



**COMMUNITY AND LEGISLATIVE AFFAIRS  
COMMITTEE MEETING  
OF THE BOARD OF DIRECTORS  
INLAND EMPIRE UTILITIES AGENCY\*  
AGENCY HEADQUARTERS, CHINO, CALIFORNIA**

**WEDNESDAY, APRIL 10, 2019  
9:00 A.M.**

**CALL TO ORDER**

**PUBLIC COMMENT**

Members of the public may address the Board on any item that is within the jurisdiction of the Board; however, no action may be taken on any item not appearing on the agenda unless the action is otherwise authorized by Subdivision (b) of Section 54954.2 of the Government Code. Those persons wishing to address the Board on any matter, whether or not it appears on the agenda, are requested to complete and submit to the Board Secretary a "Request to Speak" form, which is available on the table in the Board Room. Comments will be limited to three minutes per speaker. Thank you.

**ADDITIONS TO THE AGENDA**

In accordance with Section 54954.2 of the Government Code (Brown Act), additions to the agenda require two-thirds vote of the legislative body, or, if less than two-thirds of the members are present, a unanimous vote of those members present, that there is a need to take immediate action and that the need for action came to the attention of the local agency subsequent to the agenda being posted.

**1. ACTION ITEMS**

**A. MINUTES**

The Committee will be asked to approve the Community and Legislative Affairs Committee meeting minutes of March 13, 2019.

**B. ADOPT POSITIONS ON VARIOUS STATE BILLS**

Staff recommends that the Committee/Board:

1. Adopt a position of Support for AB 292 (Quirk);
2. Adopt a position of Support for AB 405 (Rubio);
3. Adopt a position of Support for AB 557 (Wood);
4. Adopt a position of Support for AB 654 (Rubio);
5. Adopt a position of Support for AB 1180 (Friedman);
6. Adopt a position of Support for AB 1204 (Rubio);

7. Adopt a position of Support for AB 1672 (Bloom);
8. Adopt a position of Oppose Unless Amended for SB 332 (Hertzberg);  
and
9. Adopt a position of Support for AJR 8 (Quirk).

2. **INFORMATION ITEMS**

A. **PUBLIC OUTREACH AND COMMUNICATION (WRITTEN)**

B. **STATE LEGISLATIVE REPORT AND MATRIX – WEST COAST ADVISORS (WRITTEN)**

C. **FEDERAL LEGISLATIVE REPORT AND MATRIX – INNOVATIVE FEDERAL STRATEGIES (WRITTEN)**

D. **CALIFORNIA STRATEGIES MONTHLY REPORT (WRITTEN)**

3. **GENERAL MANAGER'S COMMENTS**


4. **COMMITTEE MEMBER COMMENTS**

5. **COMMITTEE MEMBER REQUESTED FUTURE AGENDA ITEMS**

6. **ADJOURN**

\*A Municipal Water District

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Board Secretary (909-993-1736), 48 hours prior to the scheduled meeting so that the Agency can make reasonable arrangements.

Proofed by: 

**DECLARATION OF POSTING**

I, April Woodruff, Board Secretary/Office Manager of the Inland Empire Utilities Agency, A Municipal Water District, hereby certify that a copy of this agenda has been posted by 5:30 p.m. in the foyer at the Agency's main office, 6075 Kimball Avenue, Building A, Chino on Thursday, April 4, 2019.

  
April Woodruff

**ACTION  
ITEM  
1A**



**MINUTES  
COMMUNITY AND LEGISLATIVE AFFAIRS  
COMMITTEE MEETING  
INLAND EMPIRE UTILITIES AGENCY\*  
AGENCY HEADQUARTERS, CHINO, CA**

**WEDNESDAY, MARCH 13, 2019  
9:00 A.M.**

**COMMITTEE MEMBERS PRESENT**

Jasmin A. Hall, Chair  
Paul Hofer

**COMMITTEE MEMBERS ABSENT**

None

**STAFF PRESENT**

Kirby Brill, Interim General Manager  
Chris Berch, Executive Manager of Engineering/AGM  
Kathy Besser, Executive Manager of External Affairs & Policy Development/AGM  
Randy Lee, Executive Manager of Operations/AGM  
Shaun Stone, Acting Executive Manager of Engineering/AGM  
Christina Valencia, Executive Manager of Finance & Administration/AGM  
Andrea Carruthers, Manager of External Affairs  
Elizabeth Hurst, Water Resources Planner II  
Jennifer Hy-Luk, Acting Executive Assistant  
Liza Munoz, Senior Engineer  
Sylvie Lee, Manager of Planning & Environmental Resources  
Cathleen Peroni, Manager of Government Relations  
Matthew Poeske, Construction Project Manager  
Teresa Velarde, Manager of Internal Audit  
April Woodruff, Board Secretary/Office Manager

**OTHERS PRESENT**

Eric Grubb, CVWD  
Chris Lancaster, Civic Publications  
Kathy Tiegs, CVWD

The meeting was called to order at 9:10 a.m. There were no additions to the agenda. A request for public comment was received. Cucamonga Valley Water District (CVWD) Principal Management Analyst Eric Grubb thanked the Agency for their partnership and for inviting CVWD Director Kathy Tiegs to speak at the DC luncheon. Mr. Grubb noted that at the next CVWD Board meeting, CVWD will be adopting a Resolution in support of SB 669, which is an alternate proposal to the water tax.

**ACTION ITEMS**

The Committee:

- ◆ Approved the Community and Legislative Affairs Committee meeting minutes of February 13, 2019.

**INFORMATION ITEMS**

The following information items were presented or received and filed by the Committee:

- ◆ Public Outreach and Communications
- ◆ West Coast Advisors
- ◆ Innovative Federal Strategies
- ◆ California Strategies, LLC Activity Report
- ◆ Federal Legislative Matrix
- ◆ State Legislative Matrix
- ◆ Grants Department Semi-Annual Board Update

**GENERAL MANAGER'S COMMENTS**

There were no General Manager comments.

**COMMITTEE MEMBER COMMENTS**

There were no Committee member comments.

**COMMITTEE MEMBER REQUESTED FUTURE AGENDA ITEMS**

There were no Committee member requests for future agenda items.

With no further business, Director Hall adjourned the meeting at 9:41 a.m.

Respectfully submitted,

April Woodruff  
Board Secretary/Office Manager

\*A Municipal Water District

**APPROVED: APRIL 10, 2019**

Community and Legislative Affairs Committee

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**ACTION  
ITEM  
1B**



**Date:** April 17, 2019

**To:** The Honorable Board of Directors

**From:** Shivaji Deshmukh, General Manager

*KBS 17*

**Committee:** Community & Legislative Affairs

04/10/19

**Executive Contact:** Kathy Besser, Executive Manager of Ext. Aff. & Policy Dev./AGM

**Subject:** Adopt Positions on Various State Bills

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**Executive Summary:**

The State legislature began the 2019 session on January 7. By the bill introduction deadline (February 22), 2,576 bills had been introduced for consideration. The following bills have the potential to impact the Agency and fall within Board-adopted Legislative Policy Principles:

1. AB 292 (Quirk, Hayward) - Recycled Water: raw water and groundwater augmentation.
2. AB 405 (Rubio, Baldwin Park) - Sales and Use Taxes: exemption of chemicals used for water treatment from sales tax.
3. AB 557 (Wood, Santa Rosa) - Atmospheric Rivers: research, mitigation and climate forecasting.
4. AB 654 (Rubio) - Public Records: utility customers: disclosure of personal information.
5. AB 1180 (Friedman, Glendale) - Water: recycled water.
6. AB 1204 (Rubio) - Public Water Systems: primary drinking water standards: implementation date.
7. AB 1672 (Bloom, Santa Monica) - Product Labeling: flushable products.
8. SB 332 (Hertzberg, Van Nuys) - Wastewater Treatment: recycled water.
9. AJR 8 (Quirk) - Invasive Species: Federal Nutria Eradication and Control Act of 2003.

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**Staff's Recommendation:**

1. Adopt a position of Support for AB 292 (Quirk);
2. Adopt a position of Support for AB 405 (Rubio);
3. Adopt a position of Support for AB 557 (Wood);
4. Adopt a position of Support for AB 654 (Rubio);
5. Adopt a position of Support for AB 1180 (Friedman);
6. Adopt a position of Support for AB 1204 (Rubio);
7. Adopt a position of Support for AB 1672 (Bloom);
8. Adopt a position of Oppose Unless Amended for SB 332 (Hertzberg); and
9. Adopt a position of Support for AJR 8 (Quirk).

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**Budget Impact** Budgeted (Y/N): Y Amendment (Y/N): Y Amount for Requested Approval:

Account/Project Name:

N/A

**Fiscal Impact** (explain if not budgeted):

N/A

**Prior Board Action:**

Adoption of 2019 Legislative Policy Principles.

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**Environmental Determination:**

Not Applicable

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**Business Goal:**

Taking legislative positions is in line with IEUA's business practices goal of advocating for the development of policies, legislation and regulations that benefit the region.

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**Attachments:**

- Attachment 1 - Background
- Attachment 2 - AB 292 (Quirk): Bill language
- Attachment 3 - AB 405 (Rubio): Bill language and fact sheet
- Attachment 4 - AB 557 (Wood): Bill language
- Attachment 5 - AB 654 (Rubio): Bill language and fact sheet
- Attachment 6 - AB 1180 (Friedman): Bill language and fact sheet
- Attachment 7 - AB 1204 (Rubio): Bill language and fact sheet
- Attachment 8 - AB 1672 (Bloom): Bill language and fact sheet
- Attachment 9 - SB 332 (Hertzberg): Bill language and fact sheet
- Attachment 10 - AJR 8 (Quirk): Bill language and fact sheet



## Background

Subject: Adopt Positions on Various State Bills

The following table provides a summary of current positions taken by the Metropolitan Water District of Southern California (MWD) and four of IEUA's membership organizations for the Committee's reference.

Bill	Recommended IEUA Position	MWD	CASA	SCWC	WaterReuse	ACWA
AB 292 (Quirk)	Support	Support	Support		Sponsor	Support
AB 405 (Rubio)	Support					Support
AB 557 (Wood)	Support			Support		Support
AB 654 (Rubio)	Support	Support				Support
AB 1180 (Friedman)	Support		Support		Sponsor	Support
AB 1204 (Rubio)	Support	Support		Support		Sponsor
AB 1672 (Bloom)	Support		Sponsor			
SB 332 (Hertzberg)	Oppose Unless Amended		Oppose		Oppose Unless Amended	Oppose
AJR 8 (Quirk)	Support	Support		Support		Support

Membership Organization Acronyms:

- CASA: California Association of Sanitation Agencies
- SCWC: Southern California Water Coalition
- ACWA: Association of California Water Agencies

AMENDED IN ASSEMBLY MARCH 6, 2019

AMENDED IN ASSEMBLY MARCH 4, 2019

CALIFORNIA LEGISLATURE—2019–20 REGULAR SESSION

**ASSEMBLY BILL**

**No. 292**

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**Introduced by Assembly Member Quirk**

January 28, 2019

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An act to amend Sections 10608.12, 10633, 13263.7, 13561, 13561.2, 13570, and 13578 of the Water Code, relating to water.

LEGISLATIVE COUNSEL'S DIGEST

AB 292, as amended, Quirk. Recycled water: raw water and groundwater augmentation.

Existing law requires the State Water Resources Control Board, on or before December 31, 2023, to adopt uniform water recycling criteria for direct potable reuse through raw water augmentation, as specified. Existing law defines "direct potable reuse" and "indirect potable reuse for groundwater recharge" for these purposes.

This bill would eliminate the definition of "direct potable reuse" and instead would substitute the term "groundwater augmentation" for "indirect potable reuse for groundwater recharge" in these definitions. The bill would revise the definition of "treated drinking water augmentation." The bill would require, on or before December 31, 2023, the state board to adopt uniform water recycling criteria for raw water augmentation. The bill would make conforming changes in other areas relating to potable reuse.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

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

1 SECTION 1. Section 10608.12 of the Water Code is amended  
2 to read:

3 10608.12. Unless the context otherwise requires, the following  
4 definitions govern the construction of this part:

5 (a) "Agricultural water supplier" means a water supplier, either  
6 publicly or privately owned, providing water to 10,000 or more  
7 irrigated acres, excluding recycled water. "Agricultural water  
8 supplier" includes a supplier or contractor for water, regardless of  
9 the basis of right, that distributes or sells water for ultimate resale  
10 to customers. "Agricultural water supplier" does not include the  
11 department.

12 (b) "Base daily per capita water use" means any of the  
13 following:

14 (1) The urban retail water supplier's estimate of its average  
15 gross water use, reported in gallons per capita per day and  
16 calculated over a continuous 10-year period ending no earlier than  
17 December 31, 2004, and no later than December 31, 2010.

18 (2) For an urban retail water supplier that meets at least 10  
19 percent of its 2008 measured retail water demand through recycled  
20 water that is delivered within the service area of an urban retail  
21 water supplier or its urban wholesale water supplier, the urban  
22 retail water supplier may extend the calculation described in  
23 paragraph (1) up to an additional five years to a maximum of a  
24 continuous 15-year period ending no earlier than December 31,  
25 2004, and no later than December 31, 2010.

26 (3) For the purposes of Section 10608.22, the urban retail water  
27 supplier's estimate of its average gross water use, reported in  
28 gallons per capita per day and calculated over a continuous  
29 five-year period ending no earlier than December 31, 2007, and  
30 no later than December 31, 2010.

31 (c) "Baseline commercial, industrial, and institutional water  
32 use" means an urban retail water supplier's base daily per capita  
33 water use for commercial, industrial, and institutional users.

34 (d) "CII water use" means water used by commercial water  
35 users, industrial water users, institutional water users, and large  
36 landscape water users.

37 (e) "Commercial water user" means a water user that provides  
38 or distributes a product or service.

1 (f) “Compliance daily per capita water use” means the gross  
2 water use during the final year of the reporting period, reported in  
3 gallons per capita per day.

4 (g) “Disadvantaged community” means a community with an  
5 annual median household income that is less than 80 percent of  
6 the statewide annual median household income.

7 (h) “Gross water use” means the total volume of water, whether  
8 treated or untreated, entering the distribution system of an urban  
9 retail water supplier, excluding all of the following:

10 (1) Recycled water that is delivered within the service area of  
11 an urban retail water supplier or its urban wholesale water supplier.

12 (2) The net volume of water that the urban retail water supplier  
13 places into long-term storage.

14 (3) The volume of water the urban retail water supplier conveys  
15 for use by another urban water supplier.

16 (4) The volume of water delivered for agricultural use, except  
17 as otherwise provided in subdivision (f) of Section 10608.24.

18 (i) “Industrial water user” means a water user that is primarily  
19 a manufacturer or processor of materials as defined by the North  
20 American Industry Classification System code sectors 31 to 33,  
21 inclusive, or an entity that is a water user primarily engaged in  
22 research and development.

23 (j) “Institutional water user” means a water user dedicated to  
24 public service. This type of user includes, among other users,  
25 higher education institutions, schools, courts, churches, hospitals,  
26 government facilities, and nonprofit research institutions.

27 (k) “Interim urban water use target” means the midpoint between  
28 the urban retail water supplier’s base daily per capita water use  
29 and the urban retail water supplier’s urban water use target for  
30 2020.

31 (l) “Large landscape” means a nonresidential landscape as  
32 described in the performance measures for CII water use adopted  
33 pursuant to Section 10609.10.

34 (m) “Locally cost effective” means that the present value of the  
35 local benefits of implementing an agricultural efficiency water  
36 management practice is greater than or equal to the present value  
37 of the local cost of implementing that measure.

38 (n) “Performance measures” means actions to be taken by urban  
39 retail water suppliers that will result in increased water use  
40 efficiency by CII water users. Performance measures may include,

1 but are not limited to, educating CII water users on best  
2 management practices, conducting water use audits, and preparing  
3 water management plans. Performance measures do not include  
4 process water.

5 (o) “Potable reuse” includes raw water augmentation, treated  
6 drinking water augmentation, groundwater augmentation, or  
7 reservoir water augmentation as those terms are defined in Section  
8 13561.

9 (p) “Process water” means water used by industrial water users  
10 for producing a product or product content or water used for  
11 research and development. Process water includes, but is not  
12 limited to, continuous manufacturing processes, and water used  
13 for testing, cleaning, and maintaining equipment. Water used to  
14 cool machinery or buildings used in the manufacturing process or  
15 necessary to maintain product quality or chemical characteristics  
16 for product manufacturing or control rooms, data centers,  
17 laboratories, clean rooms, and other industrial facility units that  
18 are integral to the manufacturing or research and development  
19 process is process water. Water used in the manufacturing process  
20 that is necessary for complying with local, state, and federal health  
21 and safety laws, and is not incidental water, is process water.  
22 Process water does not mean incidental water uses.

23 (q) “Recycled water” means recycled water, as defined in  
24 subdivision (n) of Section 13050.

25 (r) “Regional water resources management” means sources of  
26 supply resulting from watershed-based planning for sustainable  
27 local water reliability or any of the following alternative sources  
28 of water:

29 (1) The capture and reuse of stormwater or rainwater.

30 (2) The use of recycled water.

31 (3) The desalination of brackish groundwater.

32 (4) The conjunctive use of surface water and groundwater in a  
33 manner that is consistent with the safe yield of the groundwater  
34 basin.

35 (s) “Reporting period” means the years for which an urban retail  
36 water supplier reports compliance with the urban water use targets.

37 (t) “Urban retail water supplier” means a water supplier, either  
38 publicly or privately owned, that directly provides potable  
39 municipal water to more than 3,000 end users or that supplies more

1 than 3,000 acre-feet of potable water annually at retail for  
2 municipal purposes.

3 (u) “Urban water use objective” means an estimate of aggregate  
4 efficient water use for the previous year based on adopted water  
5 use efficiency standards and local service area characteristics for  
6 that year, as described in Section 10609.20.

7 (v) “Urban water use target” means the urban retail water  
8 supplier’s targeted future daily per capita water use.

9 (w) “Urban wholesale water supplier,” means a water supplier,  
10 either publicly or privately owned, that provides more than 3,000  
11 acre-feet of water annually at wholesale for potable municipal  
12 purposes.

13 SEC. 2. Section 10633 of the Water Code is amended to read:

14 10633. The plan shall provide, to the extent available,  
15 information on recycled water and its potential for use as a water  
16 source in the service area of the urban water supplier. The  
17 preparation of the plan shall be coordinated with local water,  
18 wastewater, groundwater, and planning agencies that operate within  
19 the supplier’s service area, and shall include all of the following:

20 (a) A description of the wastewater collection and treatment  
21 systems in the supplier’s service area, including a quantification  
22 of the amount of wastewater collected and treated and the methods  
23 of wastewater disposal.

24 (b) A description of the quantity of treated wastewater that meets  
25 recycled water standards, is being discharged, and is otherwise  
26 available for use in a recycled water project.

27 (c) A description of the recycled water currently being used in  
28 the supplier’s service area, including, but not limited to, the type,  
29 place, and quantity of use.

30 (d) A description and quantification of the potential uses of  
31 recycled water, including, but not limited to, agricultural irrigation,  
32 landscape irrigation, wildlife habitat enhancement, wetlands,  
33 industrial reuse, potable reuse, and other appropriate uses, and a  
34 determination with regard to the technical and economic feasibility  
35 of serving those uses.

36 (e) The projected use of recycled water within the supplier’s  
37 service area at the end of 5, 10, 15, and 20 years, and a description  
38 of the actual use of recycled water in comparison to uses previously  
39 projected pursuant to this subdivision.

1 (f) A description of actions, including financial incentives, which  
2 may be taken to encourage the use of recycled water, and the  
3 projected results of these actions in terms of acre-feet of recycled  
4 water used per year.

5 (g) A plan for optimizing the use of recycled water in the  
6 supplier's service area, including actions to facilitate the installation  
7 of dual distribution systems, to promote recirculating uses, to  
8 facilitate the increased use of treated wastewater that meets  
9 recycled water standards, and to overcome any obstacles to  
10 achieving that increased use.

11 SEC. 3. Section 13263.7 of the Water Code is amended to read:

12 13263.7. (a) Compliance with effluent limitations and any  
13 other permit or waste discharge requirements, as appropriate, for  
14 the release or discharge of recycled water determined to be suitable  
15 for potable reuse, as defined in Section ~~13561~~, 10608.12, into a  
16 conveyance facility may be determined at the point where the  
17 recycled water enters the conveyance facility but prior to  
18 commingling with any raw water.

19 (b) Before the discharge may be allowed, consent must be  
20 obtained from the owner or operator of the conveyance facility  
21 that directly receives the recycled water.

22 (c) This section does not limit or restrict the authority of the  
23 state board.

24 (d) For purposes of this section, "raw water" means surface  
25 water or groundwater in its naturally occurring state prior to  
26 treatment.

27 SEC. 4. Section 13561 of the Water Code is amended to read:

28 13561. For purposes of this chapter, the following terms have  
29 the following meanings:

30 (a) "Department" or "state board" means the State Water  
31 Resources Control Board.

32 (b) "Raw water augmentation" means the planned placement  
33 of recycled water into a system of pipelines or aqueducts that  
34 deliver raw water to a drinking water treatment plant that provides  
35 water to a public water system, as defined in Section 116275 of  
36 the Health and Safety Code.

37 (c) "Treated drinking water augmentation," means the planned  
38 placement of recycled water directly into a finished water  
39 distribution system of a public water system, as defined in Section  
40 116275 of the Health and Safety Code.

1 (d) “Groundwater augmentation” means the planned use of  
2 recycled water for replenishment of a groundwater basin or an  
3 aquifer that has been designated as a source of water supply for a  
4 public water system, as defined in Section 116275 of the Health  
5 and Safety Code.

6 (e) “Reservoir water augmentation” means the planned  
7 placement of recycled water into a raw surface water reservoir  
8 used as a source of domestic drinking water supply for a public  
9 water system, as defined in Section 116275 of the Health and  
10 Safety Code, or into a constructed system conveying water to such  
11 a reservoir.

12 (f) “Uniform water recycling criteria” has the same meaning as  
13 in Section 13521.

14 SEC. 5. Section 13561.2 of the Water Code is amended to read:

15 13561.2. (a) On or before December 31, 2023, the state board  
16 shall adopt uniform water recycling criteria for raw water  
17 augmentation. In adopting the initial uniform recycling criteria for  
18 raw water augmentation, the state board shall comply with all of  
19 the following:

20 (1) The state board shall develop the uniform water recycling  
21 criteria for raw water augmentation using information from the  
22 recommended research described in subdivision (b) of Section  
23 13560.5 after soliciting stakeholder input from water agencies,  
24 wastewater agencies, local public health officers, environmental  
25 organizations, environmental justice organizations, public health  
26 nongovernmental organizations, and the business community.

27 (2) Before adopting uniform water recycling criteria for raw  
28 water augmentation, the state board shall submit the proposed  
29 criteria to the expert review panel established pursuant to  
30 subdivision (c). The expert review panel shall review the proposed  
31 criteria and shall adopt a finding as to whether, in its expert  
32 opinion, the proposed criteria would adequately protect public  
33 health.

34 (3) The state board shall not adopt uniform water recycling  
35 criteria for raw water augmentation pursuant to this subdivision  
36 unless and until the expert review panel adopts a finding that the  
37 proposed criteria would adequately protect public health.

38 (4) If the state board finds it will be unable to adopt the uniform  
39 water recycling criteria by December 31, 2023, the state board



1 may, by June 30, 2023, extend the uniform water recycling criteria  
2 deadline by up to 18 months.

3 (5) If the state board finds that it needs longer than the deadline  
4 that has been extended pursuant to paragraph (4), the state board  
5 shall do all of the following:

6 (A) Post on its internet website the date by which it intends to  
7 adopt the uniform water recycling criteria.

8 (B) If the state board determines that the recommended research  
9 described in subdivision (b) of Section 13560.5 is insufficient,  
10 consult with the expert review panel described in subdivision (c)  
11 regarding the research and, if necessary, the need for additional  
12 scientific and technical research. The expert review panel shall  
13 also determine the scientific and technical research necessary for  
14 the state board to complete the uniform water recycling criteria,  
15 including an estimated timeframe needed to conduct the scientific  
16 and technical research.

17 (C) No later than June 30, 2024, post on its internet website the  
18 findings and determinations made, if any, by the expert review  
19 panel described in subdivision (c) under subparagraph (B).

20 (b) Nothing in this section shall prohibit the state board from  
21 using its existing authority to permit projects pursuant to Section  
22 116550 of the Health and Safety Code before the adoption of  
23 uniform recycling criteria pursuant to this section.

24 (c) (1) Before adopting the initial uniform water recycling  
25 criteria for raw water augmentation, the state board shall establish  
26 and administer an expert review panel for purposes of subdivision  
27 (a) and, if the state board deems it necessary, to provide additional  
28 scientific and technological research or to recommend a source of  
29 either existing research or research to be produced on raw water  
30 augmentation. After the state board has adopted the initial uniform  
31 water recycling criteria for raw water augmentation, the state board  
32 may reconvene or reestablish the expert review panel, if the state  
33 board deems it necessary, to provide additional scientific and  
34 technological research or to recommend a source of either existing  
35 research or research to be produced on raw water augmentation.  
36 In establishing and administering an expert review panel, the state  
37 board may contract with public or nonprofit research entities.

38 (2) Each member of the expert review panel shall receive one  
39 hundred dollars (\$100) for each day the member attends a meeting  
40 of the expert review panel or of the state board plus actual and

1 necessary travel expenses, including expenses for lodging and  
2 meals, and for each day the member spends conducting other  
3 official business of the expert review panel.

4 SEC. 6. Section 13570 of the Water Code is amended to read:

5 13570. (a) As used in this section, “advanced purified  
6 demonstration water” means product water from an advanced water  
7 purification facility that satisfies both of the following  
8 requirements:

9 (1) The product water is treated by means of all of the following  
10 treatment processes:

11 (A) Microfiltration, ultrafiltration, or other filtration processes  
12 to remove particulates before reverse osmosis.

13 (B) Reverse osmosis.

14 (C) Advanced oxidation.

15 (2) The product water meets or exceeds all federal and state  
16 drinking water standards and is produced in accordance with the  
17 advanced treatment criteria for purified water specified in Section  
18 60320.201 of Title 22 of the California Code of Regulations.

19 (b) As used in this section, “advanced water purification facility”  
20 means a water recycling treatment plant that produces advanced  
21 purified demonstration water in accordance with the advanced  
22 treatment criteria specified in Section 60320.201 of Title 22 of the  
23 California Code of Regulations.

24 (c) As used in this section, “batch” means an increment of  
25 advanced purified treatment water that has completed the treatment  
26 process, is separate from incoming water, and is not receiving any  
27 additional source water.

28 (d) Except as expressly set forth in this section, the operator of  
29 an advanced water purification facility may cause advanced  
30 purified demonstration water to be bottled and distributed as  
31 samples for educational purposes and to promote water recycling,  
32 without complying with the requirements of Article 12  
33 (commencing with Section 111070) of Chapter 5 of Part 5 of  
34 Division 104 of the Health and Safety Code. The volume of  
35 advanced purified demonstration water in each bottle shall not  
36 exceed eight ounces.

37 (e) Any operator of an advanced water purification facility  
38 seeking to bottle advanced purified demonstration water shall  
39 collect water samples from the batch prior to the commencement  
40 of the bottling process, and test that batch in accordance with

1 Section 111165 of the Health and Safety Code. Advanced purified  
2 demonstration water shall not be distributed unless the following  
3 requirements are met:

4 (1) The water meets or exceeds all federal and state drinking  
5 water standards, including all maximum contaminant levels  
6 applicable to public drinking water systems.

7 (2) The advanced water purification facility meets or exceeds  
8 all purification requirements imposed by regulatory agencies to  
9 produce the advanced purified demonstration water, including the  
10 removal of constituents of emerging concern where the removal  
11 is otherwise required of an advanced water purification facility.

12 (3) The water is produced using a treatment process that is  
13 consistent with the advanced treatment criteria for purified water  
14 specified in Section 60320.201 of Title 22 of the California Code  
15 of Regulations and, if established by the state board, in accordance  
16 with any uniform statewide water recycling criteria developed for  
17 the potable reuse of recycled water.

18 (f) (1) Advanced purified demonstration water may be bottled  
19 only at a licensed water-bottling plant in compliance with Sections  
20 111070.5, 111080, 111120, 111145, and 111155 of the Health and  
21 Safety Code.

22 (2) Before bottling advanced purified demonstration water, an  
23 advanced water purification facility shall follow all pretreatment  
24 and labeling regulations for water bottling, including the  
25 requirements described in Section 111070.5 of the Health and  
26 Safety Code and the requirements for bottled water and vended  
27 water pursuant to Section 111080 of the Health and Safety Code.

28 (g) Advanced purified demonstration water shall be handled  
29 from the point of production to the completion of bottling in  
30 accordance with all regulations governing the transportation,  
31 bottling, labeling, and handling of bottled water, as defined in  
32 subdivision (a) of Section 111070 of the Health and Safety Code,  
33 including, but not limited to, subdivisions (a), (b), (f), and (h) of  
34 Section 111075 of the Health and Safety Code and Section  
35 111070.5 of the Health and Safety Code. A water-bottling plant  
36 that bottles advanced purified demonstration water in accordance  
37 with this section may also bottle potable water, subject to  
38 compliance with Article 12 (commencing with Section 111070)  
39 of Chapter 5 of Part 5 of Division 104 of the Health and Safety  
40 Code.

1 (h) An advanced water purification facility shall not provide  
2 bottled advanced purified demonstration water to any person under  
3 18 years of age without the consent of that person’s parent or legal  
4 guardian.

