

1991 Summary of Water Legislation



December 1991

Water

It's precious... protect it.

California Water Resources Control Board

STATE WATER RESOURCES CONTROL BOARD

1991 LEGISLATIVE SUMMARY

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This 1991 Legislative Summary was prepared by OLPA. The summary identifies key State legislation introduced in 1991 which the State Water Board followed.

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ABBREVIATIONS

The following abbreviations are used throughout this legislative summary:

ARB	Air Resources Board
BOC	Board of Control
Cal-EPA	California Environmental Protection Agency
DFG	Department of Fish and Game
DOC	Department of Commerce
DOTSC	Department of Toxic Substances Control
DHS	Department of Health Services
DWR	Department of Water Resources
CEQA	California Environmental Quality Act
EPA	Federal Environmental Protection Agency
IWMB	Integrated Waste Management Board
NPDES	National Pollution Discharge Elimination System
Regional Board	California Regional Water Quality Control Board
State Water Board	State Water Resources Control Board
UST	Underground storage tank

AB	Assembly Bill
ACA	Assembly Constitutional Amendment
ACR	Assembly Concurrent Resolution
AJR	Assembly Joint Resolution
SB	Senate Bill
SCA	Senate Constitutional Amendment
SCR	Senate Concurrent Resolution
SJR	Senate Joint Resolution

ABOVEGROUND TANKS

SB 49
TORRES

FEES

SUMMARY:

Raises the fees to fund the aboveground petroleum storage tank program, allows the Regional Boards to inspect a random sample instead of every tank, and adds the definition of petroleum as that used in the UST law. In addition, this measure requires storage statements to include information about the total storage capacity of the facility and requires the tank monitoring program to be established within 360 days after notification by a Regional Board. Lastly, this bill extends by one year the date a report is due to the Legislature.

STATUS:

Chapter 1128, Statutes of 1991

ADMINISTRATION

AB 18 STATE WATER RESOURCES CONTROL BOARD APPROPRIATION
SHER

SUMMARY: Amended the Budget Act of 1991 and transferred \$18,367,000 from the Waste Discharge Permit Fund to the General Fund for support of the State Water Board and the Regional Boards.

STATUS: Chapter 460, Statutes of 1991

AB 2060 GOVERNMENTAL REGULATIONS
POLANCO

SUMMARY: Would require state agencies and air pollution districts to adopt rules and regulations to grant variances and to adopt a variance process so an individual or private entity may apply for relief from regulations adopted by that governmental agency.

STATUS: Assembly Ways and Means Committee

AB 2061 REGULATIONS
POLANCO

SUMMARY: Requires state agencies proposing to adopt or amend any regulation to consider the potential for adverse economic impact on California small businesses and individuals.

STATUS: Chapter 794, Statutes of 1991

ACA 3 STATE-MANDATED LOCAL PROGRAMS
MCCLINTOCK

SUMMARY: Would provide that whenever the Legislature or any state agency mandates any new program or higher level of service on any local government, the State would be required to provide a subvention of funds to pay the local government for the increased cost. This measure would further provide that no statute, other than certain specified statutes, and no executive order or regulation, which mandates a new program or higher level of service on local government would become law unless the Commission on State Mandates makes specified determinations. This measure would make numerous similar changes.

STATUS: Assembly Committee on Local Government

**ACA 21
KNOWLES**

WATER RESOURCES DEVELOPMENT

SUMMARY: Would prohibit the Legislature from amending or repealing any of the county of origin, watershed protection and Delta protection provisions of the Water Code unless the statute is passed in each house by a 2/3 vote.

STATUS: Assembly Committee on Water, Parks & Wildlife

**SB 172
WATSON**

STATE BOARDS AND COMMISSIONS: COMPOSITION

SUMMARY: Would make legislative findings concerning the need to remedy the underrepresentation of women and other underrepresented groups on state boards and commissions.

STATUS: Vetoed

AGRICULTURAL DRAINAGE

AB 1205 WATER RESOURCES
COSTA

SUMMARY: Appropriates funds authorizing the State Water Board to make loans from the Agricultural Drainage Water Account in the 1986 Water Conservation Fund to the Santa Ana watershed project, the City of Sanger, and the Eastern Municipal Water District to aid in the construction of drainage water management units and for related feasibility studies. Specifies that certain revenue transfers may be made after additional allocations are made.

