislature by 7/1/03.

**AB 358 (Kelley) Water Quality: Cathedral City (Chapter 700, Statutes of 2001).** This new law requires the Colorado River Basin RWQCB, by 1/1/12, to prohibit the discharge of wastewater by subsurface disposal systems (septic tanks) in the Cove area of Cathedral City in Riverside County. In addition, the law requires the RWQCB, within existing resources, to assist Cathedral City in identifying and obtaining state and federal funds to establish a sanitary public domestic and commercial wastewater disposal system.

**AB 378 (Calderon) Water Quality: Cleanup (Chapter 332, Statutes of 2001).** This new law: (1) makes it a specific requirement of the Porter-Cologne Act that groundwater cleanup systems must, in cleaning up polluted groundwater, meet all the requirements of the water quality laws; (2) ensures that drinking water agencies and interests are consulted when a groundwater aquifer that affects them is being cleaned up; and (3) enables local and regional water agencies, under supervision of the RWQCBs, to carry out investigations of groundwater pollution when the RWQCBs do not have the time, resources or personnel to do the investigations.

**AB 414 (Dutra) Hazardous Waste Disposal: Lead: Nickel: Copper (Chapter 861, Statutes of 2001).** This new law restores the ability of CalTrans and other public transportation entities granted regulatory variances by the DTSC to reuse lead-contaminated soils in highway improvement projects. Public transportation entities would not be exempted from the regulatory requirements of other affected permitting agencies (i.e., RWQCBs). Additionally this law extends the sunset date (from 7/1/03 to 7/1/06) of the statute specifying that certain wastes must be disposed of at a Class I hazardous waste facility unless certain exemptions apply.

**AB 498 (Chan) Persistent Bioaccumulative Toxins (Assembly Environmental Safety and Toxic Materials Committee).** This bill would require the Secretary of the Cal/EPA to submit to the Legislature a statewide strategy to eliminate all releases of persistent, bioaccumulative toxins into the state's environment. Additionally the bill would require the Secretary of the Cal/EPA to conduct a series of meetings with specified persons, including business leaders, environmental organizations, and the general public, to develop the statewide strategy.

**AB 560 (Jackson) Used Oil Collection Program (Chapter 500, Statutes of 2001).** This new law authorizes the CIWMB to award block grants to local governments that include provisions for the mitigation and collection of oil and oil products from storm water runoff, including storm drain inlet filter devices, in their used oil collection program.

**AB 599 (Liu) Groundwater Contamination: Quality-Monitoring Program (Chapter 522, Statutes of 2001).** This new law creates a task force and advisory committee for the purpose of developing a comprehensive groundwater-monitoring program and requires a report to the Legislature by 3/1/03.

**AB 639 (Nakano) Coastal Waters: Contamination (Chapter 502, Statutes of 2001).** This new law requires the SWRCB, in consultation with the DHS, to the extent that funds are made available, to develop diagnostic tests for measuring indicators of contamination by pathogens in coastal waters and submit a progress report to the Legislature by 7/1/03.

**AB 702 (Jackson) Hazardous Substance Remediation: Pilot Project (Held on the Assembly Appropriations Committee Suspense File).** This bill would establish a pilot program at the Cal/EPA to provide grants to ten cities, counties or redevelopment agencies for development of a multi-parcel risk assessment approach for determining appropriate response actions at brownfields and other local hazardous substance release sites in need of cleanup or other form of mitigation.

**AB 709 (Wayne) Codisposal Sites: Cleanup (Senate Environmental Quality Committee).** This bill would require the CIWMB, in consultation with the SWRCB and the DTSC, to assess known and suspected codisposal sites at which hazardous substances, hazardous waste, and solid waste were disposed in the past and to create a cleanup priority list for those sites by 1/1/03.

**AB 711 (Assembly Environmental Safety and Toxic Materials Committee) Administrative Orders: CUPAs (Chapter 663, Statutes of 2001).** This new law: (1) clarifies that state subsidies for rural CUPAs may be used to pay for the costs of establishing CUPA programs in rural counties; (2) makes the process for hearing appeals of administrative citations and corrective action orders more flexible by allowing the appeals to be heard at the local level by locally designated hearing officers rather than requiring the appeals be heard by state administrative law judges; and (3) ensures that administrative penalties assessed by CUPAs be retained at the local level rather than requiring that 50% of those penalties be allocated to the DTSC.

**AB 729 (Kehoe) Replacement Pier and Dredging Project: Waste Discharge Permit Fee (Chapter 664, Statutes of 2001).** This new law prohibits the SWRCB and the San Diego RWQCB from imposing a fee in connection with prescribing waste discharge requirements for the Replacement Pier and Dredging Project at the United States Naval Station in San Diego (Milcon Project P-326).

**AB 751 (Jackson) Mercury-Containing Lamp Waste (Assembly Environmental Safety and Toxic Materials Committee).** This bill would require any person managing mercury-containing lamp waste, as defined, to manage the waste pursuant to the hazardous waste control laws. Additionally the bill would require any person recycling mercury-containing lamp waste to do so in the same manner as universal waste or in a facility issued a hazardous waste facility permit. The bill would authorize the DTSC to adopt regulations to implement the bill, but would provide that the bill's prohibitions would apply notwithstanding the DTSC's failure to adopt any regulations. Mercury-containing lamp waste that is generated by a household or by a facility that does not generate more than 30 bulbs or tubes per month is exempted from these provisions.

**AB 763 (Shelley) Dymally-Alatorre Bilingual Services Act: Internet Information (Assembly Jobs, Economic Development and the Economy Committee).** This bill would require that information and materials provided over the Internet explaining services available from a state agency, or notice of availability of materials made in electronic form consistent with use over the Internet, shall be translated into any non-English language spoken by a substantial number of people served by the state agency and also distributed

through any applicable websites on the Internet under those circumstances. The bill would also authorize state agencies to contract for Internet-based interpretation services.

**AB 776 (Thomson) State Water Resources Control Board (Assembly Inactive File).** This bill would make legislative findings and declarations relating to water quality standards in the San Francisco Bay/Sacramento-San Joaquin Delta set forth in the SWRCB's 1995 Bay Delta-Water Quality Control Plan.