5 (i) An advanced water purification facility shall not provide  
6 advanced purified demonstration water for human consumption,  
7 as defined in Section 116275 of the Health and Safety Code,  
8 including, but not limited to, in bottles, to more than 25 individuals  
9 per day for 60 or more days in a calendar year.

10 (j) Advanced purified demonstration water shall be bottled in  
11 nonreturnable (one-way) bottles or packages with labels containing  
12 the following information in an easily readable format that  
13 complies with all of the following:

14 (1) The label shall state “sample water--not for sale” and  
15 “Advanced Purified Water Sourced From Wastewater.”

16 (2) The label shall set forth the name, address, telephone  
17 number, and internet website of the operator of the facility  
18 producing the advanced purified demonstration water.

19 (3) The label shall include a brief description of the advanced  
20 purified demonstration water, including its source and the treatment  
21 processes to which the water is subjected.

22 (k) A single advanced water purification facility shall not cause  
23 more than 1,000 gallons of advanced purified demonstration water  
24 to be bottled in a calendar year.

25 (l) Advanced purified demonstration water shall not be sold or  
26 otherwise distributed in exchange for financial consideration.

27 (m) Any operator of an advanced water purification facility  
28 seeking to bottle advanced purified demonstration water shall  
29 establish a collection and recycling program for distributed bottles.

30 (n) The operator of an advanced water purification facility that  
31 is bottling advanced purified demonstration water shall do all of  
32 the following:

33 (1) Maintain a daily record of the number of individuals to  
34 whom advanced purified demonstration water is distributed, served,  
35 made available, or otherwise provided, including, but not limited  
36 to, from a bottle.

37 (2) Compile a report of all daily records described in paragraph  
38 (1) for each calendar year.

39 (3) Certify under penalty of perjury that the report is accurate.

1 (4) Provide the report within 45 days of the end of the calendar  
2 year for which the report was made to the deputy director of the  
3 Division of Drinking Water of the State Water Resources Control  
4 Board.

5 (o) This section does not exempt an advanced water purification  
6 facility from any standard for bottling water imposed pursuant to  
7 federal law.

8 SEC. 7. Section 13578 of the Water Code is amended to read:

9 13578. (a) In order to achieve the statewide goal for recycled  
10 water use established in Section 13577 and to implement the  
11 Governor's Advisory Drought Planning Panel Critical Water  
12 Shortage Contingency Plan recommendations, Section F2, as  
13 submitted December 29, 2000, the department shall identify and  
14 report to the Legislature on opportunities for increasing the use of  
15 recycled water, as defined in paragraph (3) of subdivision (b) of  
16 Section 13575, and identify constraints and impediments, including  
17 the level of state financial assistance available for project  
18 construction, to increasing the use of recycled water.

19 (b) The department shall convene a task force, to be known as  
20 the 2002 Recycled Water Task Force, to advise the department in  
21 implementation of subdivision (a), including making  
22 recommendations to the Legislature regarding the following:

23 (1) How to further the use of recycled water in industrial and  
24 commercial applications, including, but not limited to, those  
25 applications set forth in Section 13552.8. The task force shall  
26 evaluate the current regulatory framework of state and local rules,  
27 regulations, ordinances, and permits to identify the obstacles and  
28 disincentives to industrial and commercial reuse. Issues to be  
29 investigated include, but are not limited to, applicability of visual  
30 inspections instead of pressure tests for cross-connections between  
31 potable and nonpotable water systems, dual piping trenching  
32 restrictions, fire suppression system design, and backflow  
33 protections.

34 (2) Changes in the Uniform Plumbing Code, published by the  
35 International Association of Plumbing and Mechanical Officials,  
36 that are appropriate to facilitate the use of recycled water in  
37 industrial and commercial settings. The department shall make  
38 recommendations to the California Building Standards Commission  
39 with regard to suggested revisions to the California Plumbing Code  
40 necessary to incorporate the changes identified by the task force.

1 (3) Changes in state statutes or the current regulatory framework  
2 of state and local rules, regulations, ordinances, and permits  
3 appropriate to increase the use of recycled water for commercial  
4 laundries and toilet and urinal flushing in structures including, but  
5 not limited to, those defined in subdivision (c) of Section 13553.  
6 The department shall identify financial incentives to help offset  
7 the cost of retrofitting privately and publicly owned structures.

8 (4) The need to reconvene the California Potable Reuse  
9 Committee established by the department in 1993 or convene a  
10 successor committee to update the committee's finding that planned  
11 potable reuse of recycled water by augmentation of surface water  
12 supplies would not adversely affect drinking water quality if certain  
13 conditions were met.

14 (5) The need to augment state water supplies using water use  
15 efficiency strategies identified in the CALFED Bay-Delta Program.  
16 In its report pursuant to subdivision (a), the department shall  
17 identify ways to coordinate with CALFED to assist local  
18 communities in educating the public with regard to the statewide  
19 water supply benefits of local recycling projects and the level of  
20 public health protection ensured by compliance with the uniform  
21 statewide water recycling criteria developed by the State  
22 Department of Public Health in accordance with Section 13521.

23 (6) Impediments or constraints, other than water rights, related  
24 to increasing the use of recycled water in applications for  
25 agricultural, environmental, or irrigation uses, as determined by  
26 the department.

27 (c) (1) The task force shall be convened by the department and  
28 be comprised of one representative from each of the following  
29 state agencies:

- 30 (A) The department.
- 31 (B) The State Department of Public Health.
- 32 (C) The state board.
- 33 (D) The California Environmental Protection Agency.
- 34 (E) The CALFED Bay-Delta Program.
- 35 (F) The Department of Food and Agriculture.
- 36 (G) The California Building Standards Commission.
- 37 (H) The University of California.
- 38 (I) The Natural Resources Agency.

39 (2) The task force shall also include one representative from a  
40 recognized environmental advocacy group and one representative

- 1 from a consumer advocacy group, as determined by the department,  
2 and one representative of local agency health officers, one  
3 representative of urban water wholesalers, one representative from  
4 a groundwater management entity, one representative of water  
5 districts, one representative from a nonprofit association of public  
6 and private members created to further the use of recycled water,  
7 one representative of commercial real estate, one representative  
8 of land development, one representative of industrial interests, and  
9 at least two representatives from each of the following as defined  
10 in Section 13575:
- 11 (A) Recycled water producer.
  - 12 (B) Recycled water wholesaler.
  - 13 (C) Retail water supplier.
  - 14 (d) The department and the task force shall report to the  
15 Legislature not later than July 1, 2003.
  - 16 (e) The department shall carry out the duties of this section only  
17 to the extent that funds pursuant to Section 79145, enacted as part  
18 of the Safe Drinking Water, Clean Water, Watershed Protection,  
19 and Flood Protection Act (Division 26 (commencing with Section  
20 79000)), are made available for the purposes of this section.

# AB 405

## Wastewater Treatment Chemicals Tax Exemption

### Bill Summary

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AB 405 clarifies sales and use tax exemptions within the California tax code to correctly recognize water treatment chemicals as exempt.

### Previous Law

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Under current law, only water treated with chemicals with the intent to resell are exempt from sales tax. Chemicals used to Recycle water designed for storage are currently being taxed.

### Background

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Under current California tax code, chemicals involved in the service of water are exempt from sales and use tax. However, the California Department of Tax and Fee Administration (CDTFA) is incorrectly placing undue financial burden on sanitation districts by only evaluating taxability of wastewater as a resale exemption. This entails that only chemicals treating water with the intent of resale and not storage are exempt from tax. For years sanitation districts have been overpaying a tax that does not apply to their services. AB 405 clarifies the exemptions within Revenue and Taxation Code 6353 to correctly exempt these chemicals from sales and use tax. By preventing improper taxation on California sanitation districts, municipalities are more encouraged to invest in the treatment of wastewater. Wastewater treatment is an underused technique partially due to cost in this state. If California recovers just 1% more wastewater per year there is a net economic

benefit of more than \$40 million dollars.<sup>1</sup> This vastly outweighs the revenue lost by the exemption and encourages water recycling investment. Furthermore, California has millions of acre-feet<sup>2</sup> of unused recoverable water that could be stored to meet future need. As California continues to struggle with adverse drought conditions, the affordable reclamation of water becomes even more essential.

### Details of the Bill

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AB 405 clarifies the Revenue and Taxation Code to correctly state that chemicals used for the treatment of waste water are exempt from sales and use tax. The treatment of wastewater is a costly process. To address increasing water needs, the state needs to encourage effective water recycling. Giving sanitation districts the freedom to invest in wastewater treatment is a fundamental step forward for a more sustainable state.

### Support

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Contact for Complete List

### Opposition

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None Acknowledged

### For More Information

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Assemblymember Blanca Rubio's Office,  
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Office: (916) 319-2048  
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1. Pacific Institute, Jun 2014, Issue Brief: Water Reuse Potential in California, p.1

2. Pacific Institute, p.2.



**ASSEMBLY BILL**

**No. 405**

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**Introduced by Assembly Member Blanca Rubio**

February 7, 2019

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An act to amend Section 6353 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

LEGISLATIVE COUNSEL'S DIGEST

AB 405, as introduced, Blanca Rubio. Sales and use taxes: exemption: water treatment.

The Sales and Use Tax Law imposes a tax on retailers measured by the gross receipts from the sale in this state of, or the storage, use, or other consumption in this state of, tangible personal property. The law provides various exemptions from that tax, including an exemption for the sale of, or the storage, use, or consumption of, gas, electricity, and water when delivered to consumers, as specified.

This bill would exempt from that tax the gross receipts from the sale in this state of, and the storage, use, or other consumption in this state of, chemicals used to treat water, recycled water, or wastewater regardless of whether those chemicals or other agents become a component part thereof and regardless of whether the treatment takes place before or after the delivery to consumers.

The Bradley-Burns Uniform Local Sales and Use Tax Law authorizes counties and cities to impose local sales and use taxes in conformity with the Sales and Use Tax Law, and existing laws authorize districts, as specified, to impose transactions and use taxes in accordance with the Transactions and Use Tax Law, which generally conforms to the Sales and Use Tax Law. Amendments to the Sales and Use Tax Law are automatically incorporated into the local tax laws.

Existing law requires the state to reimburse counties and cities for revenue losses caused by the enactment of sales and use tax exemptions.

This bill would provide that, notwithstanding Section 2230 of the Revenue and Taxation Code, no appropriation is made and the state shall not reimburse any local agencies for sales and use tax revenues lost by them pursuant to this bill.

This bill would take effect immediately as a tax levy.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

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

1 SECTION 1. Section 6353 of the Revenue and Taxation Code  
2 is amended to read:

3 6353. There are exempted from the taxes imposed by this part  
4 the gross receipts derived from the sales, furnishing, or service of  
5 and the storage, use, or other consumption in this state of, all of  
6 the following:

7 (a) Gas, electricity, and water, including steam and geothermal  
8 steam, brines, and heat, when delivered to consumers through  
9 mains, lines, or pipes. *This exemption includes chemicals and other*  
10 *agents used to treat water, recycled water, or wastewater,*  
11 *regardless of whether the chemicals and other agents become a*  
12 *component part thereof, and regardless of whether the treatment*  
13 *takes place before or after the delivery to consumers.*

14 (b) (1) Liquefied petroleum gas, delivered to a qualified  
15 residence by the seller, that is sold for household use in the  
16 qualified residence, or liquefied petroleum gas that is purchased  
17 for use by a qualified person to be used in producing and harvesting  
18 agricultural products; provided, in either case, the liquefied  
19 petroleum gas is delivered into a tank with a storage capacity for  
20 liquefied petroleum gas that is equal to or greater than 30 gallons.  
21 This subdivision may not be construed to provide any exemption  
22 from any tax levied by a city, county, or city and county pursuant  
23 to Section 7284.3, or any successor to that section.

24 (2) For purposes of this subdivision:

25 (A) "Qualified residence" means a primary residence, not  
26 serviced by gas mains and pipes.

27 (B) "Qualified person" means any person engaged in a line of  
28 business described in Codes 0111 to 0291, inclusive, of the

1 Standard Industrial Classification Manual published by the United  
2 States Office of Management and Budget, 1987 Edition, and any  
3 other person that assists that person in the lines of business  
4 described in this paragraph in producing and harvesting agricultural  
5 products.

6 (c) Water, when sold to an individual in bulk quantities of 50  
7 gallons or more, for general household use in ~~his or her~~ *the*  
8 *individual's* residence if the residence is located in an area not  
9 serviced by mains, lines, or pipes.

10 (d) Exhaust steam, waste steam, heat, or resultant energy,  
11 produced in connection with cogeneration technology, as defined  
12 in Section 25134 of the Public Resources Code.

13 (e) The exemptions provided by subdivision (b) shall be  
14 effective starting September 1, 2001.

15 (f) *The amendments made by the act adding this subdivision*  
16 *shall be operative on the effective date of the act adding this*  
17 *subdivision.*

18 SEC. 2. Notwithstanding Section 2230 of the Revenue and  
19 Taxation Code, no appropriation is made by this act and the state  
20 shall not reimburse any local agency for any sales and use tax  
21 revenues lost by it under this act.

22 SEC. 3. This act provides for a tax levy within the meaning of  
23 Article IV of the California Constitution and shall go into  
24 immediate effect.

**ASSEMBLY BILL**

**No. 557**

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**Introduced by Assembly Member Wood  
(Principal coauthor: Assembly Member Aguiar-Curry)**

February 13, 2019

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An act to amend Section 347 of the Water Code, relating to climate change, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 557, as introduced, Wood. Atmospheric Rivers: Research, Mitigation, and Climate Forecasting Program.

Existing law establishes the Atmospheric Rivers: Research, Mitigation, and Climate Forecasting Program in the Department of Water Resources. Existing law requires the department, upon an appropriation for purposes of the program, to research climate forecasting and the causes and impacts that climate change has on atmospheric rivers, to operate reservoirs in a manner that improves flood protection, and to reoperate flood control and water storage facilities to capture water generated by atmospheric rivers.

This bill would appropriate \$9,250,000 from the General Fund to the department in the 2019–20 fiscal year to operate the program.

Vote:  $\frac{2}{3}$ . Appropriation: yes. Fiscal committee: yes.  
State-mandated local program: no.

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

1 SECTION 1. Section 347 of the Water Code is amended to  
2 read:

1 347. (a) The Atmospheric Rivers: Research, Mitigation, and  
2 Climate Forecasting Program is hereby established in the  
3 Department of Water Resources.

4 (b) Upon appropriation of special fund moneys, including, but  
5 not limited to, private funds, by the Legislature for these purposes,  
6 the department shall conduct research relating to ~~climate~~  
7 ~~forecasting~~ *improving the accuracy of forecasting atmospheric*  
8 *river events* and the causes and impacts that climate change has  
9 on atmospheric rivers, and shall take all actions within its existing  
10 authority to operate reservoirs in a manner that improves flood  
11 protection in the state and to reoperate flood control and water  
12 storage facilities to capture water generated by atmospheric rivers,  
13 thereby increasing water supply, hydropower availability, and the  
14 reliability of water resources in the state.

15 (c) *The sum of nine million two hundred fifty thousand dollars*  
16 *(\$9,250,000) is hereby appropriated from the General Fund to the*  
17 *department in the 2019–20 fiscal year to operate the program*  
18 *established by this section.*

## AB 654 (Rubio) Customer Data Sharing & Protection

### **Bill Summary**

Assembly Bill 654 would address an ambiguity specific to the Public Records Act when public information is shared among agencies for education, research or scientific purposes.

### **Existing Law**

Under existing law, the name, credit history, utility usage data, home address, or telephone number of utility customers of local agencies, is generally protected as confidential. However, existing law is unclear as to how such information can be shared between public agencies and remain protected.

### **Background**

Data sharing is becoming increasingly common among policy makers. There is a growing realization that effective policy and management decisions benefit from decisions based on information that is empirically grounded and broader in scope than what is typically available from a limited subset of the region or the community. As local public agencies in California face the challenge to balance customer needs under increasingly difficult circumstances such as climate change, drought, and other natural disasters, there is a growing need to maximize the availability of existing resources. Data sharing can be key in identifying opportunities and programs to further facilitate conservation, or other beneficial programs, for long-term sustainability of public resource services. While most public agencies are willing to share information for public benefit, many are rightfully concerned as to how information will be maintained and protected once it is shared.

Currently, specific customer data information is required to be provided by a public agency providing direct service to customers under certain conditions specified in the Public Records Act. These conditions are consistent with the necessary function, operations and performance of a public agency. However, because the sharing of information for education, research and scientific purposes may not meet the standard of necessity, as specified in the Public Records Act, existing law is unclear as to how such information can be shared between public agencies

and remain protected. The proposed legislation addresses this ambiguity by specifying how sensitive information will be protected from public disclosure in cases where a public agency voluntarily provides such information to another public agency.

For any public agency that collects customer usage data, it is imperative to ensure customer data remain confidential and protected. Data confidentiality is an important tool that further enhances the relationship between a public agency and its customers. This leads to optimal policies and programs that maximize effectiveness and help foster customer acceptance. And, if California continues on the trajectory for increased continuity and linkage of data sets and platforms from various local entities, clarifying and securing the landscape as to how the data can be safely shared is essential.

### **Details of the Bill**

This bill includes a sixth category to code section 6254.16 of the Government Code providing a local agency may disclose specific customer information to another governmental agency for scientific, educational, or other research purposes, and that the requesting agency agrees to maintain information confidential.

### **Support**

California Municipal Utilities Association (Sponsor)  
California Special Districts Association (Sponsor)

### **For More Information**

Joaquin Pacheco  
Office of Assemblywoman Blanca E. Rubio  
(916) 319-2048 ~ [Joaquin.pacheco@asm.ca.gov](mailto:Joaquin.pacheco@asm.ca.gov)

**ASSEMBLY BILL**

**No. 654**

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**Introduced by Assembly Member Blanca Rubio**

February 15, 2019

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An act to amend Section 6254.16 of the Government Code, relating to public records.

LEGISLATIVE COUNSEL'S DIGEST

AB 654, as introduced, Blanca Rubio. Public records: utility customers: disclosure of personal information.

The California Public Records Act requires that public records, as defined, be open to inspection at all times during the office hours of a state or local agency and grants every person the right to inspect any public record, with specified exceptions. Existing law prohibits the act from being construed to require the disclosure of certain information concerning utility customers of local agencies, but provides for the disclosure of some of that information, including to an officer or employee of another governmental agency when necessary for the performance of its official duties.

This bill would additionally authorize a local agency to disclose the name, utility usage data, and home address of utility customers to an officer or employee of another governmental agency when the disclosure is not necessary for the performance of the other governmental agency's official duties but is to be used for scientific, educational, or research purposes, and the requesting agency receiving the disclosed material agrees to maintain it as confidential in accordance with specified criteria. To the extent this bill would create new duties for local government agencies with respect to the treatment of confidential material received

pursuant to the bill's provisions, it would impose a state-mandated local program.

Existing constitutional provisions require that a statute that limits the right of access to the meetings of public bodies or the writings of public officials and agencies be adopted with findings demonstrating the interest protected by the limitation and the need for protecting that interest.

This bill would make legislative findings to that effect.

The California Constitution requires local agencies, for the purpose of ensuring public access to the meetings of public bodies and the writings of public officials and agencies, to comply with a statutory enactment that amends or enacts laws relating to public records or open meetings and contains findings demonstrating that the enactment furthers the constitutional requirements relating to this purpose.

This bill would make legislative findings to that effect.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

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

- 1 SECTION 1. Section 6254.16 of the Government Code is
- 2 amended to read:
- 3 6254.16. ~~Nothing in this~~ (a) This chapter shall *not* be construed
- 4 to require the disclosure of the name, credit history, utility usage
- 5 data, home address, or telephone number of utility customers of
- 6 local agencies, except that disclosure of name, utility usage data,
- 7 and the home address of utility customers of local agencies shall
- 8 be made available upon request as follows:
- 9 (a)
- 10 (1) To an agent or authorized family member of the person to
- 11 whom the information pertains.
- 12 (b)
- 13 (2) To an officer or employee of another governmental agency
- 14 when necessary for the performance of its official duties.
- 15 (c)



1 (3) Upon court order or the request of a law enforcement agency  
2 relative to an ongoing investigation.

3 ~~(d)~~

4 (4) Upon determination by the local agency that the utility  
5 customer who is the subject of the request has used utility services  
6 in a manner inconsistent with applicable local utility usage policies.

7 ~~(e)~~

8 (5) Upon determination by the local agency that the utility  
9 customer who is the subject of the request is an elected or appointed  
10 official with authority to determine the utility usage policies of the  
11 local agency, provided that the home address of an appointed  
12 official shall not be disclosed without ~~his or her~~ *that official's*  
13 consent.

14 ~~(f)~~

15 (6) Upon determination by the local agency that the public  
16 interest in disclosure of the information clearly outweighs the  
17 public interest in nondisclosure.

18 *(b) In addition to the disclosures authorized by subdivision (a),  
19 a local agency may disclose the name, utility usage data, home  
20 address, or telephone number of utility customers of the local  
21 agency to an officer or employee of another governmental agency  
22 when the disclosed material is not necessary for the performance  
23 of the other governmental agency's official duties but is to be used  
24 for scientific, educational, or other research purposes, and the  
25 requesting agency receiving the disclosed material agrees to  
26 maintain it as confidential in accordance with subdivision (e) of  
27 Section 6254.5. Disclosure pursuant to this subdivision shall be  
28 at the sole discretion of the disclosing agency.*

29 SEC. 2. The Legislature finds and declares that Section 1 of  
30 this act, which amends Section 6254.16 of the Government Code,  
31 imposes a limitation on the public's right of access to the meetings  
32 of public bodies or the writings of public officials and agencies  
33 within the meaning of Section 3 of Article I of the California  
34 Constitution. Pursuant to that constitutional provision, the  
35 Legislature makes the following findings to demonstrate the interest  
36 protected by this limitation and the need for protecting that interest:

37 This act balances the right of the public in general, and  
38 governmental agencies in particular, to access relevant information  
39 about utility operations and customers, to ensure that appropriate  
40 respect is shown for individual privacy.

1 SEC. 3. The Legislature finds and declares that Section 1 of  
2 this act, which amends Section 6254.16 of the Government Code,  
3 furthers, within the meaning of paragraph (7) of subdivision (b)  
4 of Section 3 of Article I of the California Constitution, the purposes  
5 of that constitutional section as it relates to the right of public  
6 access to the meetings of local public bodies or the writings of  
7 local public officials and local agencies. Pursuant to paragraph (7)  
8 of subdivision (b) of Section 3 of Article I of the California  
9 Constitution, the Legislature makes the following findings:  
10 This act balances the right of the public in general, and  
11 governmental agencies in particular, to access relevant information  
12 about utility operations and customers, to ensure that appropriate  
13 respect is shown for individual privacy.  
14 SEC. 4. No reimbursement is required by this act pursuant to  
15 Section 6 of Article XIII B of the California Constitution because  
16 the only costs that may be incurred by a local agency or school  
17 district under this act would result from a legislative mandate that  
18 is within the scope of paragraph (7) of subdivision (b) of Section  
19 3 of Article I of the California Constitution.



## AB 1180 (Friedman) Purple Pipe Regulations Need Updating *(3/26/19)*

### **Background:**

The California Code of Regulations, Title 22 regulates the use of recycled water in California. The regulations for California's vast network of purple pipes, which provide recycled water for non-potable uses in every county in the state, have not been updated for 19 years. An update to these regulations, incorporating the knowledge and lessons learned from nearly two decades of non-potable water recycling, will help the state to achieve its ambitious goals for recycled water use.

AB 1180 (Friedman) requires that the Water Board update these regulations by 2023. It also promotes recycled water for dual plumbed buildings and CII uses by specifically allowing for a changeover device, or "swivel ell", so that building owners can easily switch back and forth between potable and non-potable water when required for testing or other recycled water shutdowns. The ability to easily and cost-effectively make the switch to potable water will eliminate a barrier for building owners to bring recycled water used for landscape irrigation inside their buildings. Currently, Title 17 of the California Code of Regulations requires an air gap assembly for this purpose, which is costly and generally impractical for use in a building.

### Some examples of needed non-potable Title 22 updates include:

- Revising "outdoor eating area" restrictions to clarify that recycled water can be used in parks with picnic tables, etc.
- Revising dual plumbing requirements so food processing or beverage facilities (such as breweries) or buildings with cafeterias can have their restrooms dual plumbed. Continue prohibition on use in the food processing area.
- Adding additional allowable recycled water uses such as for ponds, vehicle washing, pressure testing, and approved fill stations.
- Clarifying that the use of recycled water for homeowner's association common areas where potable water is used for irrigation of individual residences does not constitute a dual plumbed site.

### **Supporters**

WaterReuse California (Sponsor)  
Association of California Water Agencies (ACWA)  
California Municipal Utilities Association  
Las Virgenes - Triunfo Joint Powers Authority  
Las Virgenes Municipal Water District  
Natural Systems Utilities  
Russian River Brewing Company  
Upper San Gabriel Valley

**ASSEMBLY BILL**

**No. 1180**

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**Introduced by Assembly Member Friedman**

February 21, 2019

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An act to amend Section 116407 of the Health and Safety Code, and to add Section 13521.2 to the Water Code, relating to water.

LEGISLATIVE COUNSEL'S DIGEST

AB 1180, as introduced, Friedman. Water: recycled water.

(1) Existing law, the California Safe Drinking Water Act, requires the State Water Resources Control Board to administer provisions relating to the regulation of drinking water to protect public health. Existing law requires, on or before January 1, 2020, the state board to adopt standards for backflow protection and cross-connection control through the adoption of a policy handbook, as specified.

This bill would require that handbook to include provisions for the use of a swivel or changeover device to supply potable water to a dual-plumbed system during an interruption in recycled water service.

(2) Existing law requires the state board to establish uniform statewide recycling criteria for each varying type of use of recycled water where the use involves the protection of public health.

This bill would require, on or before January 1, 2023, the state board to update the uniform statewide criteria for nonpotable recycled water uses.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

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

1 SECTION 1. The Legislature finds and declares all of the  
2 following:

3 (a) On December 11, 2018, the State Water Resources Control  
4 Board unanimously adopted an amendment to the policy for water  
5 quality control for recycled water, which included a goal to increase  
6 the use of recycled water in the state from 714,000 acre-feet per  
7 year in 2015 to 1,500,000 acre-feet per year by 2020 and 2,500,000  
8 acre-feet per year by 2030.

9 (b) Section 13521 of the Water Code requires the state board  
10 to establish uniform statewide recycling criteria for each varying  
11 type of use of recycled water where the use involves the protection  
12 of public health.

13 (c) The regulations establishing the uniform statewide criteria  
14 for recycled water uses are set forth in Chapter 3 (commencing  
15 with Section 60301.050) of Division 4 of Title 22 of the California  
16 Code of Regulations. The regulations that pertain to nonpotable  
17 recycled water uses have not been updated since 2000.

18 (d) The regulations relating to backflow protection and  
19 cross-connection control for recycled water are set forth in Article  
20 1 (commencing with Section 7583) and Article 2 (commencing  
21 with Section 7601) of Group 4 of Subchapter 1 of Chapter 5 of  
22 Division 1 of Title 17 of the California Code of Regulations. These  
23 regulations have not been updated since 1987.

24 (e) Section 1 of Chapter 533 of the Statutes of 2017 (Assembly  
25 Bill 1671 of the 2017–18 Regular Session) required, on or before  
26 January 1, 2020, the state board to adopt backflow protection and  
27 cross-connection control standards and authorized implementation  
28 through a policy handbook.

29 (f) In order to maximize the amount of recycled water California  
30 can safely use for beneficial purposes, it is necessary to update the  
31 uniform statewide criteria for nonpotable recycled water uses and  
32 specify certain associated backflow protection and cross-connection  
33 control provisions.

34 SEC. 2. Section 116407 of the Health and Safety Code is  
35 amended to read:

36 116407. (a) On or before January 1, 2020, the state board shall  
37 adopt standards for backflow protection and cross-connection  
38 control.

1 (b) (1) The state board may implement subdivision (a) through  
2 the adoption of a policy handbook that is not subject to the  
3 requirements of Chapter 3.5 (commencing with Section 11340) of  
4 Part 1 of Division 3 of Title 2 of the Government Code. The policy  
5 handbook shall include standards for backflow protection and  
6 cross-connection control. In developing the standards and any  
7 amendments to those standards, the state board shall consult with  
8 state and local agencies and other persons whom the state board  
9 has identified as having expertise in the subject of backflow  
10 protection and cross-connection control. The state board shall hold  
11 at least two public hearings before adopting the policy handbook.  
12 The policy handbook shall be posted on the board's ~~Internet Web~~  
13 ~~site.~~ *internet website.*

14 (2) (A) *The policy handbook described in this subdivision shall*  
15 *include provisions for the use of a swivel or changeover device to*  
16 *supply potable water to a dual-plumbed system during an*  
17 *interruption in recycled water service.*

18 (B) *The use of a swivel or changeover device shall be consistent*  
19 *with any notification and backflow protection provisions contained*  
20 *in the policy handbook.*

21 (c) (1) Upon the effective date of a policy handbook adopted  
22 by the state board pursuant to subdivision (b), the regulations set  
23 forth in Article 1 (commencing with Section 7583) and Article 2  
24 (commencing with Section 7601) of Group 4 of Subchapter 1 of  
25 Chapter 5 of Division 1 of Title 17 of the California Code of  
26 Regulations shall become inoperative, and, 90 days thereafter, are  
27 repealed, unless the state board makes a determination not to repeal  
28 a specific regulation.