STATUS: Chapter 698, Statutes of 1991

SAN FRANCISCO BAY AND DELTA

AB 1132
CAMPBELL

BAY-DELTA ESTUARY PROTECTION

SUMMARY:

Would declare that the policy of the State is to protect and preserve all reasonable and beneficial uses of the San Francisco Bay/Sacramento-San Joaquin Delta estuary and any tributaries of the estuary and to operate the State Water Project to mitigate the negative impacts on the estuary from the operation of the project; and would require the DWR, in determining the availability of water for export from the estuary, to ensure that the project is operated to protect all reasonable and beneficial uses.

STATUS:

Assembly Committee on Ways and Means

HAZARDOUS WASTE

**AB 188
TANNER**

HAZARDOUS SUBSTANCES RELEASES: LOANS

SUMMARY: Would require the DOC to conduct a loan program to assist persons in financing all actions necessary to carry out an enforceable agreement with the DHS. The bill would impose eligibility requirements for receiving the loan and would specify requirements concerning the loan, (i.e., payment, amount and interest rate).

STATUS: Assembly Committee on Environmental Safety

**AB 189
TANNER**

HAZARDOUS SUBSTANCE RELEASES TECHNICAL HANDBOOK

SUMMARY: Would require the DHS and the State Water Board to each develop, by July 1, 1992, policies and procedures to be used by each in overseeing the investigation of, and cleaning up or abating the effects of, discharges of a hazardous substance, in the case of the State Water Board and in the case of the DHS in overseeing the investigation and taking or removal and remedial actions at hazardous substance release sites.

STATUS: Chapter 292, Statutes of 1991

**AB 240
PEACE**

HAZARDOUS AND SOLID WASTE DISPOSAL: INDIAN COUNTRY

SUMMARY: Allows the Secretary of the Cal-EPA to enter into cooperative agreements with Native American Indian tribes proposing to construct a hazardous or solid waste disposal facility.

STATUS: Chapter 805, Statutes of 1991

AB 892 EARTH SCIENCE: HYDROLOGISTS AND HYDROGEOLOGISTS
TANNER

SUMMARY: Would change the Board of Registration for Geologists and Geophysicists to the Board of Registration for Earth Scientists and would provide for the registration of hydrologists and hydrogeologists. This bill would prohibit any person other than a registered hydrologist or hydrogeologist to use the title registered or professional hydrologist or hydrogeologist.

STATUS: Senate Committee on Business and Professions

AB 937 TOXIC DEVELOPMENTS: PROJECT SITE DEMOGRAPHICS
ROYBAL-ALLARD

SUMMARY: Would prohibit the approval of a permit for a potentially high-impact development project, unless the application includes a description of the project site demographics. The bill would prohibit a public agency from accepting as complete an application for toxic development projects unless the applications include a description of the project site demographics.

STATUS: Vetoed

AB 213 HAZARDOUS WASTES: MINING WASTES
TANNER

SUMMARY: Would redefine mining wastes to delete the reference to natural materials and would define the term minerals with reference to the definition in the provisions regulating geology, mines, and mining.

STATUS: Chapter 174, Statutes of 1991

AB 1519 HAZARDOUS MATERIALS: DATA MANAGEMENT
LEE

SUMMARY: Would require Cal-EPA, in cooperation with each state and local agency which collects hazardous materials data, to establish systems and procedures for collecting, storing, and distributing hazardous materials data to the public and among state and local agencies, if the state or local agency is able to comply with the request.

STATUS: Senate Inactive Files

**AB 1800 WASTEWATER AND TOXICS CLEANUP: INTERNATIONAL BORDER
PEACE**

SUMMARY: Would authorize \$150,000,000 in general obligation bonds to finance a wastewater and toxics cleanup program in the International Border Region.

STATUS: Assembly Committee on Banking, Finance and Bonded Indebtedness

**AB 1899 RECYCLABLE USED OIL
FRIZZELLE**

SUMMARY: Revises the conditions under which used or spent etchants, stripping solutions, and plating solutions are classified as recyclable materials to be regulated as hazardous waste. This bill excludes from regulation as waste a recyclable material which is a fuel removed from a fuel tank and contaminated or mixed with specified materials and transferred to a refinery for processing into fuel. The bill allows used oil which fails to qualify for a specified exemption to be managed as an exempt recyclable material if the used oil is managed pursuant to Federal regulations.