**AB 805 (Shelley) State Agency Websites: Non-English Information (Held on the Assembly Appropriations Committee Suspense File).** This bill would require each state agency that maintains a website to provide links on the home page of its website to appropriate non-English information, including information at a minimum in Spanish and Chinese, consistent with the requirements of the Dymally-Alatorre Bilingual Services Act. Additionally each state agency that maintains a website would be required to report annually to the California State Assembly concerning how it is complying with this requirement.

**AB 810 (John Campbell) Irving Ranch Water District and Santa Margarita Water District (Chapter 209, Statutes of 2001).** This new law authorizes the Irving Ranch Water District and the Santa Margarita Water District to acquire, construct, operate, maintain, and furnish facilities to address urban runoff problems within these water districts.

**AB 857 (Wiggins) State Environmental Goals and Policy Report (In Conference Committee).** This bill would require the GOPR to prepare a State Comprehensive Plan by 6/30/03, and require all state agencies to cooperate in the preparation of the Plan. The bill would exempt the adoption and revision of the Plan from CEQA and repeal the requirement for the Governor to approve a State Environmental Goals and Policy Report.

**AB 864 (Thomson) Sanitation Districts: City of West Sacramento (Chapter 390, Statutes of 2001).** This new law alters the governance structure of the Sacramento County Sanitation District to include the presiding officer of the City of West Sacramento. The District would also include a member of the Yolo County Board of Supervisors until 1/1/05 or until the District notifies the Legislature of the completion of construction of a pipeline facility in the unincorporated portion of Yolo County, whichever is later.

**AB 901 (Daucher) Water Supply Planning (Chapter 644, Statutes of 2001).** This new law amends the information required to be included in urban water management plans, especially information related to the quality of the water supply and the characteristics of any groundwater basins relied on for supply.

**AB 946 (Kelley) Water Rights (Chapter 315, Statutes of 2001).** This new law streamlines water-right petition processing and provides that the requirement for SWRCB approval of changes in point of discharge or use of treated wastewater only applies to changes that result in reduced flow in any portion of the watercourse.

**AB 960 (Keeley) Environmental Circuit Prosecutor Project (Vetoed).** This bill would have appropriated \$300,000 from the General Fund to the Office of Criminal Justice Planning to fund, administer, and evaluate the Environmental Circuit Prosecutor Project, a program that provides experienced environmental prosecutors primarily to rural district attorneys' offices that lack resources to pursue environmental violators.

**AB 997 (Dickerson) Streambed Alteration (Senate Natural Resources and Wildlife Committee).** This bill would exempt the DFG from requiring that a streambed alteration project proponent notify the DFG and enter into a Streambed Alteration Agreement prior to undertaking a project for maintenance and operation of existing structures used for irrigation or operation of diversions and crossings.

**AB 1086 (Calderon) Environmental Quality: Residential Infill Development Project (Senate Environmental Quality Committee).** This bill would require the lead agency, as defined in CEQA, to adopt a negative declaration or a mitigated negative declaration if it determines that a residential infill development project, which is not exempt from CEQA, satisfies specific criteria.

**AB 1089 (Aanestad) Water Quality: Septic Tank Systems: Chico Urban Area (Held on the Assembly Appropriations Committee Suspense File).** The bill would create the Chico Urban Area Septic Tank System Replacement Fund to cover a portion (up to 50%) of the cost to replace septic tank systems on individual parcels in the Chico urban area and to connect the parcels to a public sewer. Additionally the bill would pay up to 50% of Butte County's costs associated with related underground improvements in the public right-of-way. The bill would require that the SWRCB allocate the funds to Butte County upon appropriation by the Legislature.

**AB 1114 (Pescetti) Brownfields Redevelopment (Assembly Environmental Safety and Toxic Materials Committee).** This bill would, among other things, authorize the DTSC and a RWQCB to enter into a brownfields covenant not to sue agreement with a current or prospective owner or operator of a hazardous materials release site, under specified conditions. The bill would immunize a public agency, charitable corporation, or trust from liability if the public agency, charitable corporation, or trust meets specified requirements.



**AB 1130 (Dickerson) Forest Resources: Forest Practice Act: Exemptions. (Senate Natural Resources and Wildlife Committee).** This bill would: (1) exempt from the Forest Practice Act, under certain conditions, tree cutting and removal to reduce the threat of wildfire; (2) require timber operations to reduce the threat of wildfire to comply with specified laws; and (3) require the BOF to adopt regulations to implement the exemption. Originally this bill would have exempted from the normal THP requirements the limited removal of slash and woody debris that is delivered as a combustion fuel for energy production. The exemption would have sunset 1/1/05 unless extended by the Legislature.

**AB 1192 (Pavley) Water Quality and Watershed Protection Act of 2002 (Assembly Appropriations Committee).** This bill is a general obligation bond proposal that would authorize an unspecified amount to fund various water quality programs. See also SB 868 (Costa).

**AB 1201 (Pavley) Storm Water Pollution: Used Oil Recycling Fund (Chapter 317, Statutes of 2001).** This new law would expand the funding activities of the California Used Oil Recycling Fund, administered by the CIWMB, to include a grant and loan program for storm water pollution mitigation and education projects, including, but not limited to, the installation of storm drain inlet filter devices.

**AB 1209 (La Suer) Repeal of State-Mandated Local Programs (Assembly Local Government).** The bill would require any legislation that contains a state-mandated local program to contain a provision that directs the LAO to review the mandate after five years and then automatically repeal the mandate within six years. The LAO would be required to report on local governments' costs, report any state reimbursements, and evaluate the extent to which the state-mandated local program achieved its stated goals. Additionally the LAO would be required to recommend whether the mandate should be repealed, made permanent, modified, or extended for another limited period. The bill's provisions would not apply to bills that would: (1) specifically make the requirement inapplicable; (2) would repeal mandates in less than six years; and (3) create crimes, change crime definitions, or change criminal penalties.