29 (2) If the state board determines not to repeal a specific  
30 regulation pursuant to paragraph (1), the state board shall provide  
31 to the Office of Administrative Law and the Secretary of State  
32 written notice of its determination, including identification of the  
33 specific regulation that is not repealed. That regulation, upon the  
34 provision of that written notice to the Office of Administrative  
35 Law and the Secretary of State, shall become operative.

36 SEC. 3. Section 13521.2 is added to the Water Code, to read:  
37 13521.2. On or before January 1, 2023, the state board shall  
38 update the uniform statewide criteria for nonpotable recycled water  
39 uses established in Chapter 3 (commencing with Section

1 60301.050) of Division 4 of Title 22 of the California Code of  
2 Regulations.

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## AB 1204 (Rubio) Primary Drinking Water Standards: Implementation Date

### **Bill Summary**

Assembly Bill 1204 would establish a three-year compliance period for any new primary drinking water standard for contaminants in drinking water that are adopted by the State Water Resources Control Board (SWRCB), known as Maximum Contaminant Levels (MCLs), unless the SWRCB determines an alternative option.

### **Existing Law**

Under existing law, the SWRCB adopts primary drinking water standards not less stringent than the national standards while setting contaminant levels as feasible to the protection of public health.

### **Background**

The federal Safe Drinking Water Act (federal SDWA) authorizes the United States Environmental Protection Agency (U.S. EPA) to set national health-based standards to protect against contaminants that may be found in drinking water. The U.S. EPA then works with states and water systems to ensure these standards are met nationwide. In California, the SWRCB is responsible for setting State drinking water standards pursuant to the California Safe Drinking Water Act (California SDWA).

MCLs established by the SWRCB are legally enforceable and may be more stringent than those of the U.S. EPA. The federal SDWA generally provides for a three-year compliance period and allows for an additional two years when additional time is required for capital improvements. The California SDWA does not include compliance periods.

Currently, there is no defined compliance period for new MCLs adopted by the SWRCB. Some regulations can be enforceable in as little as three months after adoption. This becomes an issue for California's public water systems that strive to meet the state's MCLs and must often take on complex and costly projects to meet new standards. The steps involved – designing and permitting, appropriate treatment systems, securing financing, to building and testing new treatment

facilities – can take up to five years or more and cost hundreds of millions of dollars that is passed on to customers. To address this challenge, AB 1204 would provide a process for public water systems to take the needed steps to comply while still safeguarding the public.

### **Details of the Bill**

This bill adds subdivision (k) to the California Health and Safety Code Section 116365 providing that contaminants in drinking water not yet regulated be set at a three-year compliance period, three years after the adoption period, and an additional two years if capital improvements are required, unless the SWRCB determines a shorter compliance timeframe is achievable. This bill would allow water utilities a reasonable period of time to comply with new MCLs, in a manner that is efficient and effective for their communities.

### **Support**

Association of California Water Agencies (Sponsor)  
California Water Association (Co-Sponsor)  
Coachella Valley Water District

### **For More Information**

Joaquin Pacheco  
Office of Assemblywoman Blanca E. Rubio  
State Capitol, Rm. 5175  
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**ASSEMBLY BILL**

**No. 1204**

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**Introduced by Assembly Member Blanca Rubio**

February 21, 2019

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An act to add Section 116365.1 to the Health and Safety Code, relating to drinking water.

LEGISLATIVE COUNSEL'S DIGEST

AB 1204, as introduced, Blanca Rubio. Public water systems: primary drinking water standards: implementation date.

Existing law, the California Safe Drinking Water Act, requires the State Water Resources Control Board to administer provisions relating to the regulation of drinking water to protect public health, including, but not limited to, conducting research, studies, and demonstration programs relating to the provision of a dependable, safe supply of drinking water, enforcing the federal Safe Drinking Water Act, adopting implementing regulations, and conducting studies and investigations to assess the quality of water in private domestic water supplies. The act requires the board to adopt primary drinking water standards for contaminants in drinking water and requires the Office of Environmental Health Hazard Assessment to prepare and publish an assessment of the risks to public health posed by each contaminant for which the board proposes a primary drinking water standard. Existing law requires the state board to consider specified criteria when it adopts a primary drinking water standard, including the technological and economic feasibility of compliance.

This bill would require the adoption or amendment of a primary drinking water standard for a contaminant in drinking water not regulated by a federal primary drinking water standard or that is more

stringent than a federal primary drinking water standard to take effect 3 years after the date on which the state board adopts or amends the primary drinking water standard. The bill would authorize the state board to delay the effective date of the primary drinking water standard adoption or amendment by no more than 2 additional years as necessary for capital improvements to comply with a maximum contaminant level or treatment technique.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

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

- 1 SECTION 1. Section 116365.1 is added to the Health and
- 2 Safety Code, to read:
- 3 116365.1. (a) Except as provided in subdivision (b), a primary
- 4 drinking water standard adopted pursuant to Section 116365 and
- 5 any amendment to a primary drinking water standard for a
- 6 contaminant in drinking water not regulated by a federal primary
- 7 drinking water standard adopted by the United States
- 8 Environmental Protection Agency or that is more stringent than a
- 9 federal primary drinking water standard adopted by the United
- 10 States Environmental Protection Agency, shall take effect three
- 11 years after the date on which the state board adopts or amends the
- 12 primary drinking water standard.
- 13 (b) The state board may delay the effective date of a primary
- 14 drinking water standard described in subdivision (a) by no more
- 15 than two additional years as necessary for capital improvements
- 16 to comply with a maximum contaminant level or treatment
- 17 technique.

AMENDED IN ASSEMBLY MARCH 28, 2019

CALIFORNIA LEGISLATURE—2019—20 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1672**

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**Introduced by Assembly Member Bloom**

February 22, 2019

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*An act ~~relating to product labeling~~, to add Part 9 (commencing with Section 49650) to Division 30 of the Public Resources Code, relating to solid waste.*

LEGISLATIVE COUNSEL'S DIGEST

AB 1672, as amended, Bloom. ~~Product labeling~~: Solid waste: flushable products.

*Existing law establishes the California Environmental Protection Agency under the supervision of the Secretary for Environmental Protection, and vests the agency with authority over various environmental matters. Existing law generally regulates the disposal, management, and recycling of solid waste.*

*This bill would, among other things, prohibit a covered entity, as defined, from labeling a covered product as safe to flush, safe for sewer systems, or safe for septic systems, unless the product is a flushable wipe that meets certain performance standards. The bill would require nonflushable products to be labeled clearly and conspicuously to communicate that they should not be flushed, as specified. The bill would authorize the California Environmental Protection Agency to enforce these provisions and impose administrative penalties of up to \$500 per day for each violation, to be deposited in the Flushable Wipes Fund, which the bill would create. The bill would authorize the Attorney General to enjoin a violation in a court of competent jurisdiction and seek the assessment of civil penalties, as specified.*

Existing law regulates the labeling requirements on various consumer products:

This bill would express the intent of the Legislature to enact legislation to prohibit the sale or advertisement of any nonwoven disposable product labeled as “flushable” or “sewer and septic safe” if that product fails to meet specified performance standards.

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes. State-mandated local program: no.

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

- 1     SECTION 1. *The Legislature finds and declares all of the*  
 2 *following:*
- 3     (a) *The intent of the Legislature in enacting this legislation is*  
 4 *to protect public health, the environment, water quality, and public*  
 5 *infrastructure used for the collection, transport, and treatment of*  
 6 *wastewater.*
- 7     (b) *Nonwoven disposable products are increasingly being*  
 8 *marketed by manufacturers as flushable and, as a result, are being*  
 9 *flushed down the toilet more frequently by consumers.*
- 10    (c) *Nonwoven disposable products often contain microplastics.*
- 11    (d) *Flushing these products presents a growing problem caused*  
 12 *by nonwoven disposable products not breaking down after being*  
 13 *flushed down the toilet. These products can entangle with tree*  
 14 *roots, fats, oils, grease, and other nondispersible products, causing*  
 15 *clogs in sewer pipes. These clogs damage public infrastructure*  
 16 *and can lead to costly and environmentally damaging sanitary*  
 17 *sewer overflows that are a threat to public health.*
- 18    (e) *Nonwoven disposable products that do not disperse rapidly*  
 19 *in the sewer can also cause damage to private sewer laterals that*  
 20 *result in sewage backups and overflow. These products can also*  
 21 *cause clogging in septic systems.*
- 22    (f) *Wastewater treatment plants are not designed to capture*  
 23 *microplastic materials, which can pass through sewage treatment*  
 24 *facilities into the natural environment. These microplastic materials*  
 25 *have been shown to have negative impacts on marine life.*
- 26    (g) *Consequently, nonwoven disposable products that contain*  
 27 *synthetic plastic fibers or other microplastic materials should not*  
 28 *be marketed as flushable or sewer and septic safe.*

1 (h) *The increased maintenance needed to clean accumulations*  
2 *of flushed nonwoven disposable products from pipes and pumps*  
3 *is very costly to the public.*

4 (i) *In June 2018, a group of international wastewater*  
5 *infrastructure experts, known as the International Water Services*  
6 *Flushability Group, adopted reliable criteria for the quality and*  
7 *characteristics of products that can be appropriately disposed of*  
8 *using sanitary sewer systems.*

9 (j) *In April 2017, a group of international nonwoven fabric*  
10 *industry experts, known as the Association of the Nonwoven*  
11 *Fabrics Industry and the European Disposables and Nonwovens*  
12 *Association, adopted baseline labeling requirements for nonwoven*  
13 *disposable products.*

14 (k) *To prevent nondispersable nonwoven disposable products*  
15 *from entering sewer systems and potentially causing overflows, it*  
16 *is the intent of the Legislature to create labeling requirements that*  
17 *will enable consumers to easily identify which nonwoven disposable*  
18 *products are safe to dispose of using sanitary sewer systems.*

19 (l) *It is the intent of the Legislature in enacting this legislation*  
20 *to provide clear direction to manufacturers by setting performance*  
21 *requirements for nonwoven disposable products that are marketed*  
22 *for disposal to the sanitary sewer system.*

23 SEC. 2. *Part 9 (commencing with Section 49650) is added to*  
24 *Division 30 of the Public Resources Code, to read:*

25  
26 *PART 9. FLUSHABLE WIPES*

27  
28 *49650. For purposes of this part, the following definitions shall*  
29 *apply:*

30 (a) *“Covered entity” means the manufacturer of a covered*  
31 *product that is sold in this state or brought into the state for sale.*  
32 *“Covered entity” does not include a wholesaler, supplier, or*  
33 *retailer that is not responsible for the labeling or packaging of a*  
34 *covered product.*

35 (b) *“Covered product” means a nonwoven disposable product*  
36 *that is sold in this state or brought into the state for sale, and that*  
37 *is constructed from nonwoven sheets, including moist toilet tissue*  
38 *or cloth, that is designed, marketed, or commonly used for personal*  
39 *hygiene or cleaning purposes, including, but not limited to, diaper*

1 wiper, toilet wiper, household cleaning wiper, personal care wiper,  
2 and facial wiper.

3 (c) "Enforcing agency" means the California Environmental  
4 Protection Agency.

5 (d) "Flushable wiper" means a nonwoven disposable product  
6 that meets the performance standards set forth in subdivision (g).

7 (e) "Labeling requirements" means the labeling standards  
8 contained in the Code of Practice of the Association of the  
9 Nonwoven Fabrics Industry and the European Disposables and  
10 Nonwovens Association, titled *Communicating Appropriate  
11 Disposal Pathways for Nonwoven Wipers to Protect Wastewater  
12 Systems*, second edition, as published in April 2017.

13 (f) "Nonflushable wiper" means a nonwoven disposable product  
14 that does not meet the performance standards set forth in  
15 subdivision (g).

16 (g) "Performance standards" means the International Water  
17 Services Flushability Group testing methods and criteria for  
18 flushability, as published in June 2018, as set forth in publicly  
19 available specification (PAS) documents 1, 2, and 3, and as  
20 summarized in chapters 6 and 7 of PAS document 1.

21 49651. (a) On and after January 1, 2020, a covered entity  
22 shall not label a covered product as safe to flush, safe for sewer  
23 systems, or safe for septic systems, unless the product is a flushable  
24 wiper.

25 (b) (1) Unless a product is a flushable wiper, a covered entity  
26 shall not, in any manner, make any of the following representations  
27 regarding a covered product:

28 (A) The product can be flushed.

29 (B) The product is safe for sewer systems.

30 (C) The product is safe for septic systems.

31 (D) The product breaks apart shortly after flushing.

32 (E) The product will not clog household plumbing systems.

33 (F) The product will not clog household septic systems.

34 (G) The product is safe for plumbing.

35 (H) The product is safe to flush.

36 (I) The product will dissolve or disperse in interaction with  
37 water.

38 (2) For purposes of this subdivision, representations include,  
39 among other things, product names, labels, endorsements,  
40 depictions, illustrations, trademarks, and trade names.

1 49652. (a) (1) *On and after January 1, 2020, a covered*  
2 *product that does not meet the performance standards shall be*  
3 *labeled clearly and conspicuously in adherence with the labeling*  
4 *requirements to communicate that it should not be flushed, and*  
5 *this label shall be in a high contrast font and color respective to*  
6 *the surrounding wording and space on the packaging and shall*  
7 *be in a location that is visible when individual wipes are dispensed*  
8 *from the product packaging.*

9 (2) *For products sold in bulk at retail, both the package*  
10 *purchased in the store and the individual packages contained*  
11 *within shall comply with the requirements in paragraph (1).*

12 (b) *A covered entity, directly or through any corporation,*  
13 *partnership, subsidiary, division, trade name, or association in*  
14 *connection to the manufacturing, labeling, packaging, advertising,*  
15 *promotion, offering for sale, sale, or distribution of a covered*  
16 *product, shall not make any representation, in any manner,*  
17 *expressly or by implication, including through the use of a product*  
18 *name, endorsement, depiction, illustration, trademark, or trade*  
19 *name, about the flushable attributes, benefits, performance, or*  
20 *efficacy of a nonflushable wipe.*

21 49653. (a) *On and after January 1, 2020, a covered entity*  
22 *shall test and maintain self-certification records that verify that*  
23 *its covered products meet the performance standards and comply*  
24 *with the labeling requirements specified in Section 49650.*

25 (b) *The records demonstrating a flushable wipe's compliance*  
26 *with the performance standards shall be made available by the*  
27 *covered entity upon request of the enforcing agency, free of charge,*  
28 *within 30 days of the request.*

29 (c) *Verification of a nonflushable wipe's compliance with the*  
30 *labeling requirements shall be made available by the covered*  
31 *entity upon request of the enforcing agency, free of charge, within*  
32 *30 days of the request.*

33 (d) (1) *A covered entity that does not properly label flushable*  
34 *wipes or nonflushable wipes that will be sold in California, or are*  
35 *reasonably expected to be sold in California, shall be issued a*  
36 *notice of violation by the enforcing agency, providing 30 days for*  
37 *the noncompliant products to be recalled. The covered entity may*  
38 *be subject to an administrative penalty every day thereafter that*  
39 *those products remain available for purchase at retail or otherwise*  
40 *are distributed in the state.*

1 (2) *In issuing an administrative penalty pursuant to this*  
2 *subdivision, the enforcing agency shall take into consideration the*  
3 *nature, circumstances, extent, and gravity of the violation, the*  
4 *violator's past and present efforts to prevent, abate, or clean up*  
5 *conditions posing a threat to the public health or safety or the*  
6 *environment, the violator's ability to pay the proposed penalty,*  
7 *and the effect that the proposed penalty would have on the violator*  
8 *and the community as a whole.*

9 (3) *The penalty imposed under this subdivision shall not exceed*  
10 *five hundred dollars (\$500) per day.*

11 (4) *Penalties collected under this subdivision shall be deposited*  
12 *into the Flushable Wipes Fund, which is hereby created. Moneys*  
13 *in the fund shall be subject to appropriation by the Legislature for*  
14 *purposes of enforcing this part.*

15 (e) (1) *A covered entity that violates or threatens to violate this*  
16 *part may be enjoined by the Attorney General in any court of*  
17 *competent jurisdiction, and civil penalties may be assessed and*  
18 *recovered in a civil action brought in any court of competent*  
19 *jurisdiction in an amount not to exceed two thousand five hundred*  
20 *dollars (\$2,500) for each violation.*

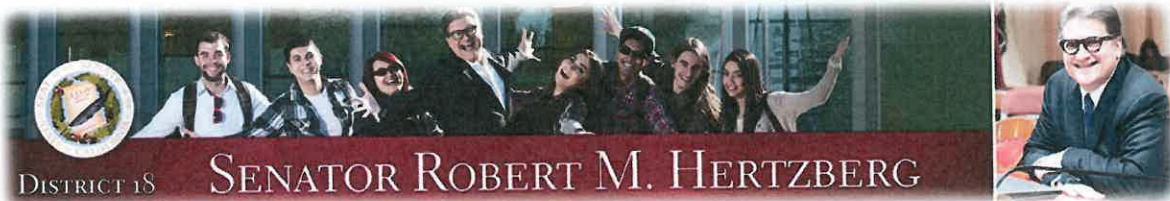
21 (2) *Moneys collected by the Attorney General pursuant to this*  
22 *subdivision shall be deposited into the Unfair Competition Law*  
23 *Fund established pursuant to Section 17206 of the Business and*  
24 *Professions Code.*

25 (f) *To the extent that there is an inconsistency between this*  
26 *section and a local standard or an updated performance standard*  
27 *that imposes greater restrictions, the greater restrictions shall*  
28 *prevail.*

29 (g) *The provisions of this part are severable. If any provision*  
30 *of this part or its application is held invalid, that invalidity shall*  
31 *not affect other provisions or applications that can be given effect*  
32 *without the invalid provision or application.*

33 ~~SECTION 1. It is the intent of the Legislature to enact~~  
34 ~~legislation to prohibit the sale or advertisement of any nonwoven~~  
35 ~~disposable product labeled as "flushable" or "sewer and septic~~  
36 ~~safe" if that product fails to meet specified performance standards.~~





## **Senate Bill 332**

### **Local Water Reliability Act**

As Introduced February 19, 2019

#### **SUMMARY**

SB 332 sets a new course for California's water future by declaring the discharge of treated wastewater into ocean outfalls as waste and unreasonable use of water. It will also set bold but necessary goals for the recycling and re-use of treated wastewater.

#### **ISSUE**

California's wastewater has historically been treated solely as waste – used once, treated, and then disposed of through offshore dumping. As a result, approximately 400 billion gallons of treated water are wastefully discharged into the ocean or California estuaries annually. California's 'pump and dump' approach to water management is increasingly at odds with the state's hydrologic reality. As climate change creates hotter, drier conditions and reduces the storage capacity of the Sierra snowpack, the need to prevent water waste is more critical than ever. Climate realities have proven that California can no longer rely on a water transfer infrastructure to meet the needs of a growing population. In order to adapt to growing water scarcity and climate extremes, California must develop a long-term, locally managed water conservation mindset.

In recent years, the Legislature has taken strides to adapt to water management challenges by focusing on local resources and promoting wastewater recycling. SB 606 (Hertzberg, 2018) and AB 1668 (Friedman, 2018) directed the Department of Water Resources and State Water Resources Control Board (SWRCB) to set standards for the efficient use of water in urban communities and provided a credit to incentivize the development of recycled water. AB 574 (Quirk, 2017) required the SWRCB to adopt uniform water recycling criteria for direct potable reuse by December 31, 2023. In December 2018, the SWRCB adopted a revised Recycled Water Policy that outlined a statewide goal to recycle all ocean water discharges.

Despite these advances in promoting wastewater recycling, most California communities use water once then dispose of it, at a tremendous environmental and economic cost. Today's water recycling technology allows us to treat and reuse those wasteful discharges, helping reduce energy consumption, increase water security, and improve coastal water quality. There are several beneficial uses for recycled water, such as for groundwater recharge, landscape and agricultural irrigation, and surface water augmentation.

#### **SB 332 (Hertzberg)**

SB 332 promotes the efficient use of existing water supplies by requiring wastewater treatment facilities to reduce the volume of treated wastewater discharged into the ocean annually by 50% in 2030 and 95% by 2040. This bill places responsibility on both dischargers of wastewater and local water suppliers to develop the necessary infrastructure to reach these goals through a combination of improved water conservation and efficiency and recycling. By setting goals for reductions in ocean discharges, SB 332 promotes local water reliability and drought resilient cities.

#### **SUPPORT**

Natural Resources Defense Council (Sponsor)  
California Coastkeeper Alliance (Co-Sponsor)  
Planning and Conservation League

**Introduced by Senators Hertzberg and Wiener**February 19, 2019

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An act to add Section 13557.5 to the Water Code, relating to water.

**LEGISLATIVE COUNSEL'S DIGEST**

SB 332, as introduced, Hertzberg. Wastewater treatment: recycled water.

The California Constitution requires that the water resources of the state be put to beneficial use to the fullest extent of which they are capable and that the waste or unreasonable use or unreasonable method of use of water be prevented. Existing law declares that the use of potable domestic water for certain nonpotable uses is a waste or an unreasonable use of water if recycled water is available, as determined by the State Water Resources Control Board, and other requirements are met.

Under existing law, the state board and the 9 California regional water quality control boards prescribe waste discharge requirements in accordance with the federal national pollutant discharge elimination system (NPDES) permit program established by the federal Clean Water Act and the Porter-Cologne Water Quality Control Act.

This bill would declare, except in compliance with the bill's provisions, that the discharge of treated wastewater from ocean outfalls is a waste and unreasonable use of water. The bill would require each wastewater treatment facility that discharges through an ocean outfall and affiliated water suppliers to reduce the facility's annual flow as compared to the average annual wastewater discharge baseline volume, as prescribed, by at least 50% on or before January 1, 2030, and by at least 95% on or before January 1, 2040. The bill would subject the owner or operator of a wastewater treatment facility, as well as the

affiliated water suppliers, to a civil penalty of \$2,000 per acre-foot of water above the required reduction in overall volume discharge for the failure to meet these deadlines.

The bill would require a holder of a NPDES permit authorizing the discharge of wastewater through an ocean outfall and affiliated water suppliers to submit and update a plan to meet these requirements to the executive director of the state board, as specified. The bill would also require this NPDES permitholder and affiliated water suppliers to submit on or before January 1, 2024, and by January 1 every 5 years thereafter, to the executive director of the state board a certain report containing, among other things, the progress toward meeting the reduction in annual flow deadlines. The bill would subject a permitholder and affiliated water suppliers to a penalty of up to \$10,000 for failing to submit a report by its deadline. The bill would require the state board to submit a report to the Governor and the Legislature on or before July 1, 2025, and by July 1 every 5 years thereafter, on the implementation of these provisions. The bill would make a permitholder and affiliated water suppliers that fail to timely submit a report ineligible for a state loan or grant until the delinquent report has been submitted.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

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

- 1 SECTION 1. The Legislature finds and declares all of the  
2 following:
- 3 (a) Severe drought conditions persisted in California from 2012  
4 to 2016, inclusive, and 2015 was the state's driest calendar year  
5 on record.
- 6 (b) During the drought lasting from 2012 to 2016, inclusive,  
7 California's water supplies dipped to alarmingly low levels  
8 indicated by a very limited snowpack in the Sierra Nevada  
9 Mountains, declining water levels in the state's largest water  
10 reservoirs, reduced surface water flows in major river systems,  
11 and historically low groundwater levels. Many of these water  
12 supplies continue to be severely depleted following the drought  
13 lasting from 2012 to 2016, inclusive.
- 14 (c) Based on the projected impact of climate change on  
15 California's snowpack, extremely dry conditions and drought

1 similar to those experienced in 2012 to 2016, inclusive, will likely  
2 become more common and occur more regularly in the future.

3 (d) Continuous severe drought conditions present urgent  
4 challenges across the state, including, but not limited to, water  
5 shortages in communities and for agricultural production, increased  
6 risk of wildfires, degraded habitat for fish and wildlife, and threat  
7 of saltwater contamination in large fresh water supplies.

8 (e) Water reuse is one of the most efficient and cost-effective  
9 ways to improve drought resilience in California communities.

10 (f) The State Water Resources Control Board has established  
11 goals of recycling 1,500,000 acre-feet of wastewater by 2020 and  
12 2,500,000 acre-feet of wastewater by 2030, however, California  
13 is not on track to meet the board's goals.

14 (g) The State Water Resources Control Board has established  
15 a goal to reuse all dry weather discharges of treated municipal  
16 wastewater that can be reasonably put to a beneficial use.

17 (h) The discharge of treated wastewater from ocean outfalls  
18 constitutes the waste and unreasonable use of water within the  
19 meaning of Section 2 of Article X of the California Constitution,  
20 considering the opportunities to recycle this water for further  
21 beneficial use.

22 (i) By requiring substantial reductions in ocean discharges from  
23 wastewater treatment plants, California could dramatically  
24 accelerate the adoption of water recycling and thus increase water  
25 supplies available for beneficial use.

26 (j) Water recycling can reduce California's dependence on  
27 diversions from surface rivers and streams that are subject to  
28 variable climate and regulatory conditions.

29 (k) In addition to water supply benefits, requiring water  
30 recycling for further beneficial use eliminates ocean wastewater  
31 discharges, decreasing pollutant loadings to ocean waters and  
32 reducing ocean acidification, thereby improving coastal water  
33 quality and benefiting the aquatic environment and local economies  
34 that depend on those coastal resources.

35 SEC. 2. Section 13557.5 is added to the Water Code, to read:

36 13557.5. (a) The Legislature hereby finds and declares that  
37 the discharge of treated wastewater from ocean outfalls, except in  
38 compliance with the provisions of this section, is a waste and  
39 unreasonable use of water within the meaning of Section 2 of  
40 Article X of the California Constitution.

1 (b) As used in this section, the following terms have the  
2 following meanings:

3 (1) “Affiliated water suppliers” means all water suppliers that  
4 provide water that is disposed of in the collection system of a  
5 particular wastewater treatment facility that discharges through an  
6 ocean outfall.

7 (2) “Average annual wastewater discharge baseline volume”  
8 means the average annual volume of treated waste water  
9 discharging through a facility’s ocean outfall as determined by the  
10 state board using monitoring data available for calendar years 2010  
11 to 2020, inclusive.

12 (3) “Ocean outfall” means a point source at the point where  
13 raw, partially treated, or treated wastewater may be discharged  
14 from a wastewater treatment facility or associated collection system  
15 to saline waters, including the ocean, bays, and estuaries.

16 (4) “Point source” has the meaning provided by Section 122.2  
17 of Title 40 of the Code of Federal Regulations.

18 (c) Each wastewater treatment facility that discharges through  
19 an ocean outfall and affiliated water suppliers shall reduce the  
20 overall volume of the facility’s annual flow, as follows, as  
21 compared to the average annual wastewater discharge baseline  
22 volume, by treating the water to be beneficially reused or by  
23 reducing inflow through water conservation and efficiency  
24 measures:

25 (1) By January 1, 2030, by at least 50 percent.

26 (2) By January 1, 2040, by at least 95 percent.

27 (d) (1) Each holder of a national pollutant discharge elimination  
28 system (NPDES) permit authorizing the discharge of wastewater  
29 through an ocean outfall as of January 1, 2020, in conjunction with  
30 affiliated water suppliers, shall submit to the executive director of  
31 the state board, on or before July 1, 2022, a plan to meet the  
32 requirements of this section, directly or by contract. The plan shall  
33 contain all of the following:

34 (A) An identification of all land acquisition and facilities  
35 necessary to provide for treatment, transport, and reuse of treated  
36 wastewater.

37 (B) Identification and projection of all wastewater reductions  
38 due to implementation of conservation and efficiency measures in  
39 the facilities service area.

1 (C) An analysis of the costs to meet the requirements of this  
2 section.

3 (D) A financing plan for meeting the requirements of this  
4 section, including identifying any actions necessary to implement  
5 the financing plan, such as bond issuance or other borrowing,  
6 assessments, rate increases, fees, charges, or other financing  
7 mechanisms.

8 (E) A detailed schedule for the completion of all necessary  
9 actions.

10 (F) Supporting data and other documentation accompanying  
11 the plan.

12 (2) On or before January 1, 2026, each holder of a NPDES  
13 permit authorizing the discharge of wastewater through an ocean  
14 outfall and affiliated water suppliers, shall update and submit to  
15 the executive director a plan, as described in paragraph (1), to  
16 include any refinements or changes in the costs, actions, or  
17 financing necessary to achieve the requirements of this section or  
18 a written statement that the plan is current and accurate.

19 (e) On or before January 1, 2024, and every January 1 every  
20 five years thereafter, the holder of a NPDES permit authorizing  
21 the discharge of wastewater through an ocean outfall, in  
22 conjunction with affiliated water suppliers, shall submit to the  
23 executive director of the state board a report summarizing the  
24 actions accomplished to date and the actions remaining and  
25 proposed to meet the requirements of this section. The report shall  
26 include progress toward meeting the deadlines set forth in  
27 subdivisions (c) and (d) and specifically include the detailed  
28 schedule for, and status of, the following:

- 29 (1) Evaluation of reuse and disposal options.
- 30 (2) Preparation of preliminary design reports.
- 31 (3) Preparation and submission of permit applications.
- 32 (4) Construction initiation.
- 33 (5) Construction progress milestones.
- 34 (6) Construction completion.
- 35 (7) Initiation of operation.
- 36 (8) Continuing operation and maintenance.

37 (f) (1) On or before July 1, 2025, and by July 1 every five years  
38 thereafter, the state board shall submit a report to the Governor  
39 and the Legislature on the implementation of this section. The  
40 report shall summarize the progress to date, including, but not

1 limited to, the increased amount of reclaimed water provided and  
2 potable water offsets achieved, and shall identify any obstacles to  
3 continued progress, including all instances of substantial  
4 noncompliance.