STATUS: Chapter 1173, Statutes of

**AB 2178 UNUSED LATEX PAINT: DISPOSAL
BRULTE**

SUMMARY: Defines the term recyclable latex paint and generally prohibits any unauthorized person from disposing of latex paint. Recyclable latex paint may be accepted at any location under certain requirements.

STATUS: Chapter 364, Statutes of

**SB 48
THOMPSON**

RAILROAD ACCIDENTS: SPILLS

SUMMARY: This bill was in response to the July 14, 1991 railroad derailment in Siskiyou County, near Dunsmuir, and the July 21, 1991 railroad derailment in Ventura County. The bill created the Railroad Accident Prevention Immediate Deployment Force which shall consist of representatives from the Regional Board, among others. This measure subjects railroads to a fee, revises the definition of hazardous waste, requires a report on hazardous railroad lines, requires the adoption of regulations and creates the Railroad Accident Prevention and Response Fund.

STATUS: Chapter 766, Statutes of 1991

**SB 52
TORRES**

MAIN SAN GABRIEL BASIN WATER QUALITY AUTHORITY

SUMMARY: Would create the Main San Gabriel Basin Water Quality Authority and would require the authority to develop plans and undertake projects for the improvement of water quality in the Main San Gabriel Basin, to control and remove toxic contaminants from the Basin, and to construct and operate water treatment facilities which benefit the Basin.

STATUS: Failed passage

**SB 84
TORRES**

HAZARDOUS WASTE FEES: VOLATILE ORGANIC COMPOUNDS

SUMMARY: Would require a generator of volatile organic compounds to pay a surcharge on the fee to the BOC which would be at a rate set by the BOC to generate \$20,000,000 per year. The bill would require the fees to be deposited in the Groundwater Cleanup Subaccount of the Hazardous Substance Account. The DHS would be authorized to expend the money in the subaccount, upon appropriation by the Legislature, to cleanup or abate groundwater contaminated, or potentially contaminated, with volatile organic compounds.

STATUS: Senate Committee on Appropriations

SB 251
ROBERTI

POLLUTION PREVENTION ACT OF 1991

SUMMARY

Would require specified persons to submit certain data to Cal-EPA, Office of Pollution Prevention and would authorize the Office to require industries to submit pollution prevention audits and plans identifying measures that the industries would be required to implement.

STATUS:

Senate Committee on Appropriations

SB 596
ALQUIST

RADIOACTIVE LOW-LEVEL WASTE: COMPACT

SUMMARY:

Would require that an action challenging any final order or decision of any state or local agency regarding the site acquisition for, or the siting, construction, development, permitting, or leasing of, a low-level radioactive waste regional disposal facility pursuant to the "Southwestern Low-level Radioactive Waste Disposal Compact's" requirements to be brought pursuant to the procedures for obtaining a writ of administrative mandamus. The bill would also allow only the California Supreme Court to hear the action.

STATUS:

Senate Committee on Toxics and Public Safety

OCEANS/BAYS

AB 854 **COASTAL RESOURCES**
LEMPERT

SUMMARY: Would repeal and reenact the Coastal Resources and Energy Assistance Act. The bill would authorize the Secretary of the Cal-EPA to award grants to coastal counties and cities for activities related to offshore development. The bill would authorize the Secretary to award grants for specified commercial fishing activities until January 1, 1996.

STATUS: Senate Committee on Natural Resources and Wildlife

AB 1059 **SAN FRANCISCO BAY: DREDGING**
SHER

SUMMARY: Requires the San Francisco Bay Conservation and Development Commission to impose a user fee not to exceed \$.10 per cubic yard of material upon any public agency or person who proposes to dredge material from, or dispose of dredged material in, the San Francisco Bay. The bill would also require the Commission to cooperate with the State Water Board, among others, in developing a strategy for addressing dredging in the San Francisco Bay.