**AB 1231 (Nation) Forest Watershed Analysis: Salmonid Population Assessment Protocols (Senate Appropriations Committee).** This bill would direct the RA, in consultation with Cal/EPA to: (1) develop a public-and peer-reviewed methodology for watershed analysis; (2) conduct a pilot watershed analysis project; and (3) report to the Legislature by 8/31/03 on the methodology, protocols and pilot project.

**AB 1327 (Leslie) Water Rights: Truckee River (Senate Inactive File).** This bill would amend the Water Code so the SWRCB could process changes in Nevada water rights that implement the Truckee River Operating Agreement using the same procedures as for a California water right.

**AB 1331 (Kelley) Water Quality: Grant Program (Vetoed).** This bill would have required the SWRCB to establish a grant program for local or regional projects to preserve the quality of groundwater in Riverside County and to facilitate the production, transportation, or reclamation of wastewater for beneficial uses, and that met specified criteria. See also ABx 110 (Kelley) and ABxx 6 (Kelley).

**AB 1334 (Harman) Caulerpa Species (Chapter 338, Statutes of 2001).** This new law prohibits the sale, possession, importation, transportation, transfer, releasing alive in the state, or giving away of nine designated saltwater algae of the species *Caulerpa*, except for bona fide scientific research authorized by the DFG and authorizes the imposition of a civil penalty for violation of this prohibition.

**AB 1340 (Kelley) Underground Storage Tanks: Claims (Assembly Environmental Safety and Toxic Materials Committee).** The bill would alter the current USTCF statute by requiring the SWRCB to first pay, for claims subject to the fourth priority ranking category, the claims of certain owners or operators of tanks who possess claims awaiting payment from the USTCF that total more than \$32 million as of 12/31/00. Additionally the bill would require the SWRCB to pay those owners or operators a specified amount for each of the four 12-month periods subsequent to 3/1/02.

**AB 1393 (Thomson) Regional Water Quality Control Boards: Efficiency (Senate Environmental Quality Committee).** This bill, sponsored by the SWRCB, would expand the use of hearing panels and pre-hearing conferences by RWQCBs to make more efficient use of the RWQCB board members' time and facilitate resolution of issues at RWQCB hearings. Additionally the bill would make Water Code language consistent with the Government Code relating to participation of a board member in RWQCB proceedings pursuant to the Political Reform Act of 1974 and correct a cross reference of the term "hazardous substance."

**AB 1438 (Florez) Reservoirs: Recreational Use (Senate Environmental Quality Committee).** This bill would require the DHS to establish minimum sanitation standards for the recreational use of reservoirs in which bodily contact with the water is not prohibited and would require DHS and local health officers to enforce these standards.

**AB 1465 (Nation) Underground Storage Tank Cleanup Fund (Chapter 154, Statutes of 2001).** This new law: (1) clarifies that existing provisions permitting the SWRCB to pursue cost recovery actions after the sunset date would additionally permit the recovery of overpayments and unpaid fees, and thus conserve USTCF resources; (2) requires USTCF claimants to demonstrate compliance with existing tank storage fee requirements; (3) amends the definition of UST; and (4) adds contractors who have a tank testers license to the list of contractors who are permitted to install, repair, maintain, or calibrate monitoring equipment for UST systems.

**AB 1466 (Florez/Negrete-McLeod) Dairy Farms: Sanitation (Assembly Appropriations Committee).** This bill would require the Secretary of the CDFA, in conjunction with the Scientific Advisory Panel on Environmental Farming and Cal/EPA, to develop an incentive program to encourage dairy farm owners to improve air and water conditions on dairy farms. The bill's provisions would sunset on 1/1/07.

**AB 1469 (Leslie) Energy: El Dorado Irrigation District: Project 184 (Assembly Energy Costs and Availability Committee).** This bill would appropriate \$7.98 million from the General Fund to the DWR for allocation as a loan to the El Dorado Irrigation District to spend for FERC Project 184 in order to accelerate power generation from that project. The bill would require the loan to be repaid with interest in the form of electricity delivered to or on behalf of the State of California. Originally this bill would have exempted from the requirements of CEQA any activity related to FERC Project 184.

**AB 1483 (Richman) California Threatened Water Supply of 2001 (Assembly Environmental Safety and Toxic Materials Committee).** This bill would, among other things: (1) require the CIWMB, each time it makes a determination that a parcel of land is, or is within, a critical water supply area, to notify the appropriate RWQCB; (2) require the appropriate RWQCB to list that parcel of land as a critical water supply area within the regional water quality control plan at the next revision of that plan; and (3) prohibit a RWQCB from issuing a waste discharge permit for a new solid waste landfill, or a lateral expansion of an existing landfill, if the RWQCB determines that the landfill site is within a critical water supply area.

**AB 1532 (Pavley) CEQA (Chapter 867, Statutes of 2001).** This new law requires that transportation information be submitted to the transportation planning agency in the region where a project is located and to CalTrans for a project of statewide, regional, or areawide significance pursuant to CEQA. In addition, a lead agency is required to call at least one scoping meeting for a project of statewide, regional, or areawide significance and provide notice of the meeting to specified entities.

**AB 1559 (Diaz) Department of Information Technology (Senate Governmental Organization Committee).** This bill would eliminate the statutory sunset for the DOIT, the Hawkins Data Center (within the Department of Justice), the Health and Human Services Agency Data Center, and the Stephen P. Teale Data Center and would make other substantive and clarifying changes pertaining to DOIT's responsibilities.

**AB 1602 (Keeley) California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002 (Chapter 875, Statutes of 2001).** This new law authorizes a \$2.6 billion general obligation bond for parks and related purposes for the March 2002 ballot. Of the amount authorized, \$300 million would be available for clean beaches, watershed protection, and water quality projects to protect beaches, coastal waters, rivers, lakes and streams from contaminants, pollution, and other environmental threats.