5 (2) A report to be submitted pursuant to paragraph (1) shall be  
6 submitted in compliance with Section 9795 of the Government  
7 Code.

8 (g) (1) Failure to meet the deadlines in subdivision (c) shall  
9 subject the owner or operator of the wastewater treatment facility,  
10 as well as affiliated water suppliers, to a penalty of two thousand  
11 dollars (\$2,000) per acre-foot of water above the required reduction  
12 in overall volume discharged.

13 (2) The failure of an NPDES permitholder and affiliated water  
14 suppliers to submit a report required pursuant to subdivision (d)  
15 or (e) by the report's deadline shall result in a penalty of up to ten  
16 thousand dollars (\$10,000).

17 (3) Moneys collected from the civil penalties levied pursuant  
18 to this subdivision shall be available, upon appropriation by the  
19 Legislature.

20 (h) The failure of an NPDES permitholder and affiliated water  
21 suppliers to submit a report required pursuant to subdivision (d)  
22 or (e) shall make the permitholder and suppliers ineligible for a  
23 state loan or grant until the delinquent report has been submitted.



### **BACKGROUND**

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Nutria are invasive aquatic water rodents which have recently been reestablished in California's waterways. A 20 lb. nutria can destroy up to 50 lbs. of marshland or agricultural vegetation daily, and reproduces in litters of up to 13 pups three times a year. This exponential population growth rapidly denudes delicate wetlands of vegetation, transforming verdant marsh into open water. Beyond rampant habitat destruction, nutria habitually burrow into levees and river banks, creating dens which can tunnel up to 50 meters into a levee.

Beyond California, nutria inhabit 30 other states. In 2003, Congress recognized the threat and passed the Nutria Control Act, with accompanying appropriations, for eradication efforts in the Chesapeake Bay and Louisiana. Federal collaboration has succeeded in Maryland; no nutria have been detected in the Chesapeake in since 2015.

### **PROBLEM**

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Since 2017, 379 nutria have been removed from Merced, San Joaquin, Stanislaus, Fresno and Mariposa Counties. As of January 2019, nutria have been detected in the extreme southern reaches of the Sacramento San Joaquin Delta, and the threat they represent to the Delta should not be underestimated. Unchecked nutria infestation in the Delta will undo precarious efforts at preserving habitat for native species, lead to future levee failures and flooding, and raise the threat of saltwater intrusion to the state's agriculture and water supply.

### **SOLUTION**

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By adding California to the provisions of the Nutria Control Act, we can leverage the federal knowledge accrued in assisting in a successful nutria eradication effort. Activating federal funding can end this threat to water supply, agricultural bounty, and delicate habitat before it becomes intractable.

AJR 8 requests that Congress add California to the provisions of the Nutria Control Act of 2003, and authorize an appropriation for nutria control of up to \$4 million, which is in line with what Congress authorized for the Chesapeake Bay.

### **FOR MORE INFORMATION**

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Nathan Little, *Senior Legislative Assistant*  
(916) 319-2020

[Nathan.Little@asm.ca.gov](mailto:Nathan.Little@asm.ca.gov)



**Assembly Joint Resolution**

**No. 8**

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**Introduced by Assembly Member Quirk  
(Coauthors: Assembly Members Aguiar-Curry, Arambula, Bigelow,  
Cooper, Eggman, Flora, Frazier, Gray, Grayson, and Patterson)**

February 15, 2019

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Assembly Joint Resolution No. 8—Relative to invasive species.

LEGISLATIVE COUNSEL'S DIGEST

AJR 8, as introduced, Quirk. Invasive species: federal Nutria Eradication and Control Act of 2003.

The federal Nutria Eradication and Control Act of 2003 authorizes the Secretary of the Interior, subject to the availability of appropriations, to provide financial assistance to the State of Maryland and the State of Louisiana for a program to implement measures to eradicate or control nutria and restore marshland damaged by nutria. Under the federal act, the federal share of the costs of the program is prohibited from exceeding 75% of the total costs of the program.

This measure would urge the United States Congress to specifically add California to the Nutria Eradication and Control Act of 2003 and to authorize an appropriation of \$4,000,000 to help the state implement a nutria eradication program.

Fiscal committee: yes.

- 1 WHEREAS, The wetlands of the Sacramento-San Joaquin Delta
- 2 and the Sacramento-San Joaquin Valley provide significant
- 3 cultural, economic, and ecological benefits to the nation; and

1 WHEREAS, Nutria (*Myocastor coypus*) are contributing to the  
2 acceleration of wetland loss on federal, state, and private lands in  
3 California; and

4 WHEREAS, The nutria infestation in the Sacramento-San  
5 Joaquin Delta represents a grave threat to California's water supply  
6 and quality, and levy failure precipitated by nutria burrows could  
7 flood hundreds of acres of farmland; and

8 WHEREAS, The effective partnership between the state and  
9 the federal government was crucial in the success the State of  
10 Maryland has experienced in nearly extirpating nutria from the  
11 Chesapeake Bay; now, therefore, be it

12 *Resolved by the Assembly and the Senate of the State of*  
13 *California, jointly,* That the Legislature urges the United States  
14 Congress to specifically add California to the Nutria Eradication  
15 and Control Act of 2003, with a goal to eradicate nutria in the state;  
16 and be it further

17 *Resolved,* That the Legislature urges the United States Congress  
18 to authorize an appropriation of \$4,000,000 to help the state  
19 implement a nutria eradication program; and be it further

20 *Resolved,* That the Chief Clerk of the Assembly transmit copies  
21 of this resolution to the President and Vice President of the United  
22 States, to the Secretary of the Interior, to the Speaker of the House  
23 of Representatives, to the Majority Leader of the Senate, to each  
24 Senator and Representative from California in the Congress of the  
25 United States, and to the author for appropriate distribution.

Community and Legislative Affairs Committee

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**INFORMATION**  
**ITEM**  
**2A**



**Date:** April 17, 2019

**To:** The Honorable Board of Directors

**From:** Shivaji Deshmukh, General Manager

**Committee:** Community & Legislative Affairs

04/10/19

*KBS/SD*

**Executive Contact:** Kathy Besser, Executive Manager of Ext. Aff. & Policy Dev./AGM

**Subject:** Public Outreach and Communication

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**Executive Summary:**

- April 12, Santa Ana River Watermaster: 50 Years of Collaboration (Luncheon and Program), Fieldhouse Terrace at Silverlakes Sports Complex: 5555 Hamner Avenue, Norco, 92860, 11:30 a.m. – 1:30 p.m.
- April 17, IEUA Annual Earth Day Event – Student Day, IEUA, 9:00 a.m. – 2:00 p.m.
- April 18, IEUA Annual Earth Day Event – Community Day, IEUA, 4:00 p.m. – 7:00 p.m.
- April 27, National Prescription Drug Take Back Day

The Water is Life Poster Contest judging took place on March 20. Over 1,500 posters were submitted from schools across IEUA's service area.

A targeted email blast was distributed on March 11 highlighting the Agency's Annual Report. Over 258,000 emails were sent to residents within IEUA's service area. The analytics showed a 23% open rate and a 36% click-through rate.

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**Staff's Recommendation:**

This is an informational item for the Board of Directors to receive and file.

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**Budget Impact** *Budgeted (Y/N): Y* *Amendment (Y/N): Y* *Amount for Requested Approval:*

*Account/Project Name:*

*Fiscal Impact (explain if not budgeted):*

**Prior Board Action:**

N/A

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**Environmental Determination:**

Statutory Exemption

N/A

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**Business Goal:**

IEUA is committed to providing a reliable and cost-effective water supply and promoting sustainable water use throughout the region.

IEUA is committed to enhancing and promoting environmental sustainability and the preservation of the region's heritage.

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**Attachments:**

Attachment 1 - Background

## Background

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Subject: Public Outreach and Communication

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### April

- April 3, IEUA Blood Drive, HQB Event Room, 8:00 a.m. – 1:00 p.m.
- April 12, Santa Ana River Watermaster: 50 Years of Collaboration (Luncheon and Program), Fieldhouse Terrace at Silverlakes Sports Complex: 5555 Hamner Avenue, Norco, 92860, 11:30 a.m. – 1:30 p.m.
- April 17, IEUA Annual Earth Day Event – Student Day, IEUA, 9:00 a.m. – 2:00 p.m.
- April 18, IEUA Annual Earth Day Event – Community Day, IEUA, 4:00 p.m. – 7:00 p.m.
- April 22, Automatic Water Softener Removal Presentation, Kiwanis Club of Rancho Cucamonga, Gandolfo's: 9090 Milliken Avenue #160, Rancho Cucamonga, 6:00 p.m. – 7:30 p.m.
- April 24, Automatic Water Softener Removal Presentation, Rancho Cucamonga Lions Club, Old Spaghetti Factory: 11896 E Foothill Blvd, Rancho Cucamonga, 5:30 p.m. – 7:00 p.m.
- April 27, National Prescription Drug Take Back Day

### May

- Water Awareness Month
- May 2, Village of Heritage Recycled Water Groundbreaking Event (IEUA/CVWD/City of Fontana), Village of Heritage: Corner of W. Grand Avenue & S. Heritage Circle, 10:00 a.m. – 11:30 a.m.
- May 4, FUSD's STEM Day (IEUA to partner and host a booth and breakout session), Citrus High School: 10760 Cypress Ave. Fontana, 92337, 9:00 a.m. – 1:00 p.m.
- May 5-11, International Compost Awareness Week
- May 11, IEUA Compost Giveaway, HQA Parking Lot, 8:00 a.m. – 12:00 p.m.
- May 17-19, MWD Solar Cup Competition, Lake Skinner, 37701 Warren Rd, Winchester, 92596
- May 23, Project W.E.T. Facilitator Workshop, IEUA HQB, 8:00 a.m. – 3:30 p.m.

### Media and Outreach

- A targeted email blast was distributed on March 11 highlighting the Agency's Annual Report. Over 258,000 emails were sent to residents within IEUA's service area. The analytics showed a 23% open rate and a 36% click-through rate.
- IEUA staff is working with Agency departments and Tripepi Smith and Associates to implement the first phase of the Agency's website redesign, which includes finalizing the website specification document.
- An ad will run in the *Chino Champion's* Progress Edition on April 27.
- An Earth Day spadea will run in the *Daily Bulletin* on April 14.
- An Earth Day ad ran in the April issue of *Inland Empire Magazine*.
- The *Kick the Habit* digital banner ad continues to run in the *Fontana Herald News*.

- An Earth Day ad will run in the *Fontana Herald News* on April 12.
- Earth Day ads will run on *KGCI 99.1* April 15 through April 18.
- March: 16 posts were published to the IEUA Facebook page, 15 posts were published to IEUA's Instagram and 16 tweets were sent on the @IEUAWater Twitter handle.
  - The top three Facebook posts, based on reach and engagement, in the month of March were:
    - 3/14 Groundwater Awareness Week Video - Andy Campbell
    - 3/26: Fix A Leak Week Conservation Kits Distribution – Water Discovery
    - 3/21: News Release: IEUA Announces New General Manager
  - The top three tweets, based on reach and engagement, in the month of March were:
    - 3/12: Groundwater Week Fact
    - 3/14: Director Michael Camacho at HomeStrong USA
    - 3/10: Spring Forward
  - The top three Instagram posts, based on reach and engagement, in the month of March were:
    - 3/11: Touch-A-Truck Event
    - 3/14: Groundwater Awareness Week Video – Andy Campbell
    - 3/26: Fix a Leak Week Conservation Kits Distribution – Water Discovery
  - For the month of March, there were 8,960 searches for a park in IEUA's area on Yelp, where Chino Creek Wetlands and Education Park was viewed 624 times on a mobile device. A Yelp ad promoting Earth Day is currently live and will run through April 18.

#### Education and Outreach Updates

- Staff is currently scheduling Water Discovery Field Trips for school year 18/19. To date, 95 schools have made reservations for the current school year.
- Student Earth Day will take place on April 17. To date, 16 schools with a total of 1,318 students are scheduled to attend.
- The *Water is Life* Poster Contest judging took place on March 20. Over 1,500 posters were submitted from schools across IEUA's service area. Over 40 IEUA employees participated in the judging process. The winners in each category have been identified and will be featured on banners during both Earth Day events. The winning posters will also be sent to MWD to be entered into their regional poster contest.

**INFORMATION**  
**ITEM**  
**2B**





**March 28, 2019**

**To:** Inalnd Empire Utilities Agency

**From:** Michael Boccadoro  
Beth Olhasso  
Maddie Munson

**RE:** March Report

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**Overview:**

California's 376 week-long drought is officially over! While former Governor Brown declared the drought over in 2017, hydrologically speaking, the state exited the drought in early March. The water supply picture continues to look fantastic going into the spring. The statewide snowpack is about 155 percent of normal and almost all major reservoirs are at or above historic levels for this time of year. State Water Project Allocations were recently increased to just 70 percent despite the significant precipitation and snowpack levels.

Contrary to earlier assertions from Southern California Edison (SCE) that their equipment was not to blame for starting the 2017 Thomas Fire, investigators from the CA Department of Forestry and Fire Protection say that the utility's equipment was responsible for both ignition points. This finding coupled with other wildfire liability could bring SCE's total responsibility to \$6.5 billion for the 2017-2018 wildfire season. The significant liability together with higher borrowing, hardening and insurance costs will likely cause significant rate increases in the SCE territory.

Governor Newsom's appointee for Secretary of CalEPA, Jared Blumenfeld, was before the Senate Rules Committee recently for his confirmation hearing. He highlighted safe drinking water and greenhouse gas emission reductions, specifically in the South Coast as top priorities for his agency in the coming years.

SoCalGas has completed repairs on a key natural gas pipeline. The line, one of three that has been out of service since October of 2017, has contributed to system constraints and has driven up natural gas costs and wholesale electricity prices. It is anticipated that this will help stabilize natural gas prices which have been high in the SoCalGas territory due to several line outages and lack of storage capacity at Aliso Canyon.

Any of the 2,500 bills introduced that want to make it to the finish line this year, must be out of policy committees by April 26. Policy committees have been hearing bills at a feverish pace as the policy deadline approaches. The handful of bills on clean, safe and affordable drinking water are starting to move through the process while the joint alternative proposal from the Association of California Water Agencies and the California Municipal Utilities Association, and a complementary proposal from Eastern Municipal Water District are scheduled for their first hearings in the coming weeks.

Senator Bob Hertzberg (D-Van Nuys) has revived his old "ocean discharge" bill and is proposing to eliminate 95 percent of ocean discharge from POTWs by 2040. Statewide agencies are taking positions on the measure, with WateReuse starting a process to propose significant amendments to the measure. Senator Dodd's attempt so slow down WaterFix hit a wall in the Senate Natural Resources and Water Committee recently and was only able to move out of the committee with his assurance that he will work with the opponents, including Metropolitan Water District of Southern California.

# Inland Empire Utilities Agency Status Report – March 2019

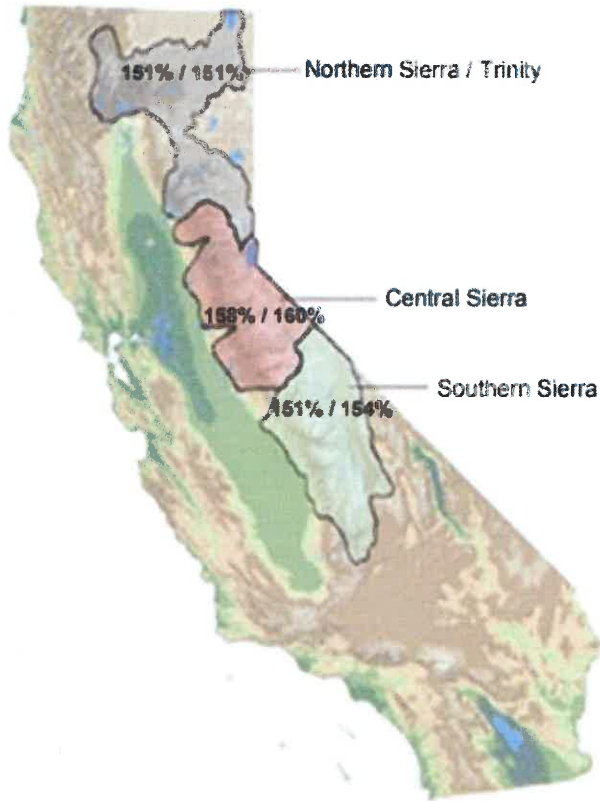
## *Water Supply Conditions*

February is typically the wettest month of the year in California, and this year has definitely not deviated from that pattern. A barrage of storms coming from an atmospheric river have pushed state snowpack and precipitation levels well over annual averages. While former Governor Brown declared the drought over in 2017, hydrologically, drought monitors officially indicated the state is officially drought-free after 376 consecutive weeks of drought.

As the state moves into the “spring runoff” season, reservoir managers are playing a delicate game of releasing just enough water to keep capacity for all the runoff while ensuring that reservoirs remain full going into the summer.

The State Water Project allocation was increased from 35 percent in February to 70 percent on March 20, which still seems low giving the abundant levels of snow and reservoir storage.

% of April 1 Average / % of Normal for This Date



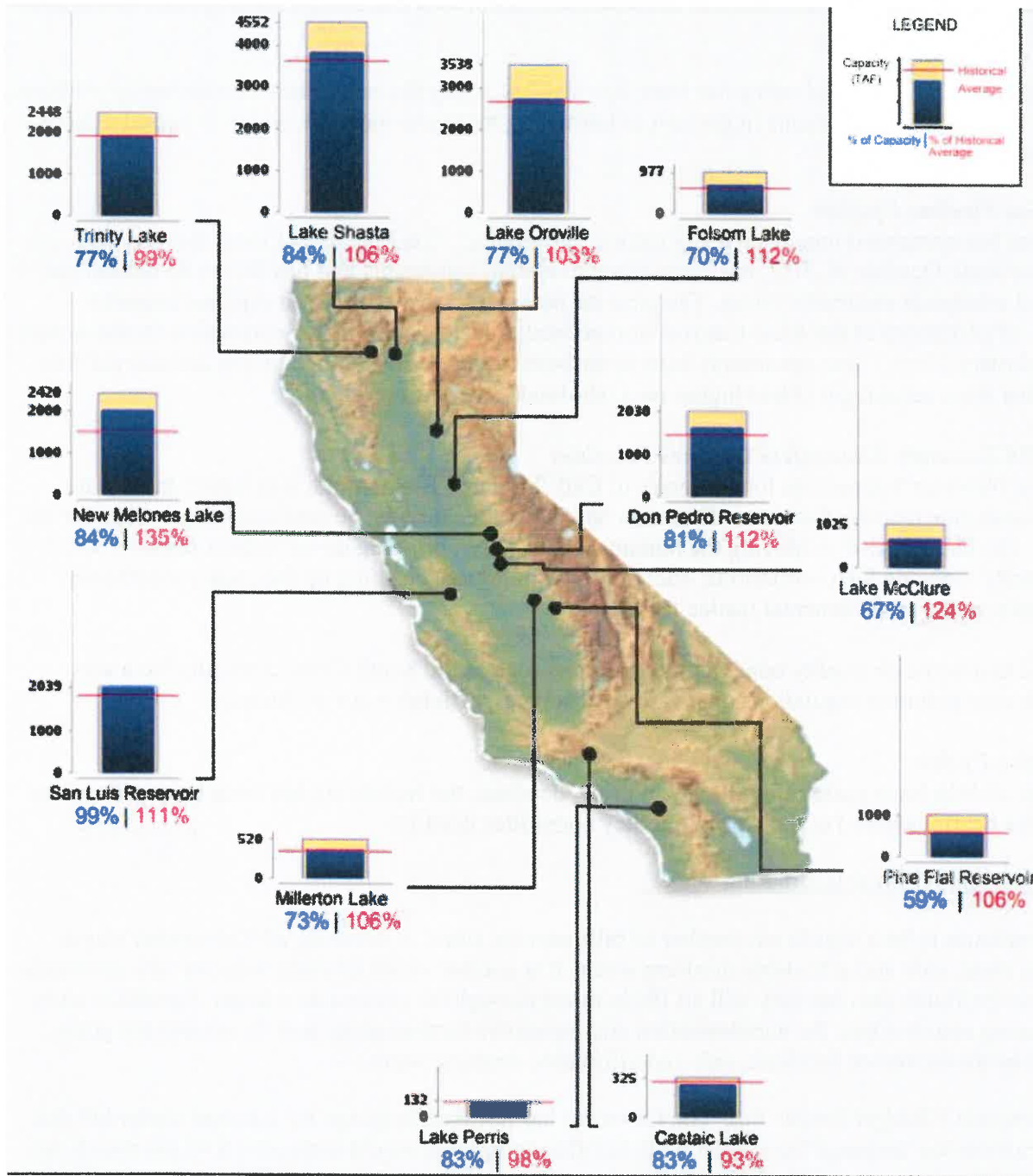
NORTH	
Data as of March 21, 2019	
Number of Stations Reporting	31
Average snow water equivalent (Inches)	43.8
Percent of April 1 Average (%)	151
Percent of normal for this date (%)	151

CENTRAL	
Data as of March 21, 2019	
Number of Stations Reporting	40
Average snow water equivalent (Inches)	45.2
Percent of April 1 Average (%)	155
Percent of normal for this date (%)	150

SOUTH	
Data as of March 21, 2019	
Number of Stations Reporting	28
Average snow water equivalent (Inches)	38.1
Percent of April 1 Average (%)	151
Percent of normal for this date (%)	154

STATE	
Data as of March 21, 2019	
Number of Stations Reporting	99
Average snow water equivalent (Inches)	42.6
Percent of April 1 Average (%)	154
Percent of normal for this date (%)	156

**Statewide Average: 154% / 156%**



**Officials Say SCE Equipment Sparked Thomas Fire**

Despite earlier assertions from Southern California Edison (SCE) that their equipment was not to blame for starting the 2017 Thomas Fire, investigators from the CA Department of Forestry and Fire Protection say that the utility’s equipment was responsible for both ignition points. This finding is significant because of the \$2.2 Billion in damages resulting from the fire that SCE will likely have to pay. In addition to the Thomas Fire, SCE could also be held responsible for an additional \$4.3B in other 2017-2018 wildfire liability costs.

A separate proceeding at the California Public Utilities Commission is underway to create a process to determine how much of that \$2.2B, and potential \$6.5B total SCE shareholders will have to pay and

how much the ratepayers will be on the hook for. SCE is trying shift as much of those costs to ratepayers as possible, and if successful could result in significant increases to energy rates throughout the SCE service territory.

In recent weeks, SCE's bond rating has been downgraded, citing the large risk of catastrophic wildfires in 2019 and beyond. This results in the cost of borrowing money to increase, which is passed directly onto ratepayers.

### ***SoCalGas Pipeline Updates***

SoCalGas has completed repairs on a key natural gas pipeline. The line, one of three that has been out of service since October of 2017, has contributed to system constraints and has driven up natural gas costs and wholesale electricity prices. The pipeline outage, along with reduced regional capacity because of limitations at the Aliso Canyon storage facility have caused major constraints on the system since February 2016. These constraints have contributed to repeated issuance of low operational flow orders that force natural gas prices higher on a wholesale and retail level.

### ***CAL EPA Secretary Blumenfeld Outlines Priorities***

Governor Newsom's appointee for Secretary of CalEPA, Jared Blumenfeld, was before the Senate Rules Committee recently for his confirmation hearing. At the hearing he outlined his priorities for the agency. His list included: achieving the human right to water; bringing down asthma rates; significantly reducing GHG emissions; ending plastic pollution; cleaning up the state's most toxic sites; and creating environmental justice for all.

He noted that while air quality nonattainment regions such as the South Coast, currently have very aggressive air pollution regulations on a variety of sources, officials must go further.

### ***Legislative Update***

Now that all bills have passed the "30 day in print" deadline, the legislature has been busy with policy committee hearings ahead of the April 26 policy committee deadline.

### **Clean, Safe and Affordable Drinking Water:**

There continues to be a significant number of bills moving aimed at ensuring all Californian's have access to clean, safe and affordable drinking water. It is unclear which of these vehicles will ultimately make it to the finish line, but they will all likely move through the process as a larger discussion takes place among stakeholders, the administration and legislative leaders about how to achieve the goals outlined by the Governor for clean, safe and affordable drinking water.

*Administration's Budget Trailer Bill:* The Governor has released language for a budget trailer bill that closely mirrors the language from 2018's SB 623 (Monning) that would institute a \$.95 per month fee on residential water users and impose other fees on agricultural operations. ACWA and many water agencies strongly oppose this proposal as well as the use of a budget trailer bill to accomplish the fee. The trailer bill was discussed in both the Senate and Assembly Budget Subcommittees recently with both committees leaving the item open for further discussion. Opponents were out in full force, but it is clear that the legislature is waiting until later in the session to take action on the trailer bill. The Governor has indicated that he wants the issue taken care of as part of the budget's adoption in June.

*SB 669 (Caballero): Safe Drinking Water Trust:* Sponsored by ACWA and the California Municipal Utilities Association (CMUA), SB 669 would use a one-time infusion of general fund cash to establish a trust which revenue would be transferred to the Safe and Affordable Drinking Water Fund for

administration by the State Water Resources Control Board. The bill will be heard in Senate Governance and Finance Committee on April 10.

*ACA 3 (Mathis, E. Garcia): Minimum Funding Guarantee for Water:* This Constitutional Amendment would require two percent of state revenues to be set aside for water. The named uses are not just for clean drinking water, but for all types of water conveyance, cleanup, recycling, groundwater cleanup, storage and others. As a Constitutional Amendment it requires a two-thirds vote and approval by voters. This bill has not been scheduled for a hearing.

*SB 200 (Monning, D- San Mateo):* Senator Monning's vehicle is SB 200, which currently only establishes the trust account at the state board, but does not include any fees that were in SB 623 was heard in Senate Natural Resources and Water Committee as a "work in progress." There was no opposition to the bill, as it still does not contain any fees, but the committee expressed concerns should a fee be added. The bill will continue to move through the process and remains a potential vehicle for the fee.

*AB 271 (E. Garcia, D-Coachella):* Chair of the Water, Parks and Wildlife Committee, Eduardo Garcia, recently amended AB 217 to be a "catch-all" for all of the ideas on clean, safe and affordable drinking water. The bill includes a \$.25 per customer fee/tax as well as a trust concept. The bill was heard in Assembly Environmental Safety and Toxic Materials Committee on March 26 where it passed out of the committee, but with serious discussion from members. As with the other safe and affordable drinking water bills, the members are asking a lot of questions and concerned about the impacts to ratepayers.

*Other Bills:* There are a number of other bills that have been introduced, mostly spot bills, that WCA will include in reports as they get substantive language and start moving forward.

*SB 414 (Caballero): Small System Water Authority Act of 2019:* SB 414 is Eastern Municipal Water District's re-introduction of AB 2050 (Caballero) from 2018. The bill seeks to address the drinking water issue by enhancing long-term sustainable systems. SB 414 looks at how to manage districts with failing water systems and establish a new category of public water agency by way of merging formerly non-compliant drinking water systems in order to sustainably provide the technical, managerial, and financial capabilities necessary to ensure the consistent delivery of safe drinking water. A similar measure was vetoed in 2018. The bill was heard in Senate Governance and Finance Committee on March 28 where it easily passed and will be heard next in the Environmental Quality Committee in early April.

#### Ocean Discharge:

Senator Bob Hertzberg (D-Los Angeles) has introduced SB 322 which seeks to eliminate 95 percent of ocean discharges by 2040. This bill is similar to a "gut-and-amend" the Senator attempted in 2017, SB 163, which ultimately failed. As an inland agency, IEUA isn't directly targeted in this legislation. However, there are significant concerns because the bill has no considerations for brine. SAWPA is responsible for six percent of Orange County Sanitation District's discharges currently and is planning to increase that to 25-30 percent in coming years. With brine being a byproduct of recycling water, the bill is at odds with itself. WCA staff have met with the Senator's staff and they are aware of the issue and claim they will work with stakeholders to address it. They did make it very clear they intentionally introduced this bill early to allow for a long stakeholder process.

The Senator and the sponsor of the bill, the Natural Resources Defense Council (NRDC), do have a little more regulatory backing on their side this year. As reported late last year, the State Water Resources Control Board updated its Recycled Water Policy which includes language to promote POTWs to reuse as much water as possible. While the goal is aspirational and not a mandate, it helps to further the Senator's argument that eliminating ocean discharge is of significant importance to the state.

CASA is leading the opposition coalition on this legislation. WateReuse is "oppose unless amended" with their board developing significant amendments in the coming weeks.

#### Recycled Water:

*AB 292 (Quirk):* AB 292 builds on previous legislation, AB 574 (Quirk, 2017) which IEUA supported, and recent work by the SWRCB to remove the terms "direct potable reuse" and "indirect potable reuse" in state code in order to better align the terms with how the water agencies are using recycled water. AB 574 (Quirk) created four distinct types of potable reuse projects – "Indirect Potable Reuse for Groundwater Recharge", "Reservoir Water Augmentation", and Direct Potable Reuse, which includes two subcategories, "Raw Water Augmentation" and "Treated Drinking Water Augmentation." With the more precise definitions added by AB 574, the terms "indirect" and "direct" only add to confusion about potable reuse and proposed projects. The term "Direct Potable Reuse" also implies that purified recycled water is going directly into the drinking water supply, which is not the case with Raw Water Augmentation projects. For example, opponents of a groundwater recharge project in the Central Coast incorrectly labeled the project "Direct Potable Reuse" and the confusion in the statute made this difficult to correct. This bill is sponsored by WateReuse California. The bill passed out of Assembly Environmental Safety and Toxic Materials Committee on consent and will be heard in Assembly Water, Parks and Wildlife Committee April 6.