STATUS: Chapter 583, Statutes of 1991

AB 1103 **WATER QUALITY: COASTAL BAYS**
BATES

SUMMARY: Would require the Regional Boards for the North Coast, San Francisco Bay, Central Coast, Los Angeles, and San Diego regions to conduct unannounced inspections of waste discharges that require a NPDES program permit and which would affect the quality of the waters of San Francisco Bay, Humboldt Bay, Tomales Bay, Monterey Bay, Santa Monaco Bay, or San Diego Bay. Major dischargers would be inspected at least four times annually and other dischargers two times annually to determine compliance with applicable requirements, and would prescribe related duties of the Regional Boards.

STATUS: Senate Committee on Agriculture and Water Resources

SB 69
KOPP

WATER QUALITY: SAN FRANCISCO BAY

SUMMARY:

Would require the State Water Board, in any specified water rights proceedings, for the establishment of salinity standards or flow requirements applicable to the State Water Project or the Federal Central Valley Project, to include independent water quality objectives and water rights permit terms and conditions specifically for protection of the beneficial uses of the San Francisco Bay.

STATUS:

Senate Appropriations Committee

SB 79
AYALA

WATER FLOWS: SAN FRANCISCO BAY-DELTA ESTUARY

SUMMARY:

Would prohibit the State Water Board, in implementing water quality control plans or otherwise protecting public trust uses of the San Francisco Bay/Sacramento-San Joaquin delta, from imposing on existing water rights permits or licenses new terms or conditions requiring delta flows in excess of those in effect on January 1, 1991.

STATUS:

Senate Inactive File

RECLAIMED WATER

**AB 13
KELLEY** **RECLAIMED WATER**

SUMMARY: Would provide that reclaimed water which meets safe drinking water standards is not waste water and may be used within limits.

STATUS: Assembly Committee on Water, Parks and Wildlife

**AB 24
FILANTE** **WATER RECYCLING BOND LAW OF 1992**

SUMMARY: Would finance \$200,000,000 in general obligation bonds for wastewater and toxic cleanup in the International Border region.

STATUS: Assembly Floor

**AB 174
KELLEY** **NONPOTABLE USES**

SUMMARY: Would prohibit a person or public agency from using potable water for nonpotable uses, including cemeteries, golf courses, parks, highway landscaped areas, and industrial and irrigation uses, if reclaimed water is available.

STATUS: Chapter 553, Statutes of 1991

**AB 673
CORTESE** **WATER RECYCLING ACT OF 1991**

SUMMARY: Establishes a statewide water recycling goal. The bill would include the need to develop and use recycled water among the factors considered in establishing water quality objectives.

STATUS: Chapter 187, Statutes of 1991

**AB 1237
KATZ**

RECLAIMED WATER

SUMMARY: Would declare that the use of potable domestic water for the landscaping of public properties is a waste or an unreasonable use of water, and would prohibit a person or public agency from using potable water for landscaping for public purposes, if reclaimed water is available. This bill would require, that a person who establishes a voluntary conservation or onsite water recycling system which achieves a 30 percent reduction in water use, receive water credits.

STATUS: Assembly Committee on Water, Parks and Wildlife

**AB 1698
FILANTE**

RECLAIMED WATER

SUMMARY: Declares that the use of potable domestic water for toilet and urinal flushing in nonresidential structures is a waste or unreasonable use of water and authorizes public agencies to require the use of reclaimed water. The bill authorizes the DHS and the State Water Board to charge fees for costs incurred. The bill exempts related activities from the CEQA.

STATUS: Chapter 723, Statutes of 1991

**AB 2252
FELANDO**

WASTEWATER

SUMMARY: Would require any person or entity that holds a NPDES permit to make wastewater available for reclamation uses.

STATUS: Assembly Committee on Water, Parks and Wildlife

**ABX 15
KELLEY**

RECLAMATION PROJECTS: EMERGENCY ASSISTANCE

SUMMARY: Authorizes the State Water Board to make loans and grants to fund eligible water reclamation projects, in order to relieve emergency drought situations. The bill would appropriate \$10,000,000 from the State General Fund to the State Water Board.

STATUS: Assembly Floor

REORGANIZATION

AB 3 REGIONAL GOVERNMENT
BROWN

SUMMARY: Would create the State Growth Management Commission. The Office of Planning and Research would prepare, adopt, and maintain a regional strategy, consistent with the State Plan, and would address economic development, air and water quality, transportation, housing, urban form and regional capital infrastructure.