**AB 1664 (Pavley) Water Quality Enforcement (Chapter 869, Statutes of 2001).** This new law, sponsored by the SWRCB, clarifies and reconciles existing law regarding water quality enforcement to make it more efficient for the SWRCB and RWQCBs to conduct enforcement activities. This law: (1) represents a significant effort in bringing equity to the imposition of penalties for violations of water quality laws and regulations between point source dischargers and nonpoint source dischargers; (2) presents enforcement options for violations by wastewater treatment plant operators; (3) clarifies that suspected former dischargers may also be required to submit technical or monitoring reports after the RWQCB explains the need for the report and identifies the evidence that supports the determination by the RWQCB that the person is a suspected discharger; (4) extends the deadline for payment of an ACL while a case is pending before a court; (5) authorizes RWQCBs to impose ACLs or seek an injunction against any person who fails to file a report of waste discharge or pay a WDR fee; (6) authorizes RWQCBs to use the Cleanup and Abatement Account for administrative costs to oversee the implementation of supplemental environmental projects; (7) provides the SWRCB the same authority to impose ACLs as existing law affords RWQCBs and courts; and (8) eliminates the distinctions between whether there was a discharge and whether a cleanup and abatement order was issued in determining the maximum amount of liability.

**AB 1671 (Assembly Water Parks and Wildlife Committee) Fish and Game (Chapter 398, Statutes of 2001).** Among other things, this bill would exempt certain types of filing fees for water right applications from collection by the SWRCB.

**AB 1737 (Budget Committee) Budget Act of 2001 (Chapter 400, Statutes of 2001).** This new law was a budget trailer bill, two sections of which attempted to clarify the recipients of SWRCB-administered funds for clean beaches.

## ASSEMBLY FIRST EXTRAORDINARY SESSION BILLS

**ABx 9 (Richman) Energy Resources (Died on the Assembly Third Reading File).** This bill would have required the CEC to identify regions within the state with the greatest supply-demand imbalance and request those regions to identify one or more potential sites for future electrical generation.

**ABx 10 (Goldberg) California Consumer Power and Conservation Financing Authority (Died at the Assembly Desk).** This bill would have declared the intent of the Legislature to create a California Consumer Power and Conservation Financing Authority to augment the energy supplies of the state and finance conservation efforts.

**ABx 20 (Zettel) Powerplant Siting (Died in the Assembly Natural Resources Committee).** This bill, among other things, would have: (1) permitted air pollution control and air quality management districts to issue a temporary, expedited, consolidated permit for a powerplant; (2) required the PUC to implement a procedure consistent with the CEQA for an expedited decision on a simple cycle facility, or amendments to pending applications for a change from a combined cycle project to a simple cycle project; and (3) authorized the PUC to implement an expedited process for considering utility applications for certificates of public convenience and necessity or for a permit to construct transmission and substation facilities.

**ABx 110 (Kelley) Reclaimed Water: Electrical Energy (Died at the Assembly Desk).** The bill would have required the SWRCB to establish a grant program to benefit local or regional projects undertaken by local public agencies that would have preserved the quality of prescribed groundwater supplies in Riverside County and facilitated the production, transportation, or reclamation of wastewater for beneficial uses. Additionally the bill would have required all reclaimed water made available from a project funded under the grant program to be used in the production of additional electrical energy in the state.

## ASSEMBLY SECOND EXTRAORDINARY SESSION BILLS

**ABxx 6 (Kelley) Reclaimed Water: Electrical Energy (Assembly Energy Costs and Availability Committee).** This bill would require the SWRCB to establish a grant program for local or regional projects to preserve the quality of groundwater in Riverside County and to facilitate the production, transportation, or reclamation of wastewater for beneficial uses, and that meet specified criteria. See also AB 1331 (Kelley) and ABx 110 (Kelley).

**ABxx 17 (Rod Pacheco) Energy: Environmental Protection (Assembly Natural Resources Committee).** This bill would exempt from the requirements of CEQA a repowering project, as defined, so long as the project would result in higher wattage that emits fewer air, water, and thermal contaminants, and has previously completed the CEQA process.

**ABxx 23 (Pescetti) Energy (Senate Energy, Utilities and Communication Committee).** This bill would amend Public Utilities Code provisions related to increasing supply and delivery of natural gas.

**ABxx 47 (Diaz) Public Utilities: Facilities: Gas and Electricity (Senate Rules Committee).** Among other things, this bill would require the PUC to establish an expedited review process on construction or expansion of gas pipeline or gas storage facility projects.

**ABxx 48 (Wright) Energy Conservation (Chapter 17, Statutes of 2001).** This new law establishes the Solar Training, Education, and Certification Act of 2001, which authorizes cities, counties, and cities and counties to implement a program that implements applicable building standards requiring the use of solar water heating or photovoltaic systems in construction projects. Earlier versions of the bill would have established an expedited six-month siting or 100-day process for repowering projects.

**ABxx 63 (Leonard) Nuclear-Fueled Powerplant (Assembly Natural Resources Committee).** This bill would authorize the DWR to issue revenue bonds for construction and operation of a nuclear-fueled powerplant of at least 640 megawatts to operate the Edmonston Pumping Plant, part of the SWP. Additionally the bill would require that any excess electric power generated by the nuclear powerplant, but not used to power the SWP, be sold by DWR to the state power grid.

## SENATE BILLS

**SB 23 (Costa) CALFED Funds: Bay-Delta Program (Chapter 7, Statutes of 2001).** This new law authorizes expenditure of funds appropriated in the 2000 Budget Act (Chapter 52, Statutes of 2000) for support of CALFED projects. It also requires the DWR, or a CALFED successor entity, to prepare and submit to the Legislature a report with a description of the progress on the goals of the Bay-Delta Program and the implementation schedule established in the Programmatic Record of Decision and the Framework Agreement. The law allocates the funds to various categories.

**SB 32 (Escutia) Contaminated Property: Restoration (Chapter 764, Statutes of 2001).** This new law amends three separate but related parts of law relating to brownfields. The law: (1) establishes the California Land Environmental Restoration and Reuse Act, a program that would enable local governments to order the investigation and cleanup of small parcels of idled property and to step in and carry out the investigations and cleanups themselves if owners fail, or refuse, to do so; (2) requires the Cal/EPA to conduct scientific peer review of “screening numbers” (advisory numbers that offer rough estimates of what cleanup effort might be required for developing a property for a particular use) and to carry out a study of cleanup programs where screening numbers are now used; and (3) requires the Cal/EPA to publish an informational document to assist laypersons, developers and local government officials to understand the factors and procedures used by the DTSC and the SWRCB and the RWQCBs in conducting remedial actions for hazardous materials release.