*AB 1180 (Friedman):* AB 1180 will require the SWRCB to update the state's non-potable recycled water regulations by 2023. These regulations have not been revised since 2000. An update to these regulations, incorporating the knowledge and lessons learned from nearly two decades of non-potable water recycling, will help the state to achieve its ambitious goals for recycled water use. The bill also promotes recycled water use for dual plumbed building and for commercial, industrial and institutional (CII) uses by requiring the Water Board, through its update of Title 17 backflow regulations, to include the use of a change over device, such as a swivel ell. This bill is also sponsored by WateReuse. The bill was heard in Assembly Environmental Safety and Toxic Materials Committee on March 26 and easily passed to the Water, Parks and Wildlife Committee.

#### State Water Project:

*SB 204 (Dodd):* SB 204 seeks to insert additional transparency and the sharing of information regarding future State Water Project Contract Amendments. If successful, this bill would significantly delay action on WaterFix and would be detrimental to any future SWP contract amendments. MWD and the State Water Contractors are seeking amendments to limit the timelines set in the bill so there isn't an open-ended window in which the contracts could be delayed. The bill had an initial hearing in the Senate Natural Resources and Water Committee where it faced serious pushback, mostly from Southern California members. After the pushback the Senator agreed to work with stakeholders, something he was reluctant to do before the hearing, as the bill moves through the process. Several members noted that they would vote against the bill on the floor should the Senator not address his concerns of MWD and the State Water Contractors.

### Wastewater Treatment:

*AB 1672 (Bloom)* is a spot bill intending to address flushable wipes. While the language isn't yet available for this bill, this will be an important bill for the POTW community, as flushable wipes have been a significant issue for POTWs. WCA will work with CASA and others on this legislation.

There are two other wastewater treatment-related spot bills worth noting. AB 129 (Bloom) relates to microfibers and AB 223(Stone) relates to microplastics. It will be important to monitor these bills which could attempt to make POTWs the "catch point" for these micro-wastes.

### Energy/Emissions

There aren't any specific energy bills to highlight at this moment. WCA is closely following a number of big issues and will report on how they might affect IEUA. The big energy topics of the year include:

- Establishment of a statewide central electric procurement entity
- Changes to the Renewable Portfolio Standard
- Wildfire impacts on energy rates and de-energization
- Restrictions on emissions from light, medium and heavy-duty trucks/public agency fleets

WCA will keep staff and the Board apprised on these issues as they emerge throughout the session.

### Special District Issues:

*Accessory Dwelling Units (ADU):* With a significant focus on affordable housing in the state, there are a number of bills to make it easier for ADUs to be permitted and built in the state. It is unclear which bill is going to emerge as *the* primary ADU bill, but WCA is monitoring all of them with an eye on how they might treat "connection fees." This is a top priority issue for the statewide water organizations as several bills from last year attempted to waive all the connection fees for ADUs. Water agencies were able to bring significant attention to the issues that would create under Proposition 218 and will continue to advocate for water/sewer connection fees to be excluded from any exemptions.

*Redevelopment 2.0:* There are a few members who have started the process to reintroduce Redevelopment Agencies (RDA) back in to California. The Governor has said clearly that he is not interested in RDA 2.0, but that won't likely stop its proponents. As always, WCA will work with Christina Valencia, staff and the California Special Districts Association on any RDA 2.0 attempts that try to take away special district passthrough revenue.

AB 1204 (B. Rubio, D-Baldwin Park): AB 1204 is an ACWA sponsored bill that would allow for a three-year compliance period on any new state MCL standard adopted by the SWRCB. Currently agencies must comply with any new MCL immediately. The bill has its first hearing in Environmental Safety and Toxic Materials Committee on April 9.

WCA will work with staff and the legislative committee in the coming weeks to identify priority bills for the agency.

**IEUA BILL POSITIONS**

<b>Bill Number</b>	<b>Author/Sponsor</b>	<b>Title and/or Summary</b>	<b>Summary</b>	<b>IEUA Position</b>
AB 292	Quirk  WateReuse	Recycled water: raw water and groundwater augmentation	This bill would eliminate the definition of “direct potable reuse” and instead would substitute the term “groundwater augmentation” for “indirect potable reuse for groundwater recharge” in these definitions. The bill would revise the definition of “treated drinking water augmentation.”	
AB 405	Rubio	Sales and use taxes: exemption: water treatment	Would exempt from Sales and Use Tax the gross receipts from the sale in this state of, and the storage, use, or other consumption in this state of, chemicals used to treat water, recycled water, or wastewater regardless of whether those chemicals or other agents become a component part thereof and regardless of whether the treatment takes place before or after the delivery to consumers.	
AB 533	Holden  MWD	Income taxes: exclusion: water conservation or efficiency programs: water runoff management improvement programs	This bill, for taxable years beginning on or after January 1, 2019, and before January 1, 2024, would provide an exclusion from gross income for any amount received as a rebate, voucher, or other financial incentive issued by a water service provider for any water conservation or efficiency program or water runoff management improvement program, as provided.	SUPPORT
AB 557	Wood	Atmospheric Rivers: Research, Mitigation, and Climate Forecasting Program	Would appropriate \$9,250,000 from the General Fund to the Department of Water Resources in the 2019–20 fiscal year to operate the Atmospheric Rivers: Research, Mitigation, and Climate Forecasting Program.	
AB 654	Rubio	Public records: utility customers: disclosure of personal information	Would authorize a local agency to disclose the name, utility usage data, and home address of utility customers to an officer or employee of another governmental agency when the disclosure is not necessary for the performance of the other governmental agency’s official duties but is to be used for scientific, educational, or research purposes, and the requesting agency receiving the disclosed material agrees to maintain it as confidential in accordance with specified criteria.	



AB 1180	Friedman  WateReuse	Recycled Water	The California Safe Drinking Water Act requires the State Water Resources Control Board to administer provisions relating to the regulation of drinking water to protect public health. Current law requires, on or before January 1, 2020, the state board to adopt standards for backflow protection and cross-connection control through the adoption of a policy handbook, as specified. This bill would require that handbook to include provisions for the use of a swivel or changeover device to supply potable water to a dual-plumbed system during an interruption in recycled water service.	
AB 1194	Frazier	Sacramento-San Joaquin Delta: Delta Stewardship Council	Would increase the membership of the Delta Stewardship Council to 13 members, including 11 voting members and 2 nonvoting members	OPPOSE
AB 1204	Rubio	Public water systems: primary drinking water standards: implementation date.	Would require the adoption or amendment of a primary drinking water standard for a contaminant in drinking water not regulated by a federal primary drinking water standard or that is more stringent than a federal primary drinking water standard to take effect 3 years after the date on which the state board adopts or amends the primary drinking water standard. The bill would authorize the state board to delay the effective date of the primary drinking water standard adoption or amendment by no more than 2 additional years as necessary for capital improvements to comply with a maximum contaminant level or treatment technique.	
AB 1672	Bloom	Product labeling: flushable products	Current law regulates the labeling requirements on various consumer products. This bill would express the intent of the Legislature to enact legislation to prohibit the sale or advertisement of any nonwoven disposable product labeled as “flushable” or “sewer and septic safe” if that product fails to meet specified performance standards.	

SB 204	Dodd	State Water Project: Contracts	Would require the Department of Water Resources to provide at least 10 days' notice to the Joint Legislative Budget Committee and relevant policy and fiscal committees of the Legislature before holding public sessions to negotiate any potential amendment of a long-term water supply contract that is of project-wide significance with substantially similar terms intended to be offered to all contractors, or that would permanently transfer a contractual water amount between contractors.	OPPOSE
SB 307	Roth	Water conveyance: use of facility with unused capacity	This bill would prohibit a transferor of water from using a water conveyance facility that has unused capacity to transfer water from a groundwater basin underlying desert lands, as defined, that is in the vicinity of specified federal lands or state lands to outside of the groundwater basin unless the State Lands Commission, in consultation with the Department of Fish and Wildlife, finds that the transfer of the water will not adversely affect the natural or cultural resources of those federal and state lands.	OPPOSE
SB 414	Caballero  Eastern MWD/ CMUA	Small System Water Authority Act of 2019	Would create the Small System Water Authority Act of 2019 and state legislative findings and declarations relating to authorizing the creation of small system water authorities that will have powers to absorb, improve, and competently operate noncompliant public water systems. The bill, no later than March 1, 2020, would require the state board to provide written notice to cure to all public agencies, private water companies, or mutual water companies that operate a public water system that has either less than 3,000 service connections or that serves less than 10,000 people, and are not in compliance, for the period from July 1, 2018, through December 31, 2019, with one or more state or federal primary drinking water standard maximum contaminant levels, as specified.	
SB 332	Hertzberg	Ocean Discharge	Would declare, except in compliance with the bill's provisions, that the discharge of treated wastewater from ocean outfalls is a waste and unreasonable use of water. The bill would require each wastewater treatment facility that discharges through an ocean outfall and affiliated	

	NRDC		water suppliers to reduce the facility's annual flow as compared to the average annual wastewater discharge baseline volume, as prescribed, by at least 50% on or before January 1, 2030, and by at least 95% on or before January 1, 2040. The bill would subject the owner or operator of a wastewater treatment facility, as well as the affiliated water suppliers, to a civil penalty of \$2,000 per acre-foot of water above the required reduction in overall volume discharge for the failure to meet these deadlines.	
SB 669	Caballero  ACWA/CMUA	Safe Drinking Water Trust	Would establish the Safe Drinking Water Fund in the State Treasury and would provide that moneys in the fund are continuously appropriated to the State Water Resources Control Board. The bill would require the state board to administer the fund to assist community water systems in disadvantaged communities that are chronically noncompliant relative to the federal and state drinking water standards and do not have the financial capacity to pay for operation and maintenance costs to comply with those standards, as specified.	
AJR 8	Quirk	Invasive species: federal Nutria Eradication and Control Act of 2003	Would urge the United States Congress to specifically add California to the Nutria Eradication and Control Act of 2003 and to authorize an appropriation of \$4,000,000 to help the state implement a nutria eradication program.	

**AB 11**

**(Chiu D) Community Redevelopment Law of 2019.**

**Current Text:** Introduced: 12/3/2018 [html](#) [pdf](#)

**Introduced:** 12/3/2018

**Status:** 3/26/2019-In committee: Set, first hearing. Hearing canceled at the request of author.

**Location:** 1/17/2019-A. H. & C.D.

**Calendar:** 4/10/2019 9:15 a.m. - State Capitol, Room 126 ASSEMBLY HOUSING AND COMMUNITY DEVELOPMENT, CHIU, Chair

**Summary:** Current law dissolved redevelopment agencies as of February 1, 2012, and designates successor agencies to act as successor entities to the dissolved redevelopment agencies. This bill, the Community Redevelopment Law of 2019, would authorize a city or county, or two or more cities acting jointly, to propose the formation of an affordable housing and infrastructure agency by adoption of a resolution of intention that meets specified requirements, including that the resolution of intention include a passthrough provision and an override passthrough provision, as defined.

**AB 56**

**(Garcia, Eduardo D) California Clean Electricity Authority**

**Current Text:** Amended: 3/18/2019 [html](#) [pdf](#)

**Introduced:** 12/3/2018

**Last Amend:** 3/18/2019

**Status:** 3/19/2019-Re-referred to Com. on U. & E.

**Location:** 1/17/2019-A. U. & E.

**Calendar:** 4/3/2019 1:30 p.m. - State Capitol, Room 437 ASSEMBLY UTILITIES AND ENERGY, HOLDEN, Chair

**Summary:** Would authorize the Public Utilities Commission (PUC) and the State Energy Resources Conservation and Development Commission (Energy Commission) to jointly establish the California Clean Electricity Authority, a nonprofit, public benefit corporation, if both commissions make certain findings. The bill would authorize the authority to undertake procurement of electricity on behalf of retail end-use customers of electrical corporations, community choice aggregators, and electric service providers, collectively referred to as load-serving entities, and local publicly owned electric utilities, in support of certain energy, environmental, economic, public health, and public safety policy objectives.

**AB 60**

**(Friedman D) Water conservation: water meters: accuracy standards.**

**Current Text:** Amended: 2/25/2019 [html](#) [pdf](#)

**Introduced:** 12/3/2018

**Last Amend:** 2/25/2019

**Status:** 3/25/2019-From committee: Be re-referred to Com. on W., P., & W. Re-referred. (Ayes 12. Noes 0.) (March 25). Re-referred to Com. on W., P., & W.

**Location:** 3/25/2019-A. W.,P. & W.

**Calendar:** 4/9/2019 9 a.m. - State Capitol, Room 444 ASSEMBLY WATER, PARKS AND WILDLIFE, GARCIA, EDUARDO, Chair

**Summary:** Would require the State Energy Resources Conservation and Development Commission, on or before January 1, 2022, to adopt regulations setting standards for the accuracy of water meters, as specified. The bill would prohibit any water meter manufactured on or after the effective date of those regulations from being sold or offered for sale in the state, or installed by a water purveyor, unless it is certified by the manufacturer to be in compliance with those standards.

**AB 68**

**(Ting D) Land use: accessory dwelling units.**

**Current Text:** Amended: 3/27/2019 [html](#) [pdf](#)

**Introduced:** 12/3/2018

**Last Amend:** 3/27/2019

**Status:** 3/27/2019-From committee chair, with author's amendments: Amend, and re-refer to Com. on H. & C.D. Read second time and amended.

**Location:** 1/17/2019-A. H. & C.D.

**Calendar:** 4/3/2019 9:15 a.m. - State Capitol, Room 127 ASSEMBLY HOUSING AND COMMUNITY DEVELOPMENT, CHIU, Chair

**Summary:** Current law requires a local agency to ministerially approve or deny a permit application for the creation of an accessory dwelling unit within 120 days of receiving the application. This bill would instead require a local agency to ministerially approve or deny a permit application for the creation of an accessory dwelling unit permit within 60 days of receipt.

**AB 69**

**(Ting D) Land use: accessory dwelling units.**

**Current Text:** Amended: 3/27/2019 [html](#) [pdf](#)

**Introduced:** 12/3/2018

**Last Amend:** 3/27/2019

**Status:** 3/27/2019-From committee chair, with author's amendments: Amend, and re-refer to Com. on H. & C.D. Read second time and amended.

**Location:** 1/17/2019-A. H. & C.D.

**Calendar:** 4/3/2019 9:15 a.m. - State Capitol, Room 127 ASSEMBLY HOUSING AND COMMUNITY DEVELOPMENT, CHIU, Chair

**Summary:** Current law requires the Department of Housing and Community Development to propose building standards to the California Building Standards Commission, and to adopt, amend, or repeal rules and regulations governing, among other things, apartment houses and dwellings, as specified. This bill would require the department to propose small home building standards governing accessory dwelling units and homes smaller than 800 square feet. The bill would require the small home building standards to be submitted to the California Building Standards Commission for adoption on or before January 1, 2021.

**AB 129**

**(Bloom D) Microfiber pollution.**

**Current Text:** Amended: 3/25/2019 [html](#) [pdf](#)

**Introduced:** 12/4/2018

**Last Amend:** 3/25/2019

**Status:** 3/26/2019-Re-referred to Com. on E.S. & T.M.

**Location:** 3/25/2019-A. E.S. & T.M.

**Calendar:** 4/9/2019 1:30 p.m. - State Capitol, Room 444 ASSEMBLY ENVIRONMENTAL SAFETY AND TOXIC MATERIALS, QUIRK, Chair

**Summary:** Would require the State Water Resources Control Board to take specified actions relating to microfiber pollution on or before July 1, 2020, and would require the state board to identify best practices for clothing manufacturers to reduce the amount of microfibers released into the environment. The bill would require, on or before January 1, 2020, a public entity that uses a laundry system, and a private entity that contracts with a state agency for laundry services, to install a filtration system to capture microfibers that are shed during washing.

**AB 134**

**(Bloom D) Safe, clean, affordable, and accessible drinking water.**

**Current Text:** Amended: 3/25/2019 [html](#) [pdf](#)

**Introduced:** 12/5/2018

**Last Amend:** 3/25/2019

**Status:** 3/27/2019-From committee: Do pass and re-refer to Com. on APPR. (Ayes 6. Noes 0.) (March 26). Re-referred to Com. on APPR.

**Location:** 3/27/2019-A. APPR.

**Summary:** Would state findings and declarations relating to the intent of the Legislature to adopt policies to ensure that every Californian has the right to safe, clean, affordable, and accessible drinking water. The bill would require, if a Safe Drinking Water Fund or Safe and Affordable Drinking Water Fund is established, the funding to be displayed in the annual Governor's budget, as prescribed, and, at least every 5 years, would require the Legislative Analyst's Office to provide an assessment of the effectiveness of expenditures from the fund.

**AB 144**

**(Aguiar-Curry D) Public resources management.**

**Current Text:** Amended: 3/5/2019 [html](#) [pdf](#)

**Introduced:** 12/13/2018

**Last Amend:** 3/5/2019

**Status:** 3/6/2019-Re-referred to Com. on NAT. RES.

**Location:** 1/24/2019-A. NAT. RES.

**Summary:** Current law establishes the Forest Health Task Force pursuant to a specified executive order issued by the Governor, and requires the task force or its successor entity, on or before July 1, 2020, in consultation with specified entities, to develop recommendations for the siting of additional wood product manufacturing facilities in the state. Current law specifies that it is the intent of the Legislature, in developing those recommendations, that the location and activities of the mass timber production facilities be, among other things, located in, or be proximate to, areas that are near the locations of large landscape fires, as described, and in areas identified as federal opportunity zones or in areas that have an average household income of 5% below the state's median household income. This bill would add a definition of the task force for purposes of those provisions and recast the median household income threshold from 5% below to at or below 5% of the state's median household income.

**AB 217**

**(Garcia, Eduardo D) Safe Drinking Water for All Act.**

**Current Text:** Amended: 3/19/2019 [html](#) [pdf](#)

**Introduced:** 1/16/2019

**Last Amend:** 3/19/2019

**Status:** 3/27/2019-From committee: Amend, and do pass as amended and re-refer to Com. on APPR. (Ayes 6. Noes 3.) (March 26).

**Location:** 3/26/2019-A. APPR.

**Calendar:** 3/28/2019 #14 ASSEMBLY SECOND READING FILE -- ASSEMBLY BILLS

**Summary:** The California Safe Drinking Water Act requires the State Water Resources Control Board to

administer provisions relating to the regulation of drinking water to protect public health. Existing law declares it to be the established policy of the state that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes. This bill would enact the Safe Drinking Water for All Act and would establish the Safe and Affordable Drinking Water Fund in the State Treasury and would provide that moneys in the fund are continuously appropriated to the board to provide a source of funding to secure access to safe drinking water for all Californians, while also ensuring the long-term sustainability of drinking water service and infrastructure.

#### **AB 223**

##### **(Stone, Mark D) California Safe Drinking Water Act: microplastics.**

**Current Text:** Introduced: 1/16/2019 [html](#) [pdf](#)

**Introduced:** 1/16/2019

**Status:** 2/25/2019-In committee: Set, first hearing. Hearing canceled at the request of author.

**Location:** 2/4/2019-A. E.S. & T.M.

**Summary:** The California Safe Drinking Water Act requires the State Water Resources Control Board to administer provisions relating to the regulation of drinking water to protect public health. Current law requires the state board, on or before July 1, 2020, to adopt a definition of microplastics in drinking water and, on or before July 1, 2021, to adopt a standard methodology to be used in the testing of drinking water for microplastics and requirements for 4 years of testing and reporting of microplastics in drinking water, including public disclosure of those results. This bill would require the state board, to the extent possible, and where feasible and cost effective, to work with the State Department of Public Health in complying with those requirements.

#### **AB 231**

##### **(Mathis R) California Environmental Quality Act: exemption: recycled water.**

**Current Text:** Introduced: 1/17/2019 [html](#) [pdf](#)

**Introduced:** 1/17/2019

**Status:** 3/25/2019-In committee: Set, first hearing. Failed passage.

**Location:** 2/7/2019-A. NAT. RES.

**Summary:** Would exempt from CEQA a project to construct or expand a recycled water pipeline for the purpose of mitigating drought conditions for which a state of emergency was proclaimed by the Governor if the project meets specified criteria. Because a lead agency would be required to determine if a project qualifies for this exemption, this bill would impose a state-mandated local program. The bill would also exempt from CEQA the development and approval of building standards by state agencies for recycled water systems.

#### **AB 274**

##### **(Mathis R) Water treatment facility: grant.**

**Current Text:** Amended: 3/18/2019 [html](#) [pdf](#)

**Introduced:** 1/28/2019

**Last Amend:** 3/18/2019

**Status:** 3/27/2019-From committee: Amend, and do pass as amended and re-refer to Com. on L. GOV. (Ayes 8. Noes 0.) (March 26).

**Location:** 3/26/2019-A. L. GOV.

**Calendar:** 3/28/2019 #13 ASSEMBLY SECOND READING FILE -- ASSEMBLY BILLS

**Summary:** Current law authorizes the State Water Resources Control Board to establish the Water and Wastewater Loan and Grant Program, to the extent funding is made available, to provide funding to eligible applicants for specified purposes relating to drinking water and wastewater treatment. This bill would appropriate \$20,000,000 from the General Fund to an unspecified entity for the purpose of water treatment. The bill would require an unspecified entity to grant \$20,000,000 to a specified joint powers authority for a water treatment facility to be operated by a joint powers authority.

#### **AB 292**

##### **(Quirk D) Recycled water: raw water and groundwater augmentation.**

**Current Text:** Amended: 3/6/2019 [html](#) [pdf](#)

**Introduced:** 1/28/2019

**Last Amend:** 3/6/2019

**Status:** 3/12/2019-From committee: Do pass and re-refer to Com. on W., P., & W. with recommendation: To Consent Calendar. (Ayes 7. Noes 0.) (March 12). Re-referred to Com. on W., P., & W.

**Location:** 3/12/2019-A. W.,P. & W.

**Calendar:** 4/9/2019 9 a.m. - State Capitol, Room 444 ASSEMBLY WATER, PARKS AND WILDLIFE, GARCIA, EDUARDO, Chair

**Summary:** Current law requires the State Water Resources Control Board, on or before December 31, 2023, to adopt uniform water recycling criteria for direct potable reuse through raw water augmentation, as specified. Current law defines "direct potable reuse" and "indirect potable reuse for groundwater recharge" for these purposes. This bill would eliminate the definition of "direct potable reuse" and instead would substitute the term "groundwater augmentation" for "indirect potable reuse for groundwater recharge" in these definitions. The bill would revise the definition of "treated drinking water augmentation."

**AB 305**    **(Nazarian D) Public capital facilities: public water or wastewater agencies: rate reduction bonds.**  
**Current Text:** Amended: 3/12/2019 [html](#) [pdf](#)  
**Introduced:** 1/29/2019  
**Last Amend:** 3/12/2019  
**Status:** 3/13/2019-Re-referred to Com. on L. GOV.  
**Location:** 2/11/2019-A. L. GOV.  
**Calendar:** 4/10/2019 1:30 p.m. - State Capitol, Room 447 ASSEMBLY LOCAL GOVERNMENT, AGUIAR-CURRY, Chair  
**Summary:** Current law authorizes certain joint powers authorities, upon application by a local agency that owns and operates a publicly owned utility, defined to mean certain utilities furnishing water service to not less than 25,000 customers, to issue rate reduction bonds to finance utility projects, as defined, subject to certain requirements. Under current law, these rate reduction bonds are secured by a pledge of utility project property, and the joint powers authority issuing the bonds may impose on, and collect from, customers of the publicly owned utility a utility project charge to finance the bonds, as provided. Current law requires the California Pollution Control Financing Authority, among other things, to review each issuance of rate reduction bonds issued under these provisions and to submit an annual report to the Legislature containing specified information on its activities under these provisions for the preceding year. This bill would expand the definition of a publicly owned utility for these purposes to include certain utilities furnishing wastewater service to not less than 25,000 customers and would authorize an authority to issue rate reduction bonds to finance or refinance water or wastewater utility projects, as specified.

**AB 382**    **(Mathis R) Integrated regional water management plans: grant funding: upper watershed health.**  
**Current Text:** Introduced: 2/5/2019 [html](#) [pdf](#)  
**Introduced:** 2/5/2019  
**Status:** 3/20/2019-In committee: Set, first hearing. Referred to suspense file.  
**Location:** 3/12/2019-A. APPR.  
**Summary:** Current law provides that an integrated regional water management plan is eligible for funding allocated specifically for implementation of integrated regional water management. Current law requires certain state agencies to include in any set of criteria used to select projects and programs for funding, a criterion that provides a preference for regional projects or programs. This bill would require the department to include in any criteria used to select a project or program for grant funding authorized on or after January 1, 2020 a criterion that provides a preference for a regional water management group undertaking a project improving upper watershed health upstream and outside of the defined geographical area covered by the group's plan.

**AB 402**    **(Quirk D) State Water Resources Control Board: local primacy delegation: funding stabilization program.**  
**Current Text:** Amended: 3/5/2019 [html](#) [pdf](#)  
**Introduced:** 2/6/2019  
**Last Amend:** 3/5/2019  
**Status:** 3/20/2019-In committee: Set, first hearing. Referred to suspense file.  
**Location:** 3/12/2019-A. APPR.  
**Summary:** The California Safe Drinking Water Act requires the State Water Resources Control Board to administer provisions relating to the regulation of drinking water to protect public health. The act requires the state board to provide the local primacy agency, to the extent funds are available from the Safe Drinking Water Account, with an annual drinking water surveillance program grant to cover the costs of conducting inspection, monitoring, surveillance, and water quality evaluation activities specified in the local primacy agreement. The act requires the state board to adopt a schedule of fees and requires a public water system under the jurisdiction of a local primacy agency to pay these fees to the local primacy agency in lieu of the state board. This bill would include enforcement costs as costs covered by an annual drinking water surveillance program grant.

**AB 405**    **(Rubio, Blanca D) Sales and use taxes: exemption: water treatment.**  
**Current Text:** Introduced: 2/7/2019 [html](#) [pdf](#)  
**Introduced:** 2/7/2019  
**Status:** 3/11/2019-In committee: Hearing for testimony only.  
**Location:** 2/15/2019-A. REV. & TAX  
**Summary:** Would exempt from Sales and Use Tax the gross receipts from the sale in this state of, and the storage, use, or other consumption in this state of, chemicals used to treat water, recycled water, or wastewater regardless of whether those chemicals or other agents become a component part thereof and regardless of whether the treatment takes place before or after the delivery to consumers.

**AB 432**    **(Quirk D) Released waste: certification of local officers.**  
**Current Text:** Introduced: 2/7/2019 [html](#) [pdf](#)  
**Introduced:** 2/7/2019

**Status:** 3/20/2019-In committee: Set, first hearing. Referred to suspense file.

**Location:** 3/12/2019-A. APPR.

**Summary:** Current law authorizes a party responsible for the release of waste requiring remedial action to request a local officer, as defined, to supervise the remedial action. Current law authorizes the local officer to enter into a remedial action agreement with the responsible party to supervise the remedial action, as specified, and governs the duties of the local officer and the terms of the agreement. Current law establishes the State Water Resources Control Board to exercise certain powers relating to water rights, water quality, and safe and reliable drinking water. Current law also establishes the Department of Toxic Substances Control to enforce hazardous waste control laws. This bill would require the board, in cooperation with the department, to develop and implement a certification program for local officers who enter into remedial action agreements.

**AB 435**

**(Fong R) High-speed rail bonds: water.**

**Current Text:** Amended: 3/19/2019 [html](#) [pdf](#)

**Introduced:** 2/11/2019

**Last Amend:** 3/19/2019

**Status:** 3/20/2019-Re-referred to Com. on TRANS.

**Location:** 3/18/2019-A. TRANS.

**Calendar:** 4/8/2019 3 p.m. - State Capitol, Room 4202 ASSEMBLY TRANSPORTATION, FRAZIER, Chair  
**Summary:** Would provide that no further bonds shall be sold for high-speed rail purposes pursuant to the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century, except as specifically provided with respect to an existing appropriation for high-speed rail purposes for early improvement projects in the Phase I blended system. The bill, subject to the above exception, would require redirection of the unspent proceeds received from outstanding bonds issued and sold for other high-speed rail purposes before the effective date of these provisions, upon appropriation, for use in retiring the debt incurred from the issuance and sale of those outstanding bonds.

**AB 441**

**(Eggman D) Water: underground storage.**

**Current Text:** Amended: 3/27/2019 [html](#) [pdf](#)

**Introduced:** 2/11/2019

**Last Amend:** 3/27/2019

**Status:** 3/27/2019-Read second time and amended.

**Location:** 3/27/2019-A. APPR.

**Summary:** Under current law, the right to water or to the use of water is limited to that amount of water that may be reasonably required for the beneficial use to be served. Current law provides for the reversion of water rights to which a person is entitled when the person fails to beneficially use the water for a period of 5 years. Current law declares that the storing of water underground, and related diversions for that purpose, constitute a beneficial use of water if the stored water is thereafter applied to the beneficial purposes for which the appropriation for storage was made. This bill would instead provide that any diversion of water to underground storage constitutes a diversion of water for beneficial use for which an appropriation may be made if the diverted water is put to beneficial use, as specified.

**AB 456**

**(Chiu D) Public contracts: claim resolution.**

**Current Text:** Introduced: 2/11/2019 [html](#) [pdf](#)

**Introduced:** 2/11/2019

**Status:** 3/27/2019-From committee: Do pass and re-refer to Com. on APPR. (Ayes 6. Noes 0.) (March 27). Re-referred to Com. on APPR.