STATUS: Senate Committee on Local Government

AB 1122 CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
SHER

SUMMARY: Creates the Cal-EPA and would include within that agency the ARB, the IWMB, the State Energy Resources Conservation and Development Commission, the State Water Board, each Regional Board and the DOTSC, and would state these agencies' duties and functions, as specified.

STATUS: Senate Committee on Governmental Organization

SB 51 POLLUTION PREVENTION ACT OF 1991
TORRES

SUMMARY: Would make statutory changes necessary to conform to the Governor's Reorganization Plan No. 1 of 1991. The bill would transfer the duties vested in the Secretary of Cal-EPA under the plan relating to the Ocean Resources Task Force and the Coastal Resources and Energy Assistance Act to the Secretary of the Resources Agency.

STATUS: Assembly Floor

SB 797 SAN FRANCISCO BAY AREA: REGIONAL GROWTH MANAGEMENT
MORGAN

SUMMARY: Would establish the San Francisco Bay Area Regional Commission. The Commission would be required to prepare and maintain a comprehensive regional plan.

STATUS: Assembly Committee on Local Government

SEWAGE TREATMENT

AB 2024 **CLEAN WATER BOND LAW OF 1992**
COSTA

SUMMARY: Would authorize the issuance of \$50,000 in general obligation bonds to finance a water pollution control program.

STATUS: Assembly Committee on Banking, Finance and Bonded Indebtedness

SB 434 **PLANNING**
BERGESON

SUMMARY: Would require any agency, department, constitutional officer, governmental entity, or other officer or entity of the state empowered to allocate funds derived from bonds and other programs approved by or on behalf of the State to give a preference to projects within development boundaries adopted by regional fiscal authorities formed pursuant to this bill and an additional preference to projects inside a city or county whose general plan complies with specified local planning requirements and is consistent with the California growth management policies. These preferences would be applicable only to applications for grants and loans from specified programs or for grants and loans for projects from any other state program approved after January 1, 1992.

STATUS: Assembly Committee on Local Government

SOLID WASTE

AB 1388 **PUENTE HILLS LANDFILL**
HORCHER

SUMMARY: Would prohibit a local enforcement agency from approving a expansion of the Puente Hills landfill (Los Angeles County) before a public hearing is held about the distance between the outside perimeter of the disposal area and adjacent land uses.

STATUS: Senate Inactive File

AB 1476 **SOLID WASTE LANDFILLS: INSPECTION AND ENFORCEMENT**
EASTIN

SUMMARY: Authorizes the State Water Board to expend monies apportioned by the IWMB for specified landfill regulatory programs and activities.

STATUS: Chapter 1088, Statutes of 1991

AB 1520 **SOLID WASTE LANDFILLS: SOURCE REDUCTION**
SHER

SUMMARY: Delays until July 1, 1992, the termination date of the statutory definition of "solid waste" for source reduction purposes. This bill also requires that before the IWMB may determine that the diversion of sludge may be counted toward the diversion requirements, to make specified findings and to establish specified monitoring requirements.

STATUS: Chapter 718, Statutes of 1991

AB 1760 **METALLIC WASTE**
EASTIN

SUMMARY: Prohibits a solid waste facility from accepting, after January 1, 1994, for disposal any major appliance, vehicle, or other metallic discard, (white good) which contain enough metal to be economically feasible to salvage as determined by the solid waste facility operator.

STATUS: Chapter 849, Statutes of 1991

**SB 545
CALDERON**

SOLID WASTE DISPOSAL SITES

SUMMARY: Would require each county to notify the public on the results of the Solid Waste Assessment Test reports and would also require each county to conduct a public hearing to obtain public opinion on the results of the report.

STATUS: Senate Committee on Governmental Organization

**SB 685
CALDERON**

SOLID WASTE ASSESSMENT TEST FEES

SUMMARY: Would require the State Water Board to adopt a fee schedule which assesses a fee on any owner or operator of a solid waste disposal site who has not submitted a complete and correct solid waste water quality assessment test to the Regional Board by July 1, 1991.