**SB 72 (Kuehl) Storm Water Monitoring (Chapter 492, Statutes of 2001).** This new law requires the SWRCB to develop, by 1/1/03, minimum monitoring requirements for regulated municipalities that were subject to a storm water permit on or before 12/31/01, and minimum standard monitoring requirements for regulated industries under NPDES permits, not including construction activities. The minimum monitoring requirements are required to be included in all storm water permits on or before 7/1/08 and the SWRCB will provide a progress report to the public via the Internet in a year when funds are appropriated for this purpose.

**SB 102 (Johannessen) Water Storage Facilities: Revenue Bonds (Senate Energy, Utilities, and Communications Committee).** This bill would authorize issuance of up to \$10 billion in revenue bonds, of which \$8 billion would be for water storage facilities to be constructed and operated by the DWR or for loans to private entities to construct electrical generating facili

ties. An additional \$2 billion would be available for DWR to construct and operate pipelines and transmission facilities. The bill would also create the Natural Gas Pipeline and Electric Transmission Board with up to five members appointed by the Governor and Legislature to approve plans before DWR constructs a pipeline facility or electrical transmission line and to fund the loans provided by the bill.

**SB 136 (Figueroa) Professional Boards (Chapter 495, Statutes of 2001).**

In a previous version, the law would have: (1) extended the sunset dates for the Board of Guide Dogs for the Blind, the California Tax Education Council and the California Council for Interior Design Certification; (2) revised and updated the Geologist Act; and (3) increased licensing fees for engineers and land surveyors. The bill's provisions relating to the Geologist Act, which would have had a direct impact on the programs and policies of the SWRCB and the RWQCBs, were deleted from the bill. Therefore the provisions of this new law will no longer have any affect on the programs and policies of the SWRCB or the RWQCBs.

**SB 221 (Kuehl) Land Use: Water Supplies (Chapter 642, Statutes of 2001).**

This new law prohibits a city or county from approving a residential subdivision of more than 500 units unless there is written verification that a sufficient water supply is or will be available for the development.

**SB 232 (Sher) Environmental Protection: Financial Assurance and Insurance for Redevelopment Program (Held on the Senate Appropriations Committee Suspense File).**

This bill would establish the California Environmental Insurance Program for Land Recycling (Envirosure). The bill would also establish the California Environmental Insurance Trust Fund (Envirotrust) as a continuously appropriated funding mechanism for subsidizing the insurance premiums offered by Envirosure. The bill would provide a General Fund appropriation of \$40 million to Envirotrust and to the Cal/EPA to implement the provisions of this bill. Because this bill was held in the Senate Appropriations Committee, the author inserted the bill's subject matter into another bill, SB 468, which became the new administrative-sponsored bill on this issue. The companion bills to SB 232 are AB 254 (Frommer) and SB 468 (Sher).

**SB 234 (Kuehl) State Board of Forestry and Fire Protection: Watershed Protection (Assembly Inactive File).**

This bill would amend the qualifications, terms, function and compensation of members of the BOF. Additionally the bill would extend the operative date of the BOF rules relating to threatened and impaired watersheds from 1/1/02 to 1/1/03.



**SB 260 (Senate Environmental Quality Committee) California Environmental Protection Agency: Codification of Governor's Reorganization Plan Number 1 of 1991 (Assembly Environmental Safety and Toxic Materials Committee).** This bill would codify all provisions of the Governor's Reorganization Plan Number 1 of 1991 with two exceptions: (1) provisions that already have been codified by legislation enacted subsequent to 1991; and (2) provisions relating to the creation of the DPR, which are in SB 261 (Senate Environmental Quality Committee), the companion bill to SB 260.

**SB 306 (Poochigian) Property Taxation: New Construction [Underground Storage Tanks] (Held on the Assembly Appropriations Committee Suspense File).** This bill would clarify that improvements, upgrades, replacements or reconstruction of structures performed on USTs prior to 9/7/99 and in accordance with specified state and federal laws and regulations, be disregarded as a property improvement triggering reassessment. The bill's provisions would be operative beginning with the 1/1/02 lien date. This bill is a follow-up bill to SB 933 (Poochigian), Chapter 352, Statutes of 1999.

**SB 315 (Alpert) San Diego Advisory Committee for Environmentally Superior Antifouling Paints (Chapter 469, Statutes of 2001).** This new law establishes the San Diego Advisory Committee for Environmentally Superior Antifouling Paints Committee to advise and make recommendations to the University of California for a report, due by 12/31/01, that identifies incentives to ensure non-toxic alternatives to metal-based antifouling paints used for recreational boats. This law appropriates \$50,000 from the Harbors and Watercraft Revolving Fund to the DBW to provide funds to the University for the preparation of the report.

**SB 316 (Oller) Auburn Dam Water Power Generation, Water Supply, and Water Quality Protection Program: Bonds (Senate Agriculture and Water Resources Committee).** This bill would have enacted the Auburn Dam Power Generation, Water Supply, and Water Quality Protection Bond Act of 2001 that if it had been adopted, would have authorized the issuance of bonds in an unspecified amount for purposes of financing the Auburn Dam Project. See also SBx 45 (Oller) and SBxx 45 (Oller).

**SB 373 (Torlakson) Environmental Education: Waste: Recycling (Chapter 926, Statutes of 2001).** This new law: (1) establishes the Office of Integrated Environmental Education within the CIWMB; (2) requires the SBE and the SDE to revise the framework in science; (3) establishes the Environmental Ambassador Pilot Program within the CIWMB; (4) establishes a grant program within the CIWMB; and (5) appropriates \$1.5 million from the Integrated Waste Management Fund to promote environmental education and recycling in California schools. Previous versions of this bill required the SWRCB involvement in the educational program.

**SB 428 (Oller) El Dorado County Water Agency (Chapter 91, Statutes of 2001).** This new law alters the board membership provisions in the El Dorado County Water Agency Act.

**SB 441 (Sher) Solid Waste Management (Assembly Natural Resources Committee).** This bill would make clarifying and technical changes to the California Integrated Waste Management Act of 1989. Additionally this bill would require an LEA to issue a cease and desist order immediately to any person whose discharge of waste is in violation of the Public Resources Code statute.