**Location:** 3/27/2019-A. APPR.

**Summary:** Current law prescribes various requirements regarding the formation, content, and enforcement of state and local public contracts. Current law establishes, until January 1, 2020, for contracts entered into on or after January 1, 2017, a claim resolution process applicable to any claim by a contractor in connection with a public works project against a public entity, as defined. Current law defines a claim for these purposes as a separate demand by the contractor for one or more of the following: a time extension for relief from damages or penalties for delay, payment of money or damages arising from work done pursuant to the contract for a public work, or payment of an amount disputed by the public entity, as specified. This bill would remove the January 1, 2020, repeal date on these provisions, thereby making this claim resolution process operative indefinitely.

**AB 464**

**(Garcia, Cristina D) California Global Warming Solutions Act of 2006.**

**Current Text:** Introduced: 2/11/2019 [html](#) [pdf](#)

**Introduced:** 2/11/2019

**Status:** 3/7/2019-In committee: Set, first hearing. Hearing canceled at the request of author.

**Location:** 2/21/2019-A. NAT. RES.

**Summary:** The California Global Warming Solutions Act of 2006 establishes the State Air Resources Board as the state agency responsible for monitoring and regulating sources emitting greenhouse gases. The act defines specified terms, including, among others, district to mean an air pollution control



or an air quality management district until January 1, 2031. This bill would indefinitely define district to mean an air pollution control or an air quality management district.

#### **AB 508**

##### **(Chu D) Drinking water: consolidation and extension of service: domestic wells.**

**Current Text:** Amended: 3/25/2019 [html](#) [pdf](#)

**Introduced:** 2/13/2019

**Last Amend:** 3/25/2019

**Status:** 3/26/2019-Re-referred to Com. on E.S. & T.M.

**Location:** 3/25/2019-A. E.S. & T.M.

**Calendar:** 4/9/2019 1:30 p.m. - State Capitol, Room 444 ASSEMBLY ENVIRONMENTAL SAFETY AND TOXIC MATERIALS, QUIRK, Chair

**Summary:** The California Safe Drinking Water Act requires the State Water Resources Control Board, before ordering consolidation or extension of service, to, among other things, obtain written consent from any domestic well owner for consolidation or extension of service and make a finding that consolidation of the receiving water system and subsumed water system or extension of service to the subsumed water system is appropriate and technically and economically feasible. The act makes any domestic well owner within the consolidation or extended service area who does not provide written consent ineligible, until consent is provided, for any future water-related grant funding from the state, except as provided. This bill would modify the provision that authorizes consolidation or extension of service if a disadvantaged community is reliant on a domestic well described above to instead authorize consolidation or extension of service if a disadvantaged community has one or more residences that are reliant on a domestic well described above.

#### **AB 510**

##### **(Cooley D) Local government records: destruction of records.**

**Current Text:** Introduced: 2/13/2019 [html](#) [pdf](#)

**Introduced:** 2/13/2019

**Status:** 2/21/2019-Referred to Com. on L. GOV.

**Location:** 2/21/2019-A. L. GOV.

**Summary:** Current law authorizes the head of a department of a county or city, or the head of a special district to destroy recordings of telephone and radio communications maintained by that county, city, or special district after 100 days if that person receives approval from the legislative body and the written consent of the agency attorney. This bill would exempt the head of a department of a county or city, or the head of a special district from these recording retention requirements if the county, city, or special district adopts a records retention policy governing recordings of routine video monitoring and recordings of telephone and radio communications.

#### **AB 533**

##### **(Holden D) Income taxes: exclusion: water conservation or efficiency programs: water runoff management improvement programs.**

**Current Text:** Amended: 3/19/2019 [html](#) [pdf](#)

**Introduced:** 2/13/2019

**Last Amend:** 3/19/2019

**Status:** 3/20/2019-Re-referred to Com. on REV. & TAX.

**Location:** 2/21/2019-A. REV. & TAX

**Summary:** The Personal Income Tax Law and the Corporation Tax Law, in conformity with federal income tax law, generally defines "gross income" as income from whatever source derived, except as specifically excluded, and provides various exclusions from gross income. Current law limits the collection and use of taxpayer information and provides that any unauthorized use of this information is punishable as a misdemeanor. This bill, for taxable years beginning on or after January 1, 2019, and before January 1, 2024, would provide an exclusion from gross income for any amount received as a rebate, voucher, or other financial incentive issued by a water service provider for any water conservation or efficiency program or water runoff management improvement program, as provided.

#### **AB 579**

##### **(Daly D) Development fees: definition.**

**Current Text:** Amended: 3/21/2019 [html](#) [pdf](#)

**Introduced:** 2/14/2019

**Last Amend:** 3/21/2019

**Status:** 3/25/2019-Re-referred to Com. on L. GOV.

**Location:** 3/21/2019-A. L. GOV.

**Summary:** The Mitigation Fee Act authorizes a local agency to establish, increase, or impose various fees as a condition of approval of a development project, if specified requirements are met. The act defines a "fee" for these purposes to mean a monetary exaction other than a tax or special assessment, as specified, that is charged by a local agency to the applicant in connection with approval of a development project for the purpose of defraying all or a portion of the cost of public facilities related to the development project, and excludes from that definition certain fees, including, fees for processing applications for governmental regulatory actions or approvals, fees collected under development agreements, or fees collected pursuant to agreements with redevelopment agencies, as provided. This bill would expand the definition of a "fee" for these purposes by eliminating those

exclusions.

**AB 606**

**(Diep R) Local government zoning ordinances.**

**Current Text:** Introduced: 2/14/2019 [html](#) [pdf](#)

**Introduced:** 2/14/2019

**Status:** 2/15/2019-From printer. May be heard in committee March 17.

**Location:** 2/14/2019-A. PRINT

**Summary:** Current law requires a local agency, as defined, to comply with all applicable building and zoning ordinances of the county or city in which the agency's territory is situated. Current law excepts location or construction of certain utility facilities from these requirements, including facilities for the storage or treatment of water and for the production or generation of electrical energy, as specified. This bill would make a nonsubstantive change to these provisions.

**AB 636**

**(Gray D) State Water Resources Control Board: water quality objectives.**

**Current Text:** Introduced: 2/15/2019 [html](#) [pdf](#)

**Introduced:** 2/15/2019

**Status:** 3/14/2019-Referred to Com. on E.S. & T.M.

**Location:** 3/14/2019-A. E.S. & T.M.

**Calendar:** 4/9/2019 1:30 p.m. - State Capitol, Room 444 ASSEMBLY ENVIRONMENTAL SAFETY AND TOXIC MATERIALS, QUIRK, Chair

**Summary:** Would prohibit the State Water Resources Control Board from implementing water quality objectives for which the state board makes a certain finding relating to environmental quality until it has submitted the water quality objectives and a statement of that finding to the appropriate policy committees of the Legislature and each committee has held a hearing on these matters.

**AB 637**

**(Gray D) State Water Resources Control Board: minority and low-income communities: drinking water.**

**Current Text:** Amended: 3/19/2019 [html](#) [pdf](#)

**Introduced:** 2/15/2019

**Last Amend:** 3/19/2019

**Status:** 3/26/2019-In committee: Set, first hearing. Hearing canceled at the request of author.

**Location:** 2/25/2019-A. E.S. & T.M.

**Calendar:** 4/9/2019 1:30 p.m. - State Capitol, Room 444 ASSEMBLY ENVIRONMENTAL SAFETY AND TOXIC MATERIALS, QUIRK, Chair

**Summary:** Would require the State Water Resources Control Board, before taking actions that impact drinking water, to identify potential adverse human health effects that the proposed action may have on minority and low-income populations and to seek to reduce those effects to the greatest extent practicable.

**AB 638**

**(Gray D) Department of Water Resources: water storage capacity.**

**Current Text:** Introduced: 2/15/2019 [html](#) [pdf](#)

**Introduced:** 2/15/2019

**Status:** 3/26/2019-From committee: Do pass and re-refer to Com. on APPR. (Ayes 14. Noes 0.) (March 26). Re-referred to Com. on APPR.

**Location:** 3/26/2019-A. APPR.

**Summary:** Current law requires the Department of Water Resources to update every 5 years the plan for the orderly and coordinated control, protection, conservation, development, and use of the water resources of the state, which is known as The California Water Plan. This bill would require the department, on or before January 1, 2021, with updates every 2 years thereafter, to identify the statewide water storage capacity, the adverse impacts to the capacity from the effects of climate change, and the mitigation strategies for anticipated adverse impacts.

**AB 654**

**(Rubio, Blanca D) Public records: utility customers: disclosure of personal information.**

**Current Text:** Introduced: 2/15/2019 [html](#) [pdf](#)

**Introduced:** 2/15/2019

**Status:** 3/20/2019-In committee: Set, first hearing. Hearing canceled at the request of author.

**Location:** 2/28/2019-A. JUD.

**Summary:** Would authorize a local agency to disclose the name, utility usage data, and home address of utility customers to an officer or employee of another governmental agency when the disclosure is not necessary for the performance of the other governmental agency's official duties but is to be used for scientific, educational, or research purposes, and the requesting agency receiving the disclosed material agrees to maintain it as confidential in accordance with specified criteria.

**AB 658**

**(Garcia, Eduardo D) Water rights: water management.**

**Current Text:** Introduced: 2/15/2019 [html](#) [pdf](#)

**Introduced:** 2/15/2019

**Status:** 3/26/2019-From committee: Do pass and re-refer to Com. on APPR. (Ayes 10. Noes 0.) (March 26). Re-referred to Com. on APPR.

**Location:** 3/26/2019-A. APPR.

**Summary:** Would authorize a groundwater sustainability agency or local agency to apply for, and the State Water Resources Control Board to issue, a conditional temporary permit for diversion of surface water to underground storage for beneficial use that advances the sustainability goal of a groundwater basin, as specified.

**AB 661**    **(McCarty D) Wildfire Smoke Air Pollution Emergency Plan.**

**Current Text:** Amended: 3/19/2019 [html](#) [pdf](#)

**Introduced:** 2/15/2019

**Last Amend:** 3/19/2019

**Status:** 3/20/2019-Re-referred to Com. on NAT. RES.

**Location:** 3/18/2019-A. NAT. RES.

**Calendar:** 4/8/2019 2:30 p.m. - State Capitol, Room 447 ASSEMBLY NATURAL RESOURCES, FRIEDMAN, Chair

**Summary:** Would require air districts to prepare a wildfire smoke air pollution emergency plan as an informational source for local agencies and the public during a wildfire smoke air pollution emergency, as specified. The bill would authorize air districts to conduct public education, marketing, demonstration, monitoring, research, and evaluation programs or projects with respect to wildfire smoke impact control measures. By requiring air districts to develop a wildfire smoke air pollution emergency plan, the bill would impose a state-mandated local program.

**AB 722**    **(Bigelow R) Water: dams: fees.**

**Current Text:** Amended: 3/14/2019 [html](#) [pdf](#)

**Introduced:** 2/19/2019

**Last Amend:** 3/14/2019

**Status:** 3/18/2019-Re-referred to Com. on W., P., & W.

**Location:** 3/14/2019-A. W.,P. & W.

**Calendar:** 4/9/2019 9 a.m. - State Capitol, Room 444 ASSEMBLY WATER, PARKS AND WILDLIFE, GARCIA, EDUARDO, Chair

**Summary:** Would limit the total annual fee for a dam located in a disadvantaged community to no more than 20% of the fees assessed pursuant to the schedule of fees.

**AB 727**    **(Flora R) Dams and reservoirs: exclusions.**

**Current Text:** Amended: 3/21/2019 [html](#) [pdf](#)

**Introduced:** 2/19/2019

**Last Amend:** 3/21/2019

**Status:** 3/25/2019-Re-referred to Com. on W., P., & W.

**Location:** 3/21/2019-A. W.,P. & W.

**Calendar:** 4/9/2019 9 a.m. - State Capitol, Room 444 ASSEMBLY WATER, PARKS AND WILDLIFE, GARCIA, EDUARDO, Chair

**Summary:** Current law requires the Department of Water Resources to adopt, by regulation, a schedule of fees to cover the department's costs in carrying out the supervision of dam safety. Current law excludes certain obstructions from being considered a dam, including a barrier not across a stream channel, watercourse, or natural drainage area and that has the principal purpose of impounding water for agricultural use. This bill would specify that a structure owned or operated by a public entity may have the principal purpose of impounding water for agricultural use for the purposes of an exclusion from being a considered a dam.

**AB 756**    **(Garcia, Cristina D) Public water systems: contaminants.**

**Current Text:** Amended: 3/13/2019 [html](#) [pdf](#)

**Introduced:** 2/19/2019

**Last Amend:** 3/13/2019

**Status:** 3/27/2019-From committee: Do pass and re-refer to Com. on APPR. (Ayes 6. Noes 0.) (March 26). Re-referred to Com. on APPR.

**Location:** 3/26/2019-A. APPR.

**Summary:** Would require a public water system to monitor for perfluoroalkyl and polyfluoroalkyl substances. The bill would additionally require a public water system to publish and keep current on its internet website water quality information relating to regulated contaminants and to notify each customer on the customer's next water bill and through email, as prescribed, of confirmed detections of specified excess contaminants.

**AB 782**    **(Berman D) California Environmental Quality Act: exemption: public agencies: property transfers.**

**Current Text:** Introduced: 2/19/2019 [html](#) [pdf](#)

**Introduced:** 2/19/2019

**Status:** 3/25/2019-VOTE: Do pass as amended and be re-referred to the Committee on [Appropriations]

**Location:** 3/25/2019-A. APPR.

**Summary:** Would exempt from CEQA the acquisition, sale, or other transfer of property by a public agency for certain purposes, or the funding of that acquisition, sale, or other transfer by a public agency, if the public agency conditions those transactions on compliance with CEQA before making physical changes to the transferred property.

**AB 834**

**(Quirk D) Freshwater and Estuarine Harmful Algal Bloom Program**

**Current Text:** Introduced: 2/20/2019 [html](#) [pdf](#)

**Introduced:** 2/20/2019

**Status:** 3/26/2019-From committee: Do pass and re-refer to Com. on APPR. (Ayes 13. Noes 0.) (March 26). Re-referred to Com. on APPR.

**Location:** 3/26/2019-A. APPR.

**Summary:** Would require the State Water Resources Control Board to establish a Freshwater and Estuarine Harmful Algal Bloom Program to protect water quality and public health from algal blooms. The bill would require the state board, in consultation with specified entities, among other things, to coordinate immediate and long-term algal bloom event incident response, as provided, and conduct and support algal bloom field assessment and ambient monitoring at the state, regional, watershed, and site-specific waterbody scales.

**AB 835**

**(Quirk D) Safe recreational water use: standards: harmful algal blooms.**

**Current Text:** Introduced: 2/20/2019 [html](#) [pdf](#)

**Introduced:** 2/20/2019

**Status:** 3/4/2019-Referred to Com. on W., P., & W.

**Location:** 3/4/2019-A. W.,P. & W.

**Calendar:** 4/9/2019 9 a.m. - State Capitol, Room 444 ASSEMBLY WATER, PARKS AND WILDLIFE, GARCIA, EDUARDO, Chair

**Summary:** Current law requires the State Department of Public Health, by regulation and in consultation with the State Water Resources Control Board, local health officers, and the public, to establish, maintain, and amend as necessary, minimum standards for the sanitation of public beaches. This bill would require the department, by regulation and in consultation with the board, local health officers, and the public, to establish, maintain, and amend as necessary, minimum standards for the safety of freshwater recreational bodies as related to harmful algal blooms, as it determines are reasonably necessary for the protection of the public health and safety.

**AB 841**

**(Ting D) Drinking water: contaminants: perfluoroalkyl and polyfluoroalkyl substances.**

**Current Text:** Amended: 3/20/2019 [html](#) [pdf](#)

**Introduced:** 2/20/2019

**Last Amend:** 3/20/2019

**Status:** 3/27/2019-From committee: Do pass and re-refer to Com. on APPR. (Ayes 8. Noes 0.) (March 26). Re-referred to Com. on APPR.

**Location:** 3/26/2019-A. APPR.

**Summary:** Would require the Office of Environmental Health Hazard Assessment to adopt and complete a work plan within prescribed timeframes to assess which substances in the class of perfluoroalkyl and polyfluoroalkyl substances should be identified as a potential risk to human health, as provided. The bill would require the office, as part of those assessments, to determine which of the substances are appropriate candidates for notification levels to be adopted by the state board. The bill would require the Office of Environmental Health Hazard Assessment, by January 1, 2022, to provide to the Legislature an update on the assessment.

**AB 868**

**(Bigelow R) Electrical corporations, electrical cooperatives, local publicly owned electric utilities: wildfire mitigation plans.**

**Current Text:** Amended: 3/25/2019 [html](#) [pdf](#)

**Introduced:** 2/20/2019

**Last Amend:** 3/25/2019

**Status:** 3/26/2019-Re-referred to Com. on U. & E.

**Location:** 3/4/2019-A. U. & E.

**Calendar:** 4/3/2019 1:30 p.m. - State Capitol, Room 437 ASSEMBLY UTILITIES AND ENERGY, HOLDEN, Chair

**Summary:** Would require each electrical corporation, local publicly owned electric utility, and electrical cooperative that deenergizes portions of the electrical grid as a wildfire mitigation measure to adopt protocols for when deenergization will be undertaken, protocols for providing notice and other steps to be taken to minimize any adverse effects from deenergization, and protocols for restoring electrical service following a deenergization, as specified.

**AB 881****(Bloom D) Accessory dwelling units.****Current Text:** Introduced: 2/20/2019 [html](#) [pdf](#)**Introduced:** 2/20/2019**Status:** 3/26/2019-In committee: Hearing postponed by committee.**Location:** 3/4/2019-A. H. & C.D.**Calendar:** 4/3/2019 9:15 a.m. - State Capitol, Room 127 ASSEMBLY HOUSING AND COMMUNITY DEVELOPMENT, CHIU, Chair**Summary:** The Planning and Zoning Law provides for the creation of accessory dwelling units by local ordinance, or, if a local agency has not adopted an ordinance, by ministerial approval, in accordance with specified standards and conditions. Current law requires the ordinance to designate areas where accessory dwelling units may be permitted and authorizes the designated areas to be based on criteria that includes, but is not limited to, the adequacy of water and sewer services and the impact of accessory dwelling units on traffic flow and public safety. This bill would instead require a local agency to designate these areas based on the adequacy of water and sewer services and the impact of accessory dwelling units on traffic flow and public safety.**AB 915****(Mayes R) California Renewables Portfolio Standards Program.****Current Text:** Introduced: 2/20/2019 [html](#) [pdf](#)**Introduced:** 2/20/2019**Status:** 3/14/2019-Referred to Coms. on U. & E. and NAT. RES.**Location:** 3/14/2019-A. U. & E.**Calendar:** 4/10/2019 Upon adjournment of Communications and Conveyance Committee - State Capitol, Room 437 ASSEMBLY UTILITIES AND ENERGY, HOLDEN, Chair**Summary:** Would require that retail sellers and local publicly owned electric utilities procure a minimum quantity of electricity products from eligible renewable energy resources so that the total kilowatthours of those products sold to their retail end-use customers achieve 68% of retail sales by December 31, 2033, 76% by December 31, 2036, and 80% by December 31, 2038. The bill would revise the definition of "eligible renewable resource" for purposes of the program to include, on and after January 1, 2026, an electrical generation facility that has a specified point source emission level of carbon dioxide equivalent at, or below, a specified level, if the marginal increase in the cost of procurement from other eligible renewable energy resources exceeds a specified level.**AB 933****(Petrie-Norris D) Ecosystem resilience: watershed protection: watershed coordinators.****Current Text:** Introduced: 2/20/2019 [html](#) [pdf](#)**Introduced:** 2/20/2019**Status:** 3/7/2019-Referred to Com. on NAT. RES.**Location:** 3/7/2019-A. NAT. RES.**Calendar:** 4/8/2019 2:30 p.m. - State Capitol, Room 447 ASSEMBLY NATURAL RESOURCES, FRIEDMAN, Chair**Summary:** Would authorize the Department of Conservation, to the extent funds are available, to establish and administer the Ecosystem Resilience Program to fund watershed coordinator positions, and other necessary costs, throughout the state for the purpose of achieving specified goals, including the goal of developing and implementing watershed improvement plans aligned with multiple statewide and regional objectives across distinct bioregions. The bill would authorize the department to develop performance measures and accountability controls to track progress and outcomes.**AB 945****(McCarty D) Local government: financial affairs: surplus funds.****Current Text:** Introduced: 2/20/2019 [html](#) [pdf](#)**Introduced:** 2/20/2019**Status:** 3/4/2019-Referred to Coms. on L. GOV. and B. & F.**Location:** 3/4/2019-A. L. GOV.**Calendar:** 4/10/2019 1:30 p.m. - State Capitol, Room 447 ASSEMBLY LOCAL GOVERNMENT, AGUIAR-CURRY, Chair**Summary:** Existing law prescribes the instruments and criteria by which a local agency, as defined, may invest and deposit its funds, including its surplus funds. This bill would, commencing January 1, 2020, authorize a local agency to invest and deposit the agency's surplus funds in deposits at specified types of financial institutions whether those investments are certificates of deposit or another form, and would increase the percentage of the local agency's funds that can be invested to 50%. The bill would make additional conforming changes.**AB 948****(Kalra D) Coyote Valley Conservation Program.****Current Text:** Amended: 3/26/2019 [html](#) [pdf](#)**Introduced:** 2/20/2019**Last Amend:** 3/26/2019**Status:** 3/27/2019-Re-referred to Com. on NAT. RES.**Location:** 3/25/2019-A. NAT. RES.

**Summary:** Would authorize the authority to establish and administer the Coyote Valley Conservation Program to address resource and recreational goals of the Coyote Valley, as defined. The bill would authorize the Santa Clara Valley Open-Space Authority to collaborate with state, regional, and local partners to help achieve specified goals of the program. The bill would authorize the authority to, among other things, acquire and dispose of interests and options in real property. The bill would require a proponent or party to a certain proposed development project within Coyote Valley to provide notice to the authority of the proposed project, and would authorize the authority to provide analysis of the environmental values and potential impacts of the proposed project.

**AB 955 (Gipson D) Water replenishment districts: water system needs assessment program.**

**Current Text:** Amended: 3/19/2019 [html](#) [pdf](#)

**Introduced:** 2/21/2019

**Last Amend:** 3/19/2019

**Status:** 3/20/2019-Re-referred to Com. on W., P., & W.

**Location:** 3/18/2019-A. W.,P. & W.

**Calendar:** 4/9/2019 9 a.m. - State Capitol, Room 444 ASSEMBLY WATER, PARKS AND WILDLIFE, GARCIA, EDUARDO, Chair

**Summary:** Would require a water replenishment district to offer to conduct a needs assessment program for water systems serving disadvantaged communities within the district, as specified. The bill would make a water system's participation in the program voluntary. The bill would require the district, upon completion of the needs assessment, to develop and evaluate options to address the findings and recommendations in the needs assessment and prepare an implementation plan for recommendation to the water system.

**AB 992 (Mullin D) Open meetings: local agencies: social media.**

**Current Text:** Introduced: 2/21/2019 [html](#) [pdf](#)

**Introduced:** 2/21/2019

**Status:** 3/7/2019-Referred to Com. on L. GOV.

**Location:** 3/7/2019-A. L. GOV.

**Summary:** Would provide that the Ralph M. Brown Act does not apply to the posting, commenting, liking, interaction with, or participation in, internet-based social media platforms that are ephemeral, live, or static, by a majority of the members of a legislative body, provided that a majority of the members do not discuss among themselves business of a specific nature that is within the subject matter jurisdiction of the legislative body of the local agency.

**AB 1021 (Frazier D) Pupils with exceptional needs: summer school.**

**Current Text:** Amended: 3/25/2019 [html](#) [pdf](#)

**Introduced:** 2/21/2019

**Last Amend:** 3/25/2019

**Status:** 3/26/2019-Re-referred to Com. on ED.

**Location:** 3/21/2019-A. ED.

**Summary:** Current law requires that every individual with exceptional needs, as defined, who is eligible be provided with educational instruction, services, or both, at no cost to the pupil's parent or guardian or, as appropriate, to the pupil. A free appropriate public education is required to be made available to individuals with exceptional needs in accordance with specified federal regulations adopted pursuant to the federal Individuals with Disabilities Education Act. This bill would require school districts to provide summer school instruction for pupils with exceptional needs on weekdays from the last day of the regular school year to the first day of summer school and from the last day of summer school to the first day of the regular school year.

**AB 1093 (Rubio, Blanca D) Municipal separate storm sewer systems: financial capability analysis.**

**Current Text:** Introduced: 2/21/2019 [html](#) [pdf](#)

**Introduced:** 2/21/2019

**Status:** 3/7/2019-Referred to Com. on E.S. & T.M.

**Location:** 3/7/2019-A. E.S. & T.M.

**Calendar:** 4/9/2019 1:30 p.m. - State Capitol, Room 444 ASSEMBLY ENVIRONMENTAL SAFETY AND TOXIC MATERIALS, QUIRK, Chair

**Summary:** Would require the State Water Resources Control Board, by July 1, 2020, to establish financial capability assessment guidelines for municipal separate storm sewer system permittees that are adequate and consistent when considering the costs to local jurisdictions.

**AB 1149 (Fong R) California Environmental Quality Act: exemption for transportation safety projects in the County of Kern.**

**Current Text:** Amended: 3/26/2019 [html](#) [pdf](#)

**Introduced:** 2/21/2019

**Last Amend:** 3/26/2019

**Status:** 3/27/2019-Re-referred to Com. on NAT. RES.

**Location:** 3/25/2019-A. NAT. RES.

**Summary:** Would, until July 1, 2026, exempt a transportation safety project within the County of Kern to correct a dangerous condition on a public roadway, as defined, from CEQA, if that project is initiated following an accident resulting in death or serious physical injuries resulting from that dangerous condition, and if the project is designed to reduce or eliminate the dangerous condition and substantially lessen future risk of fatalities or serious injuries resulting from future accidents.

**AB 1180** **(Friedman D) Water: recycled water.**

**Current Text:** Introduced: 2/21/2019 [html](#) [pdf](#)

**Introduced:** 2/21/2019

**Status:** 3/27/2019-From committee: Amend, and do pass as amended and re-refer to Com. on APPR. (Ayes 8. Noes 0.) (March 26).

**Location:** 3/26/2019-A. APPR.

**Calendar:** 3/28/2019 #15 ASSEMBLY SECOND READING FILE -- ASSEMBLY BILLS

**Summary:** The California Safe Drinking Water Act requires the State Water Resources Control Board to administer provisions relating to the regulation of drinking water to protect public health. Current law requires, on or before January 1, 2020, the state board to adopt standards for backflow protection and cross-connection control through the adoption of a policy handbook, as specified. This bill would require that handbook to include provisions for the use of a swivel or changeover device to supply potable water to a dual-plumbed system during an interruption in recycled water service.

**AB 1194** **(Frazier D) Sacramento-San Joaquin Delta: Delta Stewardship Council.**

**Current Text:** Introduced: 2/21/2019 [html](#) [pdf](#)

**Introduced:** 2/21/2019

**Status:** 3/11/2019-Referred to Com. on W., P., & W.

**Location:** 3/11/2019-A. W.,P. & W.

**Calendar:** 4/9/2019 9 a.m. - State Capitol, Room 444 ASSEMBLY WATER, PARKS AND WILDLIFE, GARCIA, EDUARDO, Chair

**Summary:** Would increase the membership of the Delta Stewardship Council to 13 members, including 11 voting members and 2 nonvoting members, as specified. By imposing new duties upon local officials to appoint new members to the council, the bill would impose a state-mandated local program.

**AB 1204** **(Rubio, Blanca D) Public water systems: primary drinking water standards: implementation date.**

**Current Text:** Introduced: 2/21/2019 [html](#) [pdf](#)

**Introduced:** 2/21/2019

**Status:** 3/26/2019-In committee: Set, first hearing. Hearing canceled at the request of author.

**Location:** 3/11/2019-A. E.S. & T.M.

**Calendar:** 4/9/2019 1:30 p.m. - State Capitol, Room 444 ASSEMBLY ENVIRONMENTAL SAFETY AND TOXIC MATERIALS, QUIRK, Chair

**Summary:** Would require the adoption or amendment of a primary drinking water standard for a contaminant in drinking water not regulated by a federal primary drinking water standard or that is more stringent than a federal primary drinking water standard to take effect 3 years after the date on which the state board adopts or amends the primary drinking water standard. The bill would authorize the state board to delay the effective date of the primary drinking water standard adoption or amendment by no more than 2 additional years as necessary for capital improvements to comply with a maximum contaminant level or treatment technique.

**AB 1212** **(Levine D) Public employees' retirement: pension fund management: in-state infrastructure.**

**Current Text:** Introduced: 2/21/2019 [html](#) [pdf](#)

**Introduced:** 2/21/2019

**Status:** 3/11/2019-Referred to Com. on P.E. & R.

**Location:** 3/11/2019-A. P.E. & R.

**Calendar:** 4/24/2019 9 a.m. - State Capitol, Room 444 ASSEMBLY PUBLIC EMPLOYMENT AND RETIREMENT, RODRIGUEZ, Chair

**Summary:** Would require a state agency that is responsible for infrastructure projects to produce a list of priority infrastructure projects for funding consideration by the retirement boards, as specified, and to provide it to them. The bill would require a state agency also to provide further project information to a board upon request.