STATUS: Assembly Committee on Natural Resources

**SB 181
HART**

FINES AND PENALTIES: DISCHARGES INTO STATE WATERS

SUMMARY: Makes any person convicted of permitting to pass into, or placing where it can pass into the waters of this State any petroleum, acid, coal or oil tar, lampblack, aniline, asphalt, bitumen, or residuary product of petroleum, or carbonaceous material or substance, or any refuse, liquid or solid, from any refinery, gas home, tannery, distillery, chemical works, mill or factory subject to an additional fine of not more than \$10 for each gallon or pound of material discharged, an amount equal to all actual damages to fish, plant, bird, or animal life and habitat, and an amount equal to the reasonable costs of cleanup and abatement.

STATUS: Chapter 1193, Statutes of 1991

SURFACE IMPOUNDMENTS

AB 182
TANNER

SURFACE IMPOUNDMENTS REPORT

SUMMARY: Would delete the requirement that the State Water Board submit a report to the Legislature by January 1, 1987, on applications for exemption under the Toxic Pits Cleanup Act of 1984.

STATUS: Assembly Committee on Environmental Safety

UNDERGROUND STORAGE TANKS

**AB 1057
SHER**

VAULTED UNDERGROUND STORAGE TANK EXEMPTION

SUMMARY: Extends the vaulted UST exemption from San Diego County to all counties.

STATUS: Chapter 627, Statutes of 1991

**AB 1359
CORTESE**

TANK TESTERS

SUMMARY: Requires each applicant for a UST tester license to pass the examination and would require an applicant to have either one year of experience personally testing USTs or 6 months of experience in personally testing USTs and completion of a course of study.

STATUS: Chapter 708, Statutes of 1991

**AB 1699
KELLEY**

UNDERGROUND STORAGE TANK CLEANUP FUND

SUMMARY: Defines residential UST for the UST Cleanup Fund and limits third party claims.

STATUS: Chapter 1033, Statutes of 1991

**AB 1731
SHER**

UNDERGROUND STORAGE TANK VARIANCES

SUMMARY: Deletes the provision allowing the granting of categorical variances.

STATUS: Chapter 724, Statutes of 1991

**AB 1954
BECERRA**

UNAUTHORIZED RELEASES

SUMMARY: Specifies that an unauthorized release includes a spill or overflow of a hazardous substance that occurs while the hazardous substance is placed in a UST. The bill requires the person causing the spill or overflow notify the UST operator.

STATUS: Chapter 1138, Statutes of 1991

SB 853
KEENE

UNDERGROUND STORAGE TANK CLEANUP FUND FEE

SUMMARY:

Would allow a city, county, or local agency which owns or operates an UST or a nonpetroleum marketer to elect not to pay the UST Cleanup Fund fee and therefore would not be eligible to file a claim for reimbursement.

STATUS:

Senate Committee on Toxics and Public Safety

WATER QUALITY

AB 88
KELLEY

ADMINISTRATIVE PROCEDURE ACT

SUMMARY: Would exempt from the requirements of the Administrative Procedure Act, the adoption or revision of State Policy for Water Quality Control and Water Quality Control Plans and Guidelines, the issuance of waste discharge requirements, and permits, and waivers, and the issuance or waiver of water quality certifications, pursuant to specified procedures. The bill would require the State Water Board and the Regional Boards to provide notice to specified persons and organizations, to prepare written responses to comments from the public, and to maintain an administrative record in connection with the adoption or revision of State policy for water quality control and water quality control plans and guidelines.

STATUS: Senate Committee on Agriculture and Water Resources

AB 220
HAUSER

HIGHWAY DEICING

SUMMARY: The deicing of roadways with salt has caused environmental damage in the high mountain regions of California with the most serious damage in the Lake Tahoe Basin. This bill requires the Department of Transportation, on or before July 1, 1992, to adopt and implement a State highway deicing policy and report to the Legislature.

STATUS: Chapter 318, Statutes of 1991

AB 355
HAUSER

FISH HABITAT DAMAGES

SUMMARY: Would authorize the DFG to order responsible parties to repair and restore all loss or impairment of fishlife, shellfish, and their habitat. The bill would also authorize the DFG to use available funds to repair and restore damaged fish and shellfish habitat and to seek full remuneration for the costs of all repair and restoration incurred by DFG from those individuals or entities responsible for the damage and destruction.