**SB 449 (Sher) Santa Clara Valley Water District (Chapter 170, Statutes of 2001).** This new law makes technical changes to sections of the Santa Clara Valley Water District Act relating to the District's powers and purposes. In addition to adding environmental enhancement as one of the District's functions, the new law is primarily concerned about the District's financial matters (i.e., \$1,000 individual performance bond requirement, mandatory water rate hearings, and management of the District's real property).

**SB 453 (Alarcon) Hazardous Waste Treatment: Elementary Neutralization Activities (Senate Environmental Quality Committee).** This bill would exempt tanks and piping and ancillary equipment that is used to neutralize water demineralization wastes at investor-owned power plants located on federal land from the secondary containment requirements that apply to generators of hazardous wastes.

**SB 460 (Scott) Public Health: Drinking Water: Chromium VI Investigation (Assembly Appropriations Committee).** This bill would require the DHS to conduct bench scale testing of various technologies and investigative methods to remove chromium VI from drinking water supplies if funds were appropriated. It would require DHS to maintain a report on chromium VI detections and levels on its website, with minimum contents as specified. The bill would require any funds recovered from a responsible party for chromium VI contamination be deposited in the General Fund to offset the cost of the demonstration projects.

**SB 468 (Sher) Hazardous Materials Response Actions: Brownfields: Insurance (Chapter 549, Statutes of 2001).** This new law establishes the Financial Assurance and Insurance for Redevelopment Program at the Cal/EPA, which will provide low-cost, state-subsidized environment insurance primarily to persons addressing the rehabilitation of urban brownfields and participating in the CLEAN Program. The companion bills to SB 468 are AB 254 (Frommer) and SB 232 (Sher).

**SB 469 (Alpert) Water Quality: Total Maximum Daily Loads (Assembly Environmental Safety and Toxic Materials Committee).** This bill would require the SWRCB to prepare, by 7/1/03, guidelines to be used by the SWRCB and RWQCBs for the purpose of listing and delisting waters and developing and implementing the TMDL program pursuant to the federal Clean Water Act. The bill would require the guidelines to be finalized by 1/1/04 and require the SWRCB to comply with existing deadlines when taking action on a RWQCB's water quality control plan that is being amended solely for an action related to the RWQCB's TMDL submittal, except where the proposed amendment is for a complex TMDL or the submission by the RWQCB is incomplete. Please Note: The contents of SB 710 (Alpert) were amended into SB 469 on 8/27/01. The original version of SB 469 amended the definition of "contamination" in the Water Code.

**SB 470 (Sher) Hazardous Waste Control: Management: Used Oil (Chapter 605, Statutes of 2001).** This new law: (1) corrects a number of technical problems in the hazardous waste laws; (2) clarifies exemptions from those laws; (3) exempts onboard engine oil management technology from regulation under the hazardous waste laws; (4) extends for one year the sunset on the DTSC's authority to promulgate universal waste rules for a limited number of waste streams; and (5) restores the DTSC's authority to temporarily suspend a transporter's operating authorization in "high risk" situations.

**SB 471 (Sher) Proposition 65: Toxic Chemicals (Chapter 578, Statutes of 2001).** This new law imposes civil penalties on persons who violate prohibitions in the Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65), and provides for the enforcement of those prohibitions. Originally, the bill would have revised the definition of "secondary drinking water standards" by adding "taste" to the list of contaminant factors adversely affecting water to which a secondary drinking water standard may apply.

**SB 472 (Soto) Public Health: Hexavalent Chromium: Study (Senate Appropriations Committee).** This bill would require the DHS to: (1) determine the levels of hexavalent chromium (chromium VI) in drinking water supplied by the public water systems in the Chino Basin aquifer; (2) in consultation with the OEHHA, assess the exposures and risks to the public due to the levels of hexavalent chromium determined; and (3) report its findings to the Governor and the Legislature no later than 1/1/03.

**SB 483 (Sher) Surface Mining and Reclamation (Assembly Floor Inactive File).** This bill would extend the time for the Director of the DOC to remediate or complete reclamation of abandoned mine lands to 1/1/07.

Additionally this bill would require the Director of the DOC to annually report to the Legislature on any abandoned mine remediation projects that are proposed for the following year.

**SB 526 (Sher) Underground Storage Tanks: Discharges: Closure: Data Storage (Assembly Floor Third Reading File).** This bill would: (1) provide that under the database system for storing and retrieving data from cases involving discharges of petroleum from USTs, the requirement to designate a UST site as having no residual contamination can only apply to a closed site; (2) delete the redundant authorization in the UST laws that allows the SWRCB to adopt implementing emergency regulations if the Administrative Procedure Act procedures are followed; and (3) clarify that when UST sites are cleaned up, they may be closed after testing for MTBE only if they also meet all other cleanup standards.

**SB 561 (Morrow) Administrative Procedure Act (Chapter 59, Statutes of 2001).** This new law makes technical changes to the California Administrative Procedure Act.

**SB 582 (Costa) Water Transfers (Senate Agriculture and Water Resources Committee).** This bill would rewrite legislative findings regarding water transfers.

**SB 609 (Costa) Water Omnibus Act of 2001 (Chapter 606, Statutes of 2001).** This new law, among other things, amends various local government acts to authorize contracts with state agencies to finance any authorized local district improvement. It also makes a legislative declaration regarding the stipulation in the *City of Barstow v. Mojave Water Agency* court case, makes a technical change to Proposition 13, and revises the definition of “public agency” for purposes of the Drinking Water State Revolving Fund, which is administered by the DHS.

**SB 610 (Costa) Water Supply Planning (Chapter 610, Statutes of 2001).** This new law: (1) closes loopholes that have allowed large-scale development projects to evade existing water supply assessment requirements; (2) expands the consequences for urban water suppliers that do not submit and update their urban water management plans; and (3) mandates water supply assessments for all projects subject to CEQA.