**AB 1220** **(Garcia, Cristina D) Metropolitan water districts.**

**Current Text:** Introduced: 2/21/2019 [html](#) [pdf](#)

**Introduced:** 2/21/2019

**Status:** 3/11/2019-Referred to Com. on L. GOV.

**Location:** 3/11/2019-A. L. GOV.

**Summary:** Would authorize each member public agency to designate and appoint additional representatives pursuant to the greater of that allowed under either the assessed valuation

calculation or, on and after January 1, 2021, for each full 5% of the population within the entire district that is within the member public agency. The bill would require a district to conduct the analysis of additional directors using the Department of Finance population data and any other pertinent population data and would require the number of population-based directors authorized to remain fixed until it is recalculated, every 10 years in the year immediately following each United States census.

**AB 1253 (Rivas, Robert D) Local agency formation commissions: grant program.**

**Current Text:** Introduced: 2/21/2019 [html](#) [pdf](#)

**Introduced:** 2/21/2019

**Status:** 3/27/2019-VOTE: Do pass and be re-referred to the Committee on [Appropriations]

**Location:** 3/27/2019-A. APPR.

**Summary:** This bill would require the Strategic Growth Council, until July 31, 2025, to establish and administer a local agency formation commissions grant program for the payment of costs associated with initiating and completing the dissolution of districts listed as inactive, the payment of costs associated with a study of the services provided within a county by a public agency to a disadvantaged community, as defined, and for other specified purposes, including the initiation of an action, as defined, that is limited to service providers serving a disadvantaged community and is based on determinations found in the study, as approved by the commission. The bill would specify application submission, reimbursement, and reporting requirements for a local agency formation commission to receive grants pursuant to the bill. The bill would require the council, after consulting with the California Association of Local Agency Formation Commissions, to develop and adopt guidelines, timelines, and application and reporting criteria for development and implementation of the program, as specified, and would exempt these guidelines, timelines, and criteria from the rulemaking provisions of the Administrative Procedure Act. The bill would make the grant program subject to an appropriation for the program in the annual Budget Act, and would repeal these provisions on January 1, 2026. This bill contains other existing laws.

**AB 1323 (Stone, Mark D) Public utilities: information: confidentiality.**

**Current Text:** Introduced: 2/22/2019 [html](#) [pdf](#)

**Introduced:** 2/22/2019

**Status:** 3/11/2019-Referred to Com. on U. & E.

**Location:** 3/11/2019-A. U. & E.

**Calendar:** 4/10/2019 Upon adjournment of Communications and Conveyance Committee - State Capitol, Room 437 ASSEMBLY UTILITIES AND ENERGY, HOLDEN, Chair

**Summary:** The Public Utilities Act prohibits the commission or an officer or employee of the commission from disclosing any information furnished to the commission by a public utility, a subsidiary, an affiliate, or a corporation holding a controlling interest in a public utility, unless the information is specifically required to be open to public inspection under the act, except on order of the commission or a commissioner in the course of a hearing or proceeding. This bill would instead require the information to be open to public inspection unless federal or state law or an order of the commission based on a specified finding requires the information to be closed to inspection, or the withholding of that information is ordered by the commission, a commissioner, or an administrative law judge in the course of a hearing or proceeding.

**AB 1347 (Boerner Horvath D) Electricity: renewable energy and zero-carbon resources: state and local government buildings.**

**Current Text:** Introduced: 2/22/2019 [html](#) [pdf](#)

**Introduced:** 2/22/2019

**Status:** 3/26/2019-In committee: Set, first hearing. Hearing canceled at the request of author.

**Location:** 3/11/2019-A. U. & E.

**Summary:** Current law establishes the policy of the state that eligible renewable energy resources and zero-carbon resources supply 100% of all retail sales of electricity to California end-use customers and 100% of electricity procured to serve all state agencies by December 31, 2045. This bill would establish the policy of the state that eligible renewable energy resources and zero-carbon resources supply 100% of all retail sales of electricity to state and local government buildings by December 31, 2030, and to all California end-use customers by December 31, 2045.

**AB 1375 (Bigelow R) Disaster relief: dead and dying tree removal: allocation to local agencies.**

**Current Text:** Introduced: 2/22/2019 [html](#) [pdf](#)

**Introduced:** 2/22/2019

**Status:** 3/14/2019-Referred to Com. on G.O.

**Location:** 3/14/2019-A. G.O.

**Calendar:** 4/3/2019 1:30 p.m. - State Capitol, Room 4202 ASSEMBLY GOVERNMENTAL ORGANIZATION, GRAY, Chair

**Summary:** The California Disaster Assistance Act provides that the state share for disaster project allocations to local agencies is no more than 75% of total state eligible costs, except for specified



events for which the state share is up to 100% of state eligible costs. This bill would provide that the state share for the removal of dead and dying trees in connection with the Governor's Proclamation of a State of Emergency issued on October 30, 2015, is no more than 90% of total state eligible costs.

**AB 1381 (Salas D) Safe Drinking Water Plan.**

**Current Text:** Amended: 3/18/2019 [html](#) [pdf](#)

**Introduced:** 2/22/2019

**Last Amend:** 3/18/2019

**Status:** 3/19/2019-Re-referred to Com. on E.S. & T.M.

**Location:** 3/18/2019-A. E.S. & T.M.

**Calendar:** 4/9/2019 1:30 p.m. - State Capitol, Room 444 ASSEMBLY ENVIRONMENTAL SAFETY AND TOXIC MATERIALS, QUIRK, Chair

**Summary:** Would require the State Water Resources Control Board, in its Safe Drinking Water Plan, to identify, within the state, public water systems that consistently fail to deliver water that meets all applicable standards under the California Safe Drinking Water Act, specified areas in which persons have, and specified populations having, limited access to, or ability to pay for, safe and affordable drinking water, and strategies to address the changing needs of current and future populations. The bill would also require the plan to include a publicly accessible map that identifies areas that consistently lack, or are at risk of losing, access to safe and affordable drinking water.

**AB 1414 (Friedman D) Urban retail water suppliers: reporting.**

**Current Text:** Introduced: 2/22/2019 [html](#) [pdf](#)

**Introduced:** 2/22/2019

**Status:** 3/14/2019-Referred to Com. on W., P., & W.

**Location:** 3/14/2019-A. W., P. & W.

**Calendar:** 4/9/2019 9 a.m. - State Capitol, Room 444 ASSEMBLY WATER, PARKS AND WILDLIFE, GARCIA, EDUARDO, Chair

**Summary:** Would require each urban retail water supplier on or before January 1 of each year until January 1, 2024, to submit a completed and validated water loss audit report as prescribed by the Department of Water Resources. The bill would require on or before January 1, 2024, and on or before January 1 of each year thereafter, each urban retail water supplier to submit a completed and validated water loss audit report for the previous calendar year or previous fiscal year as part of an existing report relating to its urban water use.

**AB 1415 (Friedman D) Department of Water Resources: reporting requirements: civil penalties.**

**Current Text:** Introduced: 2/22/2019 [html](#) [pdf](#)

**Introduced:** 2/22/2019

**Status:** 3/14/2019-Referred to Com. on W., P., & W.

**Location:** 3/14/2019-A. W., P. & W.

**Calendar:** 4/9/2019 9 a.m. - State Capitol, Room 444 ASSEMBLY WATER, PARKS AND WILDLIFE, GARCIA, EDUARDO, Chair

**Summary:** Current law establishes the CalConserve Water Use Efficiency Revolving Fund and makes the moneys in the fund available to the Department of Water Resources, upon appropriation by the Legislature, for the purpose of water conservation and water use efficiency projects. This bill would require the department to impose a civil penalty on any person or entity who fails to file with the department a specified report or plan by the deadline required for that particular report or plan, as provided.

**AB 1432 (Dahle R) Water shortage emergencies: declarations: wildfires.**

**Current Text:** Amended: 3/25/2019 [html](#) [pdf](#)

**Introduced:** 2/22/2019

**Last Amend:** 3/25/2019

**Status:** 3/26/2019-Re-referred to Com. on W., P., & W.

**Location:** 3/25/2019-A. W., P. & W.

**Calendar:** 4/9/2019 9 a.m. - State Capitol, Room 444 ASSEMBLY WATER, PARKS AND WILDLIFE, GARCIA, EDUARDO, Chair

**Summary:** Would authorize a public water supplier to declare a water shortage emergency condition without holding a public hearing in the event of a wildfire.

**AB 1439 (Melendez R) State policy for water quality control.**

**Current Text:** Introduced: 2/22/2019 [html](#) [pdf](#)

**Introduced:** 2/22/2019

**Status:** 2/25/2019-Read first time.

**Location:** 2/22/2019-A. PRINT

**Summary:** Under current law, the Porter-Cologne Water Quality Control Act, the state policy for water quality control is required to consist of water quality principles and guidelines for long-range resource

planning, water quality objectives, and other principles and guidelines deemed essential by the State Water Resources Control Board for water quality control. This bill would make nonsubstantive changes to that provision.

**AB 1486**

**(Ting D) Local agencies: surplus land.**

**Current Text:** Introduced: 2/22/2019 [html](#) [pdf](#)

**Introduced:** 2/22/2019

**Status:** 3/14/2019-Referred to Com. on L. GOV.

**Location:** 3/14/2019-A. L. GOV.

**Summary:** Current law prescribes requirements for the disposal of surplus land by a local agency. This bill would expand the definition of "local agency" to include sewer, water, utility, and local and regional park districts, joint powers authorities, successor agencies to former redevelopment agencies, housing authorities, and other political subdivisions of this state and any instrumentality thereof that is empowered to acquire and hold real property, thereby requiring these entities to comply with these requirements for the disposal of surplus land.

**AB 1588**

**(Gloria D) Drinking water and wastewater operator certification programs.**

**Current Text:** Introduced: 2/22/2019 [html](#) [pdf](#)

**Introduced:** 2/22/2019

**Status:** 3/14/2019-Referred to Com. on E.S. & T.M.

**Location:** 3/14/2019-A. E.S. & T.M.

**Calendar:** 4/9/2019 1:30 p.m. - State Capitol, Room 444 ASSEMBLY ENVIRONMENTAL SAFETY AND TOXIC MATERIALS, QUIRK, Chair

**Summary:** Would require for purposes of water treatment operator certification experience a treatment plant using advanced water treatment processes, as defined, that treats water of wastewater origin for purposes of water reuse to be considered to provide certain equivalent experience to working at a water treatment plant. The bill would require for purposes of water distribution operator certification experience operation of a recycled water distribution system to be considered to provide equivalent experience to operating a potable distribution system.

**AB 1640**

**(Boerner Horvath D) Local government finance: budget reserves.**

**Current Text:** Introduced: 2/22/2019 [html](#) [pdf](#)

**Introduced:** 2/22/2019

**Status:** 3/18/2019-Referred to Com. on L. GOV.

**Location:** 3/18/2019-A. L. GOV.

**Summary:** Would require a local government by September 1, 2020, and annually thereafter, to submit a written report to the State Controller's office on how it plans to spend any of its budget reserves, as defined, on specified priorities over a 5-year fiscal period, including, among others, mental and behavioral health services and affordable housing. The bill would provide this reporting requirement only applies to a local government if the local government's budget reserve in the immediately preceding fiscal year was in excess of 30 percent of the total expenditures of the local government in that fiscal year.

**AB 1653**

**(Frazier D) Missing and Murdered Indigenous Women Task Force.**

**Current Text:** Amended: 3/26/2019 [html](#) [pdf](#)

**Introduced:** 2/22/2019

**Last Amend:** 3/26/2019

**Status:** 3/27/2019-Re-referred to Com. on PUB. S.

**Location:** 3/25/2019-A. PUB. S.

**Summary:** Would create the Missing and Murdered Indigenous Women Task Force in the Department of Justice, and would provide for the membership of that task force. The bill would, among other things, require the task force to complete a formal consultation with California's Indian tribes on how to improve tribal access to databases, determine how to increase state resources for reporting and identifying missing and murdered indigenous persons in the state, and develop a database of nonprofit or nongovernmental organizations that provide aid or support in locating missing indigenous persons.

**AB 1672**

**(Bloom D) Product labeling: flushable products.**

**Current Text:** Introduced: 2/22/2019 [html](#) [pdf](#)

**Introduced:** 2/22/2019

**Status:** 2/25/2019-Read first time.

**Location:** 2/22/2019-A. PRINT

**Summary:** Current law regulates the labeling requirements on various consumer products. This bill would express the intent of the Legislature to enact legislation to prohibit the sale or advertisement of any nonwoven disposable product labeled as "flushable" or "sewer and septic safe" if that product fails to meet specified performance standards.

**AB 1673 (Salas D) California Environmental Quality Act: judicial challenge: litigation transparency: identification of contributors.**

**Current Text:** Amended: 3/19/2019 [html](#) [pdf](#)

**Introduced:** 2/22/2019

**Last Amend:** 3/19/2019

**Status:** 3/20/2019-Re-referred to Com. on NAT. RES.

**Location:** 3/18/2019-A. NAT. RES.

**Summary:** Would require a plaintiff or petitioner, in an action or proceeding brought pursuant to the California Environmental Quality Act, to disclose the identity of a person or entity that contributes \$1,000 or more, as specified, toward the plaintiff's or petitioner's costs of the action or proceeding. The bill also would require the plaintiff or petitioner to identify any pecuniary or business interest related to the project or issues involved in the action or proceeding of any person or entity that contributes \$1,000 or more to the costs of the action or proceeding, as specified. The bill would provide that a failure to comply with these requirements may be grounds for dismissal of the action or proceeding by the court.

**AB 1694 (O'Donnell D) Water supply improvements.**

**Current Text:** Introduced: 2/22/2019 [html](#) [pdf](#)

**Introduced:** 2/22/2019

**Status:** 2/25/2019-Read first time.

**Location:** 2/22/2019-A. PRINT

**Summary:** Under current law, various state and local agencies engage in water resource planning. This bill would state the intent of the Legislature to enact legislation relating to water supply improvements.

**AB 1751 (Chiu D) Water and sewer system corporations: consolidation of service.**

**Current Text:** Amended: 3/21/2019 [html](#) [pdf](#)

**Introduced:** 2/22/2019

**Last Amend:** 3/21/2019

**Status:** 3/25/2019-Re-referred to Com. on E.S. & T.M.

**Location:** 3/21/2019-A. E.S. & T.M.

**Calendar:** 4/9/2019 1:30 p.m. - State Capitol, Room 444 ASSEMBLY ENVIRONMENTAL SAFETY AND TOXIC MATERIALS, QUIRK, Chair

**Summary:** Current law authorizes the State Water Resources Control Board to order consolidation of public water systems where a public water system or state small water system serving a disadvantaged community consistently fails to provide an adequate supply of safe drinking water, as provided. This bill, the Consolidation for Safe Drinking Water Act of 2019, would authorize a water or sewer system corporation to file an application and obtain approval from the commission through an order authorizing consolidation with a public water system or state small water system, or to implement rates for the subsumed water system.

**ACA 1 (Aguiar-Curry D) Local government financing: affordable housing and public infrastructure: voter approval.**

**Current Text:** Amended: 3/18/2019 [html](#) [pdf](#)

**Introduced:** 12/3/2018

**Last Amend:** 3/18/2019

**Status:** 3/27/2019-VOTE: Be adopted and re-referred to the Committee on [Appropriations]

**Location:** 3/27/2019-A. APPR.

**Summary:** The California Constitution prohibits the ad valorem tax rate on real property from exceeding 1% of the full cash value of the property, subject to certain exceptions. This measure would create an additional exception to the 1% limit that would authorize a city, county, city and county, or special district to levy an ad valorem tax to service bonded indebtedness incurred to fund the construction, reconstruction, rehabilitation, or replacement of public infrastructure, affordable housing, or permanent supportive housing, or the acquisition or lease of real property for those purposes, if the proposition proposing that tax is approved by 55% of the voters of the city, county, or city and county, as applicable, and the proposition includes specified accountability requirements.

**ACA 3 (Mathis R) Clean Water for All Act.**

**Current Text:** Amended: 3/20/2019 [html](#) [pdf](#)

**Introduced:** 1/16/2019

**Last Amend:** 3/20/2019

**Status:** 3/21/2019-Re-referred to Com. on W., P., & W. Measure version as amended on March 20 corrected.

**Location:** 3/18/2019-A. W.,P. & W.

**Summary:** This measure, the Clean Water for All Act, would additionally require, commencing with the 2021-22 fiscal year, not less than 2% of specified state revenues to be set apart for the payment of

principal and interest on bonds authorized pursuant to the Water Quality, Supply, and Infrastructure Improvement Act of 2014; water supply, delivery, and quality projects administered by the department, and water quality projects administered by the state board, as provided.

**AJR 8**

**(Quirk D) Invasive species: federal Nutria Eradication and Control Act of 2003.**

**Current Text:** Introduced: 2/15/2019 [html](#) [pdf](#)

**Introduced:** 2/15/2019

**Status:** 2/19/2019-From printer.

**Location:** 2/15/2019-A. PRINT

**Summary:** Would urge the United States Congress to specifically add California to the Nutria Eradication and Control Act of 2003 and to authorize an appropriation of \$4,000,000 to help the state implement a nutria eradication program.

**SB 1**

**(Atkins D) California Environmental, Public Health, and Workers Defense Act of 2019.**

**Current Text:** Introduced: 12/3/2018 [html](#) [pdf](#)

**Introduced:** 12/3/2018

**Status:** 3/22/2019-Set for hearing April 9.

**Location:** 3/20/2019-S. N.R. & W.

**Calendar:** 4/9/2019 8:30 a.m. - Room 112 SENATE NATURAL RESOURCES AND WATER, STERN, Chair

**Summary:** Current state law regulates the discharge of air pollutants into the atmosphere. The Porter-Cologne Water Quality Control Act regulates the discharge of pollutants into the waters of the state. The California Safe Drinking Water Act establishes standards for drinking water and regulates drinking water systems. The California Endangered Species Act requires the Fish and Game Commission to establish a list of endangered species and a list of threatened species, and generally prohibits the taking of those species. This bill would require specified agencies to take prescribed actions regarding certain federal requirements and standards pertaining to air, water, and protected species, as specified.

**SB 5**

**(Beall D) Affordable Housing and Community Development Investment Program.**

**Current Text:** Amended: 3/21/2019 [html](#) [pdf](#)

**Introduced:** 12/3/2018

**Last Amend:** 3/21/2019

**Status:** 3/26/2019-Set for hearing April 2.

**Location:** 3/20/2019-S. HOUSING

**Calendar:** 4/2/2019 1:30 p.m. - John L. Burton Hearing Room (4203) SENATE HOUSING, WIENER, Chair

**Summary:** Would establish in state government the Affordable Housing and Community Development Investment Program, which would be administered by the Affordable Housing and Community Development Investment Committee. The bill would authorize a city, county, city and county, joint powers agency, enhanced infrastructure financing district, affordable housing authority, community revitalization and investment authority, transit village development district, or a combination of those entities, to apply to the Affordable Housing and Community Development Investment Committee to participate in the program and would authorize the committee to approve or deny plans for projects meeting specific criteria.

**SB 6**

**(Beall D) Residential development: available land.**

**Current Text:** Amended: 2/27/2019 [html](#) [pdf](#)

**Introduced:** 12/3/2018

**Last Amend:** 2/27/2019

**Status:** 3/15/2019-Set for hearing April 2.

**Location:** 3/7/2019-S. HOUSING

**Calendar:** 4/2/2019 1:30 p.m. - John L. Burton Hearing Room (4203) SENATE HOUSING, WIENER, Chair

**Summary:** Would require the Department of Housing and Community Development to furnish the Department of General Services with a list of local lands suitable and available for residential development as identified by a local government as part of the housing element of its general plan. The bill would require the Department of General Services to create a database of that information and information regarding state lands determined or declared excess and to make this database available and searchable by the public by means of a link on its internet website.

**SB 13**

**(Wieckowski D) Accessory dwelling units.**

**Current Text:** Amended: 3/11/2019 [html](#) [pdf](#)

**Introduced:** 12/3/2018

**Last Amend:** 3/11/2019

**Status:** 3/26/2019-Set for hearing April 2.

**Location:** 3/20/2019-S. HOUSING

**Calendar:** 4/2/2019 1:30 p.m. - John L. Burton Hearing Room (4203) SENATE HOUSING, WIENER, Chair

**Summary:** Current law requires accessory dwelling units to comply with specified standards, including that the accessory dwelling unit is either attached to, or located within, the proposed or existing primary dwelling or detached if located within the same lot, and that it does not exceed a specified amount of total area of floor space. This bill would, instead, authorize the creation of accessory dwelling units in areas zoned to allow single-family or multifamily dwelling use.

**SB 15**

**(Portantino D) Property tax revenue allocations: successor agencies.**

**Current Text:** Amended: 3/20/2019 [html](#) [pdf](#)

**Introduced:** 12/3/2018

**Last Amend:** 3/20/2019

**Status:** 3/27/2019-Re-referred to Coms. on GOV. & F. and HOUSING.

**Location:** 3/27/2019-S. GOV. & F.

**Summary:** Would, for the 2020–21 fiscal year and each fiscal year thereafter, require the county auditor of a county in which a successor agency, as defined, is located to decrease the amount of ad valorem property tax revenue that is otherwise required to be allocated to the county Educational Revenue Augmentation Fund by the countywide local-state sustainable investment amount and to allocate a commensurate amount to the successor agencies that are located within the county. The bill would require the successor agencies to use these funds for specified purposes, including to increase the availability of affordable housing.

**SB 19**

**(Dodd D) Water resources: stream gages.**

**Current Text:** Amended: 2/28/2019 [html](#) [pdf](#)

**Introduced:** 12/3/2018

**Last Amend:** 2/28/2019

**Status:** 3/12/2019-From committee: Do pass and re-refer to Com. on APPR. (Ayes 8. Noes 0.) (March 12). Re-referred to Com. on APPR.

**Location:** 3/12/2019-S. APPR.

**Summary:** Would require the Department of Water Resources and the State Water Resources Control Board, upon an appropriation of funds by the Legislature, to develop a plan to deploy a network of stream gages that includes a determination of funding needs and opportunities for modernizing and reactivating existing gages and deploying new gages, as specified. The bill would require the department and the board, in consultation with the Department of Fish and Wildlife, the Department of Conservation, the Central Valley Flood Protection Board, interested stakeholders, and, to the extent they wish to consult, local agencies, to develop the plan to address significant gaps in information necessary for water management and the conservation of freshwater species.

**SB 45**

**(Allen D) Wildfire, Drought, and Flood Protection Bond Act of 2020.**

**Current Text:** Amended: 3/5/2019 [html](#) [pdf](#)

**Introduced:** 12/3/2018

**Last Amend:** 3/5/2019

**Status:** 3/26/2019-From committee: Do pass and re-refer to Com. on EQ. (Ayes 7. Noes 1.) (March 26). Re-referred to Com. on EQ.

**Location:** 3/26/2019-S. E.Q.

**Calendar:** 4/3/2019 9:30 a.m. - Room 3191 SENATE ENVIRONMENTAL QUALITY, ALLEN, Chair

**Summary:** Would enact the Wildfire, Drought, and Flood Protection Bond Act of 2020, which, if approved by the voters, would authorize the issuance of bonds in an amount of \$4,300,000,000 pursuant to the State General Obligation Bond Law to finance projects to restore fire damaged areas, reduce wildfire risk, create healthy forest and watersheds, reduce climate impacts on urban areas and vulnerable populations, protect water supply and water quality, protect rivers, lakes, and streams, reduce flood risk, protect fish and wildlife from climate impacts, improve climate resilience of agricultural lands, and protect coastal lands and resources.

**SB 62**

**(Dodd D) Endangered species: accidental take associated with routine and ongoing agricultural activities: state safe harbor agreements.**

**Current Text:** Amended: 3/19/2019 [html](#) [pdf](#)

**Introduced:** 1/3/2019

**Last Amend:** 3/19/2019

**Status:** 3/19/2019-Read second time and amended. Re-referred to Com. on APPR.

**Location:** 3/19/2019-S. APPR.

**Summary:** The California Endangered Species Act provides, until January 1, 2020, that the accidental take of candidate, threatened, or endangered species resulting from an act that occurs on a farm or a ranch in the course of otherwise lawful routine and ongoing agricultural activities is not prohibited by the act. This bill would extend this exception to January 1, 2024, and would limit this exception to an act by an individual farmer or rancher or a bona fide employee of a farmer or rancher. The bill would also require a person, when an accidental take is known to occur under these provisions, to report the

take to the department within 10 days.

**SB 69**

**(Wiener D) Ocean Resiliency Act of 2019.**

**Current Text:** Amended: 3/6/2019 [html](#) [pdf](#)

**Introduced:** 1/9/2019

**Last Amend:** 3/6/2019

**Status:** 3/15/2019-Set for hearing April 9.

**Location:** 3/13/2019-S. N.R. & W.

**Calendar:** 4/9/2019 8:30 a.m. - Room 112 SENATE NATURAL RESOURCES AND WATER, STERN, Chair

**Summary:** Current law requires the Fish and Game Commission to establish fish hatcheries for the purposes of stocking the waters of California with fish, and requires the Department of Fish and Wildlife to maintain and operate those hatcheries. This bill would require the department to undertake a pilot project to assess the effectiveness of parentage-based tagging, as defined, in improving the management of central valley Chinook salmon hatcheries and in rebuilding salmon runs and the California salmon fishing industry.

**SB 134**

**(Hertzberg D) Water conservation: water loss performance standards: enforcement.**

**Current Text:** Introduced: 1/15/2019 [html](#) [pdf](#)

**Introduced:** 1/15/2019

**Status:** 3/13/2019-Set for hearing April 9.

**Location:** 1/24/2019-S. N.R. & W.

**Calendar:** 4/9/2019 8:30 a.m. - Room 112 SENATE NATURAL RESOURCES AND WATER, STERN, Chair

**Summary:** Current law authorizes the State Water Resources Control Board to issue information orders, written notices, and conservation orders to an urban retail water supplier that does not meet its urban water use objective, and existing law authorizes the board to impose civil liability for a violation of an order or regulation issued pursuant to these provisions, as specified. Current law requires the board, no earlier than January 1, 2019, and no later than July 1, 2020, to adopt rules requiring urban retail water suppliers to meet performance standards for the volume of water losses. This bill would prohibit the board from imposing liability for a violation of the performance standards for the volume of water losses except as part of the enforcement of an urban water use objective.

**SB 166**

**(Wiener D) Process water treatment systems: breweries and wineries: study group.**

**Current Text:** Amended: 3/21/2019 [html](#) [pdf](#)

**Introduced:** 1/28/2019

**Last Amend:** 3/21/2019

**Status:** 3/21/2019-From committee with author's amendments. Read second time and amended. Re-referred to Com. on EQ.

**Location:** 2/6/2019-S. E.Q.

**Calendar:** 4/3/2019 9:30 a.m. - Room 3191 SENATE ENVIRONMENTAL QUALITY, ALLEN, Chair

**Summary:** Current law requires the State Water Resources Control Board to establish uniform statewide recycling criteria for each varying type of use of recycled water where the use involves the protection of public health. Current law requires, on or before December 1, 2022, the state board, in consultation with specified state agencies, to adopt regulations for risk-based water quality standards for the onsite treatment and reuse of nonpotable water, as provided. This bill would require the state board, on or before December 1 2021, to convene a prescribed study group to advise the Legislature on policies regarding the onsite reuse of process water in breweries and wineries.

**SB 200**

**(Monning D) Safe and Affordable Drinking Water Fund.**

**Current Text:** Amended: 3/11/2019 [html](#) [pdf](#)

**Introduced:** 1/31/2019

**Last Amend:** 3/11/2019

**Status:** 3/22/2019-Set for hearing April 23.

**Location:** 3/20/2019-S. N.R. & W.

**Calendar:** 4/23/2019 9:30 a.m. - Room 112 SENATE NATURAL RESOURCES AND WATER, STERN, Chair

**Summary:** Would establish the Safe and Affordable Drinking Water Fund in the State Treasury and would provide that moneys in the fund are continuously appropriated to the State Water Resources Control Board. The bill would require the board to administer the fund to provide a stable source of funding to secure access to safe drinking water for all Californians, while also ensuring the long-term sustainability of drinking water service and infrastructure. The bill would authorize the board to provide for the deposit into the fund of federal contributions, voluntary contributions, gifts, grants, and bequests. The bill would require the board to expend moneys in the fund for grants, loans, contracts, or services to assist eligible applicants with projects relating to the provision of safe and affordable drinking water.

**SB 204**

**(Dodd D) State Water Project: contracts.**

**Current Text:** Amended: 3/18/2019 [html](#) [pdf](#)

**Introduced:** 2/4/2019

**Last Amend:** 3/18/2019

**Status:** 3/18/2019-Read second time and amended. Re-referred to Com. on APPR.

**Location:** 3/18/2019-S. APPR.

**Summary:** Would require the Department of Water Resources to provide at least 10 days' notice to the Joint Legislative Budget Committee and relevant policy and fiscal committees of the Legislature before holding public sessions to negotiate any potential amendment of a long-term water supply contract that is of projectwide significance with substantially similar terms intended to be offered to all contractors. The bill would require the department, before the execution of a specified proposed amendment to a long-term water supply contract and at least 60 days before final approval of such an amendment, to submit to the Joint Legislative Budget Committee and relevant policy and fiscal committees of the Legislature certain information regarding the terms and conditions of a proposed amendment of a long-term water supply contract and to submit a copy of the long-term contract as it is proposed to be amended.