STATUS: Assembly Committee on Water, Parks and Wildlife

**AB 521
TANNER**

MAIN SAN GABRIEL BASIN WATER QUALITY AUTHORITY

SUMMARY: Would create the Main San Gabriel Basin Water Quality Authority to develop plans and undertake projects for the improvement of water quality in the Main San Gabriel Basin, to control and remove toxic contaminants from the Basin, and to construct and operate water treatment facilities which benefit the Basin.

STATUS: Assembly Committee on Ways and Means

**AB 523
TANNER**

SAN GABRIEL VALLEY GROUNDWATER

SUMMARY: Would require the Watermaster for the Main San Gabriel Basin to collect and report well information and water quantity and quality information from ground water pumpers, formulate and implement Basin operating principles consistent with Federal and State plans and regulate existing and new well installation, construction and modification and use to protect existing water quality by July 15, 1991.

STATUS: Assembly Committee on Environmental Safety

**AB 710
COSTA**

**STATE WATER RESOURCES CONTROL BOARD:
WATER QUALITY: POLICIES**

SUMMARY: This bill would require the State Water Board to notify the Regional Boards at least 65, rather than 60, days in advance of a public hearing prior to its adoption of a state policy for water quality control.

STATUS: Assembly Committee on Water, Parks and Wildlife

**AB 1049
MURRAY**

PUBLIC UTILITIES: WATER SERVICE

SUMMARY: This bill would require everyone who sells, leases, rents, or delivers water to anyone else to report at least annually, to its customers on the level of contaminants in drinking water which pose a potential risk to human health.

STATUS: Senate Committee on Energy and Public Utilities

AB 1380
SHER

ENVIRONMENTAL QUALITY

SUMMARY:

Would prohibit a state agency from granting or waiving a permit for an activity which may result in discharge into navigable waters without preparing or causing to be prepared an environmental impact report.

STATUS:

Assembly Committee on Natural Resources

AB 1386
CORTESE

FINES AND PENALTIES

SUMMARY:

Makes persons who substantially diverts or obstructs the natural flow or substantially change the bed, channel, or bank of any river, stream or lake designated by the DFG or uses any material from the streambeds, without first notifying the DFG of the activity subject to a civil penalty of not more than \$25,000 for each violation.

STATUS:

Chapter 844, Statutes of 1991

WATER RIGHTS

AB 231 **CONJUNCTIVE USE**
COSTA

SUMMARY: Would declare that when any holder of an appropriative right fails to use any part of that water as a result of conjunctive use of surface or ground water involving the substitution of an alternative supply for the unused portion of the surface water, any cessation, or reduction in the use of appropriated water deemed equivalent to a reasonable beneficial use of the water. The bill would authorize substitution of an alternative supply under certain requirements.

STATUS: Assembly Inactive File

AB 1364 **DIVERSION OF WATER: MINIMUM STREAMFLOW PROTECTION**
CORTESE

SUMMARY: Would set additional requirements applicable to the State Water Board's approved changes in point of diversion, place or purpose of use (including transfers), concerning the screening of diversions and instream flows.

STATUS: Assembly Committee on Ways and Means

AB 1605 **WATER TRANSFERS**
COSTA

SUMMARY: Limits the water which may be subject to a lease agreement. The lease requires the lessor, if the lessor or lessee is a water district or a company, to file a notice of the lease agreement with the State Water Board to give public notice. If the lessor and lessee are private parties they must file an application with the State Water Board and in some circumstances, pay a fee. This bill requires any lease of water involving the transfer of water from the Sacramento-San Joaquin Delta to provide outflow for prescribed carriage water flows.

STATUS: Chapter 847, Statutes of 1991

AB 2017
KELLEY

UNAUTHORIZED DIVERSION OR USE

SUMMARY:

Clarify's the State Water Board's authority to impose administrative civil liabilities and would modify the hearing requirement on a complaint issued by the State Water Board.

STATUS:

Chapter 1098, Statutes of 1991

AB 2035
KELLEY

ENFORCEMENT AUTHORITY

SUMMARY:

Would authorize the State Water Board to provide interim and permanent relief in proceeding to enforce specified water rights and water quality laws. The bill would require the Attorney General, upon request by the State Water Board to petition the Superior Court for injunctive relief, if any water diverter or user fails to comply with any part of an interim order.