**SB 633 (Sher) Hazardous and Solid Waste: Mercury (Chapter 656, Statutes of 2001).** This new law establishes the California Mercury Reduction Act of 2001, which prohibits: (1) the manufacture, sale or supply of mercury fever thermometers; (2) the sale of novelty items (e.g., toys, games, figurines, shoes) containing mercury; and (3) the purchase of specified forms of mer

cury or mercury-containing devices for K-12 schools. Additionally the law: (1) subjects any hazardous wastes removed from a motor vehicle to be handled in accordance with the DTSC's standards for managing universal wastes; (2) requires the DTSC to provide technical assistance and information to dismantlers and crushers regarding the removal and disposal of mercury-containing light switches and to coordinate and encourage business associations with information for replacing and recycling mercury-containing motor vehicle light switches; and (3) requires the DTSC to report to the Legislature by 1/1/04 on program performance and compliance for replacing and recycling mercury-containing motor vehicle light switches.

**SB 672 (Machado) California Water Plan: Urban Water Management Plans (Chapter 320, Statutes of 2001).** This new law requires the DWR to include a report on the development of regional and local water projects within each hydrologic region of the state to improve water supplies to meet municipal, agricultural, and environmental water needs and minimize the need to import water from other hydrologic regions in the California Water Plan. Additionally the law specifies the contents of the report and requires an urban water supplier to describe in the California Water Plan water management tools and options used to maximize resources and minimize the need to import water from other regions.

**SB 710 (Alpert) Water Quality: Total Maximum Daily Loads (Senate Appropriations Committee).** This bill would have required the SWRCB to prepare, by 7/1/03, guidelines for listing and delisting of impaired waters of the state and for developing and implementing the TMDLs. It would also have required the SWRCB, when taking action on a water quality control plan amendment that is submitted by the RWQCB solely for TMDLs to comply with the deadlines set forth in existing law, unless the proposed amendment is for an exceedingly complex TMDL. Please Note: The contents of SB 710 were amended into SB 469 (Alpert) (see above).

**SB 727 (Costa) Environmental Water Account Act of 2001 (Senate Agriculture and Water Resources Committee).** This bill would authorize the DWR to develop and implement the Environmental Water Account Program to provide water for the protection and recovery of fish in a manner that exceeds the protections provided by the regulatory baseline.

**SB 739 (Peace) 2001-02 Budget (Chapter 106, Statutes of 2001).** This new law appropriates funding to the SWRCB, RWQCBs and other state agencies. Among other things, funding was reduced for the administration of clean beach and research projects, but the funding was sustained for Coastal Nonpoint Source Account funding to reduce the number of beach closures due to viral and bacterial contamination.

**SB 828 (Alarcon) Environmental Justice (Chapter 765, Statutes of 2001).**

This new law requires the Secretary of Cal/EPA to convene the Working Group on Environmental Justice on or before 1/1/02. The law requires the working group to assist Cal/EPA in developing an agencywide environmental justice strategy by 7/1/02, and to examine data, make recommendations, and hold public meetings, among other things, on or before 4/1/02. The law requires each BDO within Cal/EPA to review its programs and identify gaps that may impede achievement of environmental justice by 12/31/03.

**SB 847 (Ackerman) Recycled Water (Senate Environmental Quality Committee).**

This bill would allow recharge of an aquifer with recycled water if the DHS makes a finding that the recharge protects the public health and will maintain or enhance overall water quality. The bill would also give DHS authority to abate any condition that poses a public health threat.

**SB 865 (Polanco) California and Mexico Border Infrastructure Financing Authority (Assembly Appropriations Committee).**

This bill would create the California and Mexico Border Infrastructure Financing Authority to finance revenue bonds for the construction and improvement of infrastructure projects on the California/Mexico border.

**SB 909 (Chesbro) Timber Harvest Plans (Chapter 639, Statutes of 2001).**

This new law extends the time for agency and public review of a THP from 15 days following a preharvest inspection to 30 days following a preharvest inspection, including 10 days of public comment after the date of final interagency review. The law also extends from 10 to 15 days the time for the DFFP to consider public input, and agency recommendations and mitigation measures.

**SB 915 (Machado) Water Transfer (Senate Agriculture and Water Resources Committee).**

This bill would require the SWRCB to adopt criteria for review of water transfers. These criteria would be required to be included in a county water transfer management plan, if the county chooses to adopt a plan. Public entities that approve transfers would be required either to use the county water transfer management plan or require the transfer proponent to provide information sufficient for the approving entity to verify the transfer meets the same criteria as it would under a transfer management plan.

**SB 987 (Escutia) The Dymally-Alatorre Bilingual Services Act: State Agency Bilingual Services Programs (Assembly Business and Professions Committee).**

This bill would make numerous changes to the Dymally-Alatorre Bilingual Services Act by revising the criteria for what constitutes a “substantial number of non-English-speaking people” and would require every state agency to establish an effective bilingual services program. Additionally the bill would establish a complaint process for individuals who believe that a state agency has failed to provide required bilingual services.

**SB 1008 (Perata) Public Utilities: Counties: Hydroelectric Power (Senate Local Government Committee).** This bill would authorize the Upper Mokelumne River Watershed Authority to acquire and operate Project No. 137, a federally-licensed hydroelectric project located on the Upper Mokelumne River and its tributaries.

**SB 1009 (Costa) Environmental Impact of Dairy Farming (Senate Appropriations Committee).** This bill would create the Dairy Environmental Working Group in the CDFA for the purpose of developing a list of feasible measures for mitigating the environmental impact of dairy farming on water and air quality. The bill would require the SWRCB to provide low-interest loans to local public agencies to finance the construction of projects designed to manage nutrients from animal feeding operations.

**SB 1011 (Sher) Environmental Protection: Executive Reorganization (Assembly Environmental Safety and Toxic Materials Committee).** This bill would rearrange and recodify existing Cal/EPA statutes by moving them from the Government and Health and Safety Codes to the Public Resources Code. It would also require the Cal/EPA to develop and implement a cross-media budget policy and a new information technology and management policy. The bill also contains provisions pertaining to the California Environmental Policy Council.

**SB 1029 (Perata) Water Transfers (Senate Appropriations Committee).** This bill would make changes to the water wheeling statutes regarding use of water conveyance facilities, expanding their application to treatment and storage facilities incidental to a water transfer. It would also require the SWRCB to act as an appellate body to review contested determinations regarding fair compensation and would specify minimal procedures for the determination.