STATUS:

Assembly Committee on Water, Parks and Wildlife

AB 2090
KATZ

WATER TRANSFERS

SUMMARY:

Would authorize the State Water Board to approve a water transfer that temporarily changes the point of diversion, place or purpose of use if the change does not unreasonably affect the environment. Instead of not unreasonably affecting fish, wildlife or other instream beneficial uses.

STATUS:

Senate Committee on Agriculture and Water Resources

ABX 10
COSTA

WATER TRANSFERS

SUMMARY:

Provides that no temporary water transfer made pursuant to any provision of law for drought relief in calendar years 1991 and 1992 shall affect any water rights. This bill sunsets on January 1, 1993.

STATUS:

Chapter 2, Statutes of 1991

**SB 301
AYALA**

POINT OF DIVERSION OR PLACE OR PURPOSE OF USE

SUMMARY:

Establishes a voluntary water rights transfer process for the preservation and enhancement of fish and wildlife resources, wetlands habitat or recreation. This measure also specifies that the DFG shall receive notice of, review and make a recommendation regarding proposed transfers.

STATUS:

Chapter 663, Statutes of 1991

**SB 612
CALDERON**

ENVIRONMENTAL IMPACT REPORTS

SUMMARY:

Would require environmental impact reports to include a detailed statements of the projects effects on the area labor force.

STATUS:

Senate Committee on Governmental Organization

WATER SUPPLY

AB 255 GROUNDWATER MANAGEMENT
COSTA

SUMMARY: Authorizes any local agency whose jurisdiction include specified groundwater basins identified by the DWR as being subject to critical conditions of overdraft and provides water service to establish programs for the management of groundwater. The bill authorizes the local agency to exercise specified powers of a water replenishment district and levy an assessment, if approved by the voters.

STATUS: Chapter 903, Statutes of

AB 799 THE CALIFORNIA WATER PLAN
CORTESE

SUMMARY: Requires the DWR to update the California Water Plan every five years and to report all changes to the Legislature. This bill requires DWR to release a preliminary draft to interested parties for review and comments and requires either DWR or the California Water Commission to hold hearings.

STATUS: Chapter 620, Statutes of

AB 1704 WATER PLANNING
EASTIN

SUMMARY: Would create the California Water Planning Task Force to evaluate and solve California's major long term water problems. The task force would include representatives from the State Water Board and other interested parties.

STATUS: Assembly Committee on Water, Parks and Wildlife

AB 2111 DESALINATION
POLANCO

SUMMARY: Would authorize the owner or operator of a qualifying water facility to request a local water agency to issue an order requiring the physical connection of any qualifying water facility treatments and transmission facilities of the local water agency. This bill would prohibit a qualifying water facility from being found to be a public utility solely because of this bill.

STATUS: Vetoed

**ABX 8
KATZ**

WATER APPROPRIATION

SUMMARY: Would prohibit a local water district from preventing, prohibiting or delaying a temporary change in the point of diversion, place or purpose of use petitioned to the State Water Board.

STATUS: Assembly Committee on Water, Parks and Wildlife

**ABX 9
CORTESE**

WATER TRANSFERS

SUMMARY: Authorizes a water supplier to contract with the State Drought Water Bank or with others water suppliers or users outside the service area of the suppliers to transfer water made available from specified sources; authorizes the water suppliers to enter into these contracts in 1992 if approved by the Director of the DWR; defines "water supplier". This bill sunsets on January 1, 1993.

STATUS: Chapter 1, Statutes of 1991, Extraordinary Session

**ABX 16
MAYS**

WATER RESOURCES

SUMMARY: Exempts from specified time limits application to appropriate water, petitions for change of point of diversion, place or purpose of use, or petitions for a prescribed certification for project involving the diversion or use of water.

STATUS: Chapter 12, Statutes of 1991, Extraordinary Session

**SB 229
BOATWRIGHT**

WATER METERS

SUMMARY: Requires the installation of water meters on new potable water service connection on or after January 1, 1992. Prescribed community water systems and wells are exempt. This measure requires the meters to be in compliance with established standards and to be a specific type.

STATUS: Chapter 407, Statutes of 1991

**AB 2207
POLANCO**

DESALINATION

SUMMARY: Requires the DWR to provide assistance to persons or entities seeking to construct desalination facilities for reducing the concentration in brackish ground or sea water.

STATUS: Chapter 1161, Statutes of 1991