**SB 1087 (Alarcon) Environmental Impact Reports (Assembly Natural Resources Committee).** This bill would provide that in preparation of environmental impact reports pursuant to CEQA, information may be included regarding the impacts and benefits of multiple-family residential projects on an infill site of five acres or less in an urbanized area.

**SB 1107 (Alarcon) Total Maximum Daily Loads (Senate Rules Committee).** This “spot bill” states legislative intent to enact a pilot program to assist local governments to comply with requirements relating to TMDLs.

**SB 1108 (Ortiz) Water Hyacinth (Senate Rules Committee).** This bill declares the intent of the Legislature to enact legislation prohibiting the sale, transport, export, import, or planting of water hyacinth.

**SB 1111 (Kuehl) International Trade: Environment (Vetoed).** This bill would have required the Secretary of Cal/EPA to review and to assess the potential impacts of specified international trade agreements on state environmental laws and regulations. The Secretary of the Cal/EPA would have been required, in consultation with specified Assembly and Senate committees, to prepare a report of findings that includes recommendations, hold public hearings on the draft report, and prepare and disseminate a final report by 1/1/03.

**SB 1115 (Costa) The CALFED Bay-Delta Program (Senate Agriculture and Water Resources Committee).** This bill would create the CALFED Bay-Delta Commission within the RA to manage the implementation of the CALFED Bay-Delta Program.

**SB 1191 (Speier) State and Local Reporting Requirements (Chapter 745, Statutes of 2001).** This new law makes amendments to and repeals the requirement for submittal of certain legislatively-mandated reports required in the Business and Professions Code, Education Code, Fish and Game Code, Government Code, Harbors and Navigation Code, Health and Safety Code, Labor Code, Insurance Code, Military and Veterans Code, Public Resources Code, Public Utilities Code, Revenue and Taxation Code, Streets and Highways Code, Unemployment Insurance Code, Vehicle Code, and Welfare and Institutions Code.



## SENATE FIRST EXTRAORDINARY SESSION BILLS

**SBx 5 (Sher) State Energy Projects (Chapter 7x, Statutes of 2001).** This new law appropriates money from the General Fund to the CEC and the PUC to implement new energy efficiency programs and supplement existing energy efficiency programs.

**SBx 28 (Sher) Energy Siting of Powerplants: Unemployment Insurance (Chapter 12x, Statutes of 2001).** This new law, among other things, establishes an expedited review process for the repowering of thermal powerplants and for the siting of simple cycle thermal powerplants that can be put into service on or before 12/31/02. It also makes an appropriation from the General Fund to the CEC to provide assistance to cities and counties to expedite the review and analyses of powerplant applications, and to conduct a study of shoreline water contamination in the vicinity of the City of Huntington Beach.

**SBx 34 (Knight) Powerplants: Military Installations (Died in the Senate Environmental Quality Committee).** Among other things, the bill would have: (1) pursuant to expedited review by the PUC, provided that the siting of an electrical generating facility on an active or closed military installation would be considered a separate stationary source if that designation is consistent with the state implementation plan; and (2) exempted from CEQA the expedited review by the PUC of a project for an existing thermal powerplant facility sited on, or a new powerplant facility proposed to be sited on, an active or closed military installation.

**SBx 45 (Oller) Auburn Dam Water Power Generation, Water Supply, and Water Quality Protection Program: Bonds (Died in the Senate Energy, Utilities and Communications Committee).** This bill would have enacted the Auburn Dam Power Generation, Water Supply, and Water Quality Protection Bond Act of 2001 that if it had been adopted, would have authorized the issuance of bonds in an unspecified amount for purposes of financing the Auburn Dam Project. See also SB 316 (Oller) and SBxx 45 (Oller).

## SENATE SECOND EXTRAORDINARY SESSION BILLS

**SBxx 29 (Soto) Electricity Production: Methane Demonstration Project (Senate Energy, Utilities and Communication Committee).** This bill would appropriate \$25 million to the CEC for grants to promote development of electricity production from methane gas using dairy manure, biosolids, or other green material --\$5 million would be used for research and \$20 million would be used for matching money to public and private entities for construction of pilot projects to demonstrate the feasibility and practical application of anaerobic digestion technologies for the production of methane gas to be used in generating electricity.

**SBxx 45 (Oller) Auburn Dam Water Power Generation, Water Supply, and Water Quality Protection Program: Bonds (Senate Agriculture and Water Resources Committee).** This bill would have enacted the Auburn Dam Power Generation, Water Supply, and Water Quality Protection Bond Act of 2001 that if it had been adopted, would have authorized the issuance of bonds in an unspecified amount for purposes of financing the Auburn Dam Project. See also SB 316 (Oller) and SBx 45 (Oller).

**SBxx 56 (Battin) Powerplant Siting (Senate Energy, Utilities and Communication Committee).** This bill would require the CEC to establish an expedited procedure for an expedited decision on a simple cycle thermal powerplant and related facilities that would be built on an existing site certified by the CEC, and operational on or before 12/31/03. The CEC would be required to issue its final decision on an application within 120 days from the date on which it deems the application complete, or at a later time mutually agreed to by the CEC and the applicant. Additionally the bill would require an expedited 120-day CEC approval process for an application for conversion of the simple cycle thermal powerplant to combined cycle operation.

**SBxx 59 (Battin) Thermal powerplants (Senate Energy, Utilities and Communication Committee).** This bill would exempt the Teayawa Energy Center, which is a 600 megawatt natural gas thermal powerplant to be located on trust lands of the Torres Martinez Indian tribe in Riverside County, from certification under the Warren-Alquist State Energy Resources Conservation and Development Act.

**SBxx 74 (McClintock) Powerplant Upgrades: Exemption from Environmental Regulation (Senate Environmental Quality Committee).** This bill would exempt from the CEQA or other air or water quality regulation a project to upgrade the physical characteristics of a powerplant if the increase in generating capacity would result in the same or fewer air or water pollutants.

# STATE WATER RESOURCES CONTROL BOARD

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