**SB 210**

**(Leyva D) Heavy-Duty Vehicle Inspection and Maintenance Program.**

**Current Text:** Amended: 3/25/2019 [html](#) [pdf](#)

**Introduced:** 2/4/2019

**Last Amend:** 3/25/2019

**Status:** 3/25/2019-Read second time and amended. Re-referred to Com. on TRANS.

**Location:** 3/25/2019-S. TRANS.

**Summary:** Would authorize the State Air Resources Board to develop and implement a Heavy-Duty Vehicle Inspection and Maintenance Program for nongasoline heavy-duty onroad motor vehicles, as specified. The bill would authorize the state board to assess a fee and penalties as part of the program. The bill would create the Truck Emission Check (TEC) Fund, with all the moneys deposited in the fund to be available upon appropriation.

**SB 226**

**(Nielsen R) Watershed restoration: wildfires: grant program.**

**Current Text:** Amended: 3/18/2019 [html](#) [pdf](#)

**Introduced:** 2/7/2019

**Last Amend:** 3/18/2019

**Status:** 3/18/2019-From committee with author's amendments. Read second time and amended. Re-referred to Com. on N.R. & W.

**Location:** 2/21/2019-S. N.R. & W.

**Calendar:** 4/9/2019 8:30 a.m. - Room 112 SENATE NATURAL RESOURCES AND WATER, STERN, Chair

**Summary:** Current law authorizes the Natural Resources Agency and the California Environmental Protection Agency to jointly develop and submit to the Legislature a plan for forest and water restoration investments for the drainages that supply specified reservoirs. This bill would require the agency to develop and implement a watershed restoration grant program, as provided, for purposes of awarding grants to eligible counties, as defined, to assist them with watershed restoration on watersheds that have been affected by wildfire, as specified. The bill would require an eligible county receiving funds pursuant to the grant program to submit annually to the agency a report regarding projects funded by the grant program, as provided. The bill would make related legislative findings and declarations.

**SB 241**

**(Moorlach R) Public agencies: joint powers authorities: contracts.**

**Current Text:** Introduced: 2/11/2019 [html](#) [pdf](#)

**Introduced:** 2/11/2019

**Status:** 2/21/2019-Referred to Coms. on GOV. & F. and L., P.E. & R.

**Location:** 2/21/2019-S. GOV. & F.

**Summary:** Would require the governing body of each member agency of an agency established pursuant to a joint powers agreement to approve and ratify each memorandum of understanding negotiated between the joint powers agency and its employees. This bill would further require each member agency to a joint powers agreement to approve and ratify each contract for municipal services or functions, as defined, negotiated between the joint powers agency and the entity providing the services or functions.

**SB 288**

**(Wiener D) Electricity: self-generation and storage.**

**Current Text:** Introduced: 2/13/2019 [html](#) [pdf](#)

**Introduced:** 2/13/2019

**Status:** 3/26/2019-Set for hearing April 10.

**Location:** 2/21/2019-S. E. U., & C.

**Calendar:** 4/10/2019 9 a.m. - Room 3191 SENATE ENERGY, UTILITIES AND COMMUNICATIONS, HUESO, Chair

**Summary:** Would, by January 1, 2021, require the PUC and the governing board of each local publicly owned electric utility to, among other things, create one or more tariffs that offer fair compensation for customer-sited energy storage systems that export electricity to the electrical grid and to consider one or more tariffs for customer-sited energy storage and renewable energy systems to support grid

reliability and community resiliency in the event of emergencies or grid outages.

**SB 295**

**(McGuire D) Public utility districts: ordinances.**

**Current Text:** Introduced: 2/14/2019 [html](#) [pdf](#)

**Introduced:** 2/14/2019

**Status:** 2/28/2019-Referred to Com. on GOV. & F.

**Location:** 2/28/2019-S. GOV. & F.

**Summary:** The Public Utility District Act provides for the election of a board of directors to govern each district and authorizes a board to act only by ordinance, resolution, or motion. The act prohibits an ordinance passed by the board from taking effect less than 30 days after its passage, requires the clerk of the district to post copies of the ordinance at 3 public places in the district, and, if there is a newspaper of general circulation printed and published in the district, requires the ordinance to be published in the newspaper, as specified. This bill would prohibit an ordinance passed by the board from taking effect less than 45 days, instead of 30 days, after its passage and would make conforming changes.

**SB 307**

**(Roth D) Water conveyance: use of facility with unused capacity.**

**Current Text:** Introduced: 2/15/2019 [html](#) [pdf](#)

**Introduced:** 2/15/2019

**Status:** 3/26/2019-Set for hearing April 9.

**Location:** 2/28/2019-S. N.R. & W.

**Calendar:** 4/9/2019 8:30 a.m. - Room 112 SENATE NATURAL RESOURCES AND WATER, STERN, Chair  
**Summary:** Current law prohibits the state or a regional or local public agency from denying a bona fide transferor of water from using a water conveyance facility that has unused capacity for the period of time for which that capacity is available, if fair compensation is paid for that use and other requirements are met. This bill would, notwithstanding that provision, prohibit a transferor of water from using a water conveyance facility that has unused capacity to transfer water from a groundwater basin underlying desert lands, as defined, that is in the vicinity of specified federal lands or state lands to outside of the groundwater basin unless the State Lands Commission, in consultation with the Department of Fish and Wildlife, finds that the transfer of the water will not adversely affect the natural or cultural resources of those federal and state lands.

**SB 330**

**(Skinner D) Housing Crisis Act of 2019.**

**Current Text:** Amended: 3/25/2019 [html](#) [pdf](#)

**Introduced:** 2/19/2019

**Last Amend:** 3/25/2019

**Status:** 3/25/2019-From committee with author's amendments. Read second time and amended. Re-referred to Com. on GOV. & F.

**Location:** 2/28/2019-S. GOV. & F.

**Summary:** Would, until January 1, 2030, with respect to land where housing is an allowable use, prohibit the legislative body of a county or city, defined to include the electorate exercising its local initiative or referendum power, in which specified conditions exist, from enacting an amendment to a general plan or specific plan or adopting or amending any zoning ordinance that would have the effect of (A) changing the zoning classification of a parcel or parcels of property to a less intensive use or reducing the intensity of land use within an existing zoning district below what was allowed under the general plan or specific plan land use designation and zoning ordinances of the county or city as in effect on January 1, 2018; (B) imposing a moratorium on housing development within all or a portion of the jurisdiction of the county or city, except as provided; (C) imposing design standards that are more costly than those in effect on January 1, 2019; or (D) establishing or implementing any provision that limits the number of land use approvals or permits necessary for the approval and construction of housing that will be issued or allocated within the county or city.

**SB 332**

**(Hertzberg D) Wastewater treatment: recycled water.**

**Current Text:** Introduced: 2/19/2019 [html](#) [pdf](#)

**Introduced:** 2/19/2019

**Status:** 3/5/2019-Set for hearing April 3.

**Location:** 2/28/2019-S. E.Q.

**Calendar:** 4/3/2019 9:30 a.m. - Room 3191 SENATE ENVIRONMENTAL QUALITY, ALLEN, Chair  
**Summary:** Would declare, except in compliance with the bill's provisions, that the discharge of treated wastewater from ocean outfalls is a waste and unreasonable use of water. The bill would require each wastewater treatment facility that discharges through an ocean outfall and affiliated water suppliers to reduce the facility's annual flow as compared to the average annual wastewater discharge baseline volume, as prescribed, by at least 50% on or before January 1, 2030, and by at least 95% on or before January 1, 2040. The bill would subject the owner or operator of a wastewater treatment facility, as well as the affiliated water suppliers, to a civil penalty of \$2,000 per acre-foot of water above the required reduction in overall volume discharge for the failure to meet these deadlines.



**SB 335**

**(Hurtado D) Provision of sewer service: onsite sewage treatment system: opt out.**

**Current Text:** Introduced: 2/19/2019 [html](#) [pdf](#)

**Introduced:** 2/19/2019

**Status:** 3/18/2019-April 3 set for first hearing canceled at the request of author.

**Location:** 2/28/2019-S. E.Q.

**Summary:** The Porter-Cologne Water Quality Control Act authorizes the property owner of an affected residence to opt out of an order for the provision of sewer service for a maximum of 5 years for the residence from the date of the issuance of the order by demonstrating to a regional board that the residence is served by an onsite sewage treatment system that is not inadequate and was installed no more than 10 years prior to the issuance of the order. This bill would authorize the property owner of an affected residence to opt out of such an order for a maximum of 5 years if the adequate onsite sewage treatment system was installed no more than 5 years prior to the issuance of the order.

**SB 386**

**(Caballero D) California Renewables Portfolio Standard Program: irrigation districts.**

**Current Text:** Introduced: 2/20/2019 [html](#) [pdf](#)

**Introduced:** 2/20/2019

**Status:** 3/25/2019-March 27 hearing postponed by committee.

**Location:** 2/28/2019-S. E. U., & C.

**Summary:** Would provide that hydroelectric generation that is owned by one or more irrigation districts is an eligible renewable energy resource for purposes of the California Renewables Portfolio Standard Program if it has a first point of interconnection with a California balancing authority or has a first point of interconnection with distribution facilities used to serve end users within a California balancing authority area.

**SB 413**

**(Rubio D) San Gabriel Water Quality Authority.**

**Current Text:** Introduced: 2/20/2019 [html](#) [pdf](#)

**Introduced:** 2/20/2019

**Status:** 3/27/2019-From committee: Do pass and re-refer to Com. on EQ. (Ayes 7. Noes 0.) (March 27). Re-referred to Com. on EQ.

**Location:** 3/27/2019-S. E.Q.

**Calendar:** 4/3/2019 9:30 a.m. - Room 3191 SENATE ENVIRONMENTAL QUALITY, ALLEN, Chair

**Summary:** The San Gabriel Basin Water Quality Authority Act establishes the San Gabriel Water Basin Quality Authority, until July 1, 2030, and authorizes it to plan, finance, and implement groundwater remediation activities, as prescribed. The act requires the board of the authority to be composed of members and their alternates, as specified, generally with terms of office of 4 years. The act specifies the procedures for filling a vacancy in an office. This bill would require the terms of a member or alternate for a city with pumping rights elected in 2016 to expire January 1, 2022, and the terms of a member or alternate for a city without pumping rights elected in 2018 to expire on January 1, 2024, as prescribed.

**SB 414**

**(Caballero D) Small System Water Authority Act of 2019.**

**Current Text:** Introduced: 2/20/2019 [html](#) [pdf](#)

**Introduced:** 2/20/2019

**Status:** 3/27/2019-From committee: Do pass and re-refer to Com. on EQ. (Ayes 7. Noes 0.) (March 27). Re-referred to Com. on EQ.

**Location:** 3/27/2019-S. E.Q.

**Calendar:** 4/3/2019 9:30 a.m. - Room 3191 SENATE ENVIRONMENTAL QUALITY, ALLEN, Chair

**Summary:** Would create the Small System Water Authority Act of 2019 and state legislative findings and declarations relating to authorizing the creation of small system water authorities that will have powers to absorb, improve, and competently operate noncompliant public water systems. The bill, no later than March 1, 2020, would require the state board to provide written notice to cure to all public agencies, private water companies, or mutual water companies that operate a public water system that has either less than 3,000 service connections or that serves less than 10,000 people, and are not in compliance, for the period from July 1, 2018, through December 31, 2019, with one or more state or federal primary drinking water standard maximum contaminant levels, as specified.

**SB 454**

**(Caballero D) State Water Resources Control Board: Administrative Hearing Office: fees.**

**Current Text:** Introduced: 2/21/2019 [html](#) [pdf](#)

**Introduced:** 2/21/2019

**Status:** 3/19/2019-Set for hearing April 23.

**Location:** 3/7/2019-S. N.R. & W.

**Calendar:** 4/23/2019 9:30 a.m. - Room 112 SENATE NATURAL RESOURCES AND WATER, STERN, Chair

**Summary:** This bill would authorize the office to be supported in full or in part by fees assessed against parties that participate in a hearing conducted by the office and would prohibit the fees from being in an amount more than necessary to cover the reasonable costs of the burden imposed on the office by the individual fee payor. The bill would require the fees collected to be deposited into the fund.

**SB 457****(Hueso D) Biomethane: gas corporations.****Current Text:** Introduced: 2/21/2019 [html](#) [pdf](#)**Introduced:** 2/21/2019**Status:** 3/26/2019-Set for hearing April 2.**Location:** 3/7/2019-S. E. U., & C.**Calendar:** 4/2/2019 9 a.m. - Room 3191 SENATE ENERGY, UTILITIES AND COMMUNICATIONS, HUESO, Chair**Summary:** Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including gas corporations. Existing law authorizes the commission to fix the rates and charges for every public utility and requires that those rates and charges be just and reasonable. Existing law requires the commission to adopt policies and programs that promote the in-state production and distribution of biomethane, as defined, and that facilitate the development of a variety of sources of in-state biomethane. This bill would require the Public Utilities Commission to extend the program until December 31, 2026. This bill contains other related provisions and other existing laws.**SB 474****(Stern D) Department of Water Resources: appropriations of water.****Current Text:** Introduced: 2/21/2019 [html](#) [pdf](#)**Introduced:** 2/21/2019**Status:** 3/13/2019-Set for hearing April 9.**Location:** 3/7/2019-S. N.R. & W.**Calendar:** 4/9/2019 8:30 a.m. - Room 112 SENATE NATURAL RESOURCES AND WATER, STERN, Chair**Summary:** Under existing law, the Department of Water Resources is required to make and file with the State Water Resources Control Board applications for the appropriation of any water that, in the department's judgment, is or may be required in the development and completion of all or part of a general or coordinated plan for the development, utilization, or conservation of the water resources of the state. Existing law gives those applications priority, as of the date of filing the application, over any subsequent application and exempts certain water rights diligence provisions from generally applying to the applications. This bill would eliminate the exemption from the application of the diligence provisions as of January 1, 2021.**SB 487****(Caballero D) Department of Water Resources: aerial snow survey.****Current Text:** Introduced: 2/21/2019 [html](#) [pdf](#)**Introduced:** 2/21/2019**Status:** 3/26/2019-From committee: Do pass and re-refer to Com. on APPR. (Ayes 9. Noes 0.) (March 26). Re-referred to Com. on APPR.**Location:** 3/26/2019-S. APPR.**Summary:** Would require the Department of Water Resources' California snow survey program to conduct aerial surveys of the snowpack in the Trinity Alps and Sierra Nevada Mountains, including hydrologic areas that drain or supply water to certain major reservoirs and lakes. The bill would require the department to collect the aerial survey data up to 10 times per year in each hydrologic area and to summarize and make publicly available the data obtained and digital products used to produce runoff forecasts, as specified.**SB 519****(Bradford D) Hazardous substances: underground storage tanks.****Current Text:** Amended: 3/25/2019 [html](#) [pdf](#)**Introduced:** 2/21/2019**Last Amend:** 3/25/2019**Status:** 3/25/2019-From committee with author's amendments. Read second time and amended. Re-referred to Com. on EQ.**Location:** 3/7/2019-S. E.Q.**Calendar:** 4/3/2019 9:30 a.m. - Room 3191 SENATE ENVIRONMENTAL QUALITY, ALLEN, Chair**Summary:** Current law establishes the Underground Storage Tank Cleanup Fund and authorizes the State Water Resources Control Board to expend moneys in the fund for certain purposes, including for transfer to the Site Cleanup Subaccount, as provided. Current law authorizes the board to expend funds in the subaccount, upon appropriation by the Legislature, for certain purposes. This bill would additionally authorize the board to expend moneys in the subaccount to water replenishment districts for reasonable and necessary costs incurred to identify the source of surface or groundwater contamination, or to water replenishment districts, under the direction of the board, a regional board, a local agency, or another appropriate regulatory agency with authority over surface or groundwater cleanup oversight, for the specified remediation costs.**SB 547****(Borgeas R) California Water Commission: members.****Current Text:** Introduced: 2/22/2019 [html](#) [pdf](#)**Introduced:** 2/22/2019**Status:** 3/7/2019-Referred to Com. on RLS.**Location:** 2/22/2019-S. RLS.

**Summary:** Current law establishes the California Water Commission, consisting of 9 members who are appointed to 4-year terms by the Governor, in the Department of Water Resources. Current law requires 7 of the members to be selected on the basis of their general educational and business qualifications and their knowledge of, interest in, and experience with problems relating to water. This bill would make nonsubstantive changes in these provisions.

**SB 615**

**(Hueso D) Public records: disclosure.**

**Current Text:** Introduced: 2/22/2019 [html](#) [pdf](#)

**Introduced:** 2/22/2019

**Status:** 3/14/2019-Referred to Com. on JUD.

**Location:** 3/14/2019-S. JUD.

**Summary:** The California Public Records Act, when it appears to a superior court that certain public records are being improperly withheld from a member of the public, requires the court to order the officer or person charged with withholding the records to disclose the public record or show cause why they should not do so. The act requires the court to award court costs and reasonable attorney's fees to the requester if the requester prevails in litigation filed pursuant to these provisions, and requires the court to award court costs and reasonable attorney's fees to the public agency if the court finds that the requestor's case is clearly frivolous. This bill would require a person to meet and confer in good faith with the agency in an attempt to informally resolve each issue before instituting any proceeding for injunctive or declarative relief or writ of mandate.

**SB 623**

**(Jackson D) Multifamily Housing Program: total assistance calculation.**

**Current Text:** Amended: 3/27/2019 [html](#) [pdf](#)

**Introduced:** 2/22/2019

**Last Amend:** 3/27/2019

**Status:** 3/27/2019-From committee with author's amendments. Read second time and amended. Referred to Com. on RLS.

**Location:** 2/22/2019-S. RLS.

**Summary:** Current law requires that of the total assistance provided under the Multifamily Housing Program, a specified percentage that is proportional to the percentage of lower income renter households in the state that are lower income elderly renter households, as reported by the United States Department of Housing and Urban Development on the basis of the most recent decennial census conducted by the United States Census Bureau, be awarded to units restricted to senior citizens. That calculation, known as the total assistance calculation, excludes assistance for certain projects related to housing for homeless youths and supportive housing for target populations. This bill would, instead, require the total assistance calculation described above use data as reported by the United States Department of Housing and Urban Development on the basis of the most recent American Community Survey or successor survey conducted by the United States Census Bureau.

**SB 646**

**(Morrell R) Local agency utility services: extension of utility services.**

**Current Text:** Introduced: 2/22/2019 [html](#) [pdf](#)

**Introduced:** 2/22/2019

**Status:** 3/14/2019-Referred to Com. on GOV. & F.

**Location:** 3/14/2019-S. GOV. & F.

**Summary:** Would prohibit a city or district providing the extended service from denying the extension of a utility service to a property owner located within the extended service area based upon a property owner's election not to participate in an annexation or preannexation proceeding.

**SB 667**

**(Hueso D) Greenhouse gases: recycling infrastructure and facilities.**

**Current Text:** Introduced: 2/22/2019 [html](#) [pdf](#)

**Introduced:** 2/22/2019

**Status:** 3/15/2019-Set for hearing April 24.

**Location:** 3/14/2019-S. E.Q.

**Calendar:** 4/24/2019 9 a.m. to 12 noon - Room 113 and 1 p.m. - Rose Ann Vuich Hearing Room (2040) SENATE ENVIRONMENTAL QUALITY, ALLEN, Chair

**Summary:** Would require the Department of Resources Recycling and Recovery to develop, on or before January 1, 2021, and would authorize the department to amend, a 5-year investment strategy to drive innovation and support technological development and infrastructure, in order to meet specified organic waste reduction and recycling targets, as provided. The bill would require, on or before June 1, 2021, the department, in coordination with the Treasurer, to develop financial incentive mechanisms, including, but not limited to, loans and incentive payments, to fund organic waste recycling infrastructure, in accordance with the investment strategy.

**SB 668**

**(Rubio D) Fire hydrants: water suppliers: regulations.**

**Current Text:** Introduced: 2/22/2019 [html](#) [pdf](#)

**Introduced:** 2/22/2019

**Status:** 3/15/2019-Set for hearing April 23.

**Location:** 3/14/2019-S. N.R. & W.

**Calendar:** 4/23/2019 9:30 a.m. - Room 112 SENATE NATURAL RESOURCES AND WATER, STERN, Chair  
**Summary:** Current law requires the State Fire Marshal to establish a statewide uniform color coding of fire hydrants that relates to flow testing. Each agency that maintains fire hydrants is required to comply with these requirements as part of its ongoing maintenance program. This bill would require the State Water Resources Control Board, by December 1, 2021, to develop and adopt regulations for reporting and inspections regarding public water suppliers. The bill would require that the regulations adopted by the board ensure water suppliers' compliance with local standards for fire safety.

**SB 669** (**Caballero D**) **Water quality: Safe Drinking Water Fund.**

**Current Text:** Introduced: 2/22/2019 [html](#) [pdf](#)

**Introduced:** 2/22/2019

**Status:** 3/19/2019-Set for hearing April 9.

**Location:** 3/14/2019-S. E.Q.

**Calendar:** 4/10/2019 9:30 a.m. to 12:30 p.m. - Room 113 Upon adjournment of Energy, Utilities and Communications Committee Room 3191 SENATE ENVIRONMENTAL QUALITY, ALLEN, Chair

**Summary:** Would establish the Safe Drinking Water Fund in the State Treasury and would provide that moneys in the fund are continuously appropriated to the State Water Resources Control Board. The bill would require the state board to administer the fund to assist community water systems in disadvantaged communities that are chronically noncompliant relative to the federal and state drinking water standards and do not have the financial capacity to pay for operation and maintenance costs to comply with those standards, as specified.

**SB 690** (**Hueso D**) **Water quality: Tijuana River.**

**Current Text:** Amended: 3/27/2019 [html](#) [pdf](#)

**Introduced:** 2/22/2019

**Last Amend:** 3/27/2019

**Status:** 3/27/2019-From committee with author's amendments. Read second time and amended. Referred to Com. on RLS.

**Location:** 2/22/2019-S. RLS.

**Summary:** Would require the California Regional Water Quality Control Board, San Diego region, to negotiate an interagency agreement with the federal government under which the Department of Water Resources would be responsible for the planning, design, permitting, and construction of the Tijuana River Border Pollution Control Project, as defined. The bill would require the state share of funding for the project to equal the federal share, and would require the proposed interagency agreement to make the federal government responsible for the ownership, operation, and maintenance of the project after it has been constructed.

**SB 693** (**Borgeas R**) **State Water Resources Control Board: Administrative Hearings Office.**

**Current Text:** Introduced: 2/22/2019 [html](#) [pdf](#)

**Introduced:** 2/22/2019

**Status:** 3/14/2019-Referred to Com. on RLS.

**Location:** 2/22/2019-S. RLS.

**Summary:** Current law, operative July 1, 2019, creates within the State Water Resources Control Board an Administrative Hearings Office composed of attorneys qualified to act as hearing officers in adjudicative proceedings involving water rights matters. Current law prescribes procedures for hearings presided over by the office, including the adoption of a final order by the office for certain matters imposing administrative civil liability, and the preparation of a proposed order to be submitted for final review by the board for all other matters presided over by the office. This bill would make nonsubstantive changes in these provisions.

**SB 699** (**Hill D**) **San Francisco Bay Area regional water system.**

**Current Text:** Amended: 3/27/2019 [html](#) [pdf](#)

**Introduced:** 2/22/2019

**Last Amend:** 3/27/2019

**Status:** 3/27/2019-From committee with author's amendments. Read second time and amended. Referred to Com. on RLS.

**Location:** 2/22/2019-S. RLS.

**Summary:** Would authorize the San Francisco Bay Area Regional Water System Financing Authority to issue revenue bonds until December 31, 2030. By extending the operation of the requirements for local public entities in connection with the operation of the authority, this bill would impose a state-mandated local program.

**SB 762** (**Jones R**) **Groundwater storage: beneficial use.**

**Current Text:** Introduced: 2/22/2019 [html](#) [pdf](#)

**Introduced:** 2/22/2019

**Status:** 3/14/2019-Referred to Com. on RLS.

**Location:** 2/22/2019-S. RLS.

**Summary:** Current law specifies that the storing of water underground, including the diversion of streams and the flowing of water on lands necessary to the accomplishment of that storage, constitutes a beneficial use of water if the water so stored is thereafter applied to the beneficial purposes for which the appropriation for storage was made. This bill would make a nonsubstantive change in those provisions.

**Total Measures: 117**

**Total Tracking Forms: 117**

**INFORMATION**  
**ITEM**  
**2C**

# INNOVATIVE FEDERAL STRATEGIES, LLC

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## MEMORANDUM

**To:** Kathy Besser

**From:** Letitia White, Jean Denton, Drew Tatum, and Shavenor Winters

**Date:** March 29, 2019

**Re:** March Monthly Legislative Update

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### *President Releases Fiscal Year 2020 Budget*

President Donald Trump is pursuing one of the largest-ever cuts to domestic discretionary spending, in a \$4.7 trillion fiscal year 2020 budget proposal that also boosts defense spending and adds \$8.6 billion for building a border wall.

The budget blueprint released earlier this month forecasts annual deficits extending beyond the next decade and rising national debt and represents a wish list for the President's priorities that is certain to be ignored by Congress. While required by law, the budget request is often ignored by Congress, as it represents the administration's priorities and often uses budget gimmicks or aggressive economic assumptions to pay for the administration's requests or to keep deficits low.

This particular request from President Trump also raises the threat of a funding showdown that could trigger another government shutdown this fall. The budget request would cut non-defense discretionary spending by 9 percent in 2020 while seeking \$750 billion for defense programs and \$8.6 billion for a border wall. Spending under Medicaid, Medicare, and other mandatory programs would also face significant reductions.

President Trump made similar requests last year for significant cuts to non-defense discretionary programs, which were largely reversed by Congress in the FY19 annual appropriations bills.

Additionally, the Trump administration has suggested eliminating programs within the executive branch, including the following programs under the corresponding cabinet agency:

- Department of Agriculture
  - McGovern-Dole International Food for Education
  - Rural Business and Cooperative Programs
  - Single Family Housing Direct Loans
- Department of Commerce
  - Economic Development Administration
  - NOAA Grants and Education
- Department of Education
  - 21<sup>st</sup> Century Community Learning Centers
  - Federal Supplemental Educational Opportunity Grants
  - Student Support and Academic Enrichment Grants
  - Supporting Effective Instruction State Grants

## *Innovative Federal Strategies LLC*

- Environmental Protection Agency
  - Energy Star and Voluntary Climate Programs
- Department of Health and Human Services
  - Community Services Block Grants
  - Low Income Home Energy Assistance Program
- Department of Homeland Security
  - Transportation Security Administration Law Enforcement Grants
- Department of Housing and Urban Development
  - Community Development Block Grant
  - HOME Investment Partnerships Program
  - Rental Assistance Programs (major discretionary reductions)
- Department of Interior
  - Heritage Partnership Program
  - Indian Guaranteed Loan Program
- Department of Justice
  - State Criminal Alien Assistance Program
  - COPS Hiring Program (major discretionary reductions)
- Department of Labor
  - OSHA Training Grants
  - Job Corps (major discretionary reductions)
- Other Independent Agencies
  - Corporation for Public Broadcasting
  - Institute for Museum and Library Science Grants

Senate Democratic Leader Chuck Schumer (D-NY) called on Senate Republicans to put the President's budget request up for a vote in the Senate. If a budget resolution has not been agreed to by May, Democrats could force a vote on a budget resolution based on the budget request, just as Republicans forced Senate Democrats to vote on President Obama's request when they were in the minority.

The Trump White House also included some infrastructure proposals in its FY20 budget request to Congress, including \$1 trillion in infrastructure and makes several targeted investments in competitive programs within the Department of Transportation and U.S. Army Corps of Engineers that address critical infrastructure needs.

The budget request includes:

- \$2 billion for the Infrastructure for Rebuilding America (INFRA) grant program. The INFRA program makes awards to large projects that relieve congestion and mitigate bottlenecks on the Nation's strategic freight networks, including interstates, freight rail, and ports. INFRA has been successful in leveraging Federal dollars to spur additional investment by our state and local partners. This level is a \$1 billion increase from the FAST Act-authorized level.
- \$1 billion for the Better Utilizing Investment to Leverage Development (BUILD) grant program. BUILD grants awards to important surface transportation projects in urban and rural communities across the country.



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- \$300 million for a competitive highway bridge program. This program will incentivize states to rehabilitate or replace rural bridges that are in poor condition using contract bundling, a more efficient way to deliver projects.
- \$300 million for two innovative approaches to fund water infrastructure investments. This funding will facilitate more local control over authorized Army Corps of Engineers projects and promote novel financing partnerships with non-Federal partners.

The head of the Army Corps of Engineers hinted at some hesitancy in regard to the Trump administration plan to cut his agency's funding for the coming fiscal year by nearly one-third.

### ***Bureau of Reclamation Budget Review***

President Donald Trump proposed a \$1.1 billion FY 2020 budget for the Department of the Interior's Bureau of Reclamation. The budget supports the Administration's and Interior's goals of ensuring reliable and environmentally responsible delivery of water and power for farms, communities and industry, while providing Reclamation with tools to confront the widening imbalances between supply and demand throughout the West.

"This budget reaffirms the Administration's commitment to water and power reliability," said Commissioner Brenda Burman. "A significant portion of this request is dedicated to improving existing infrastructure, including dams and reservoirs, and alleviating the impact of current and future droughts, so the West can continue to be the engine that drives our nation's economy for years to come."

Reclamation's FY 2020 budget of \$1.110 billion consists of \$962.0 million for Water and Related Resources, \$60.0 million for Policy and Administration, \$33.0 million for the California Bay Delta account and \$54.8 million for the Central Valley Project Restoration Fund.

The proposed budget includes \$114.1 million in appropriations for various projects for Extraordinary Maintenance (XM) activities across Reclamation. Reclamation's XM budget is part of its overall asset management strategy to improve the management of its assets and deal with aging infrastructure challenges. Significant additional XM items are directly funded by revenues, water and power customers, or other federal agencies (e.g., Bonneville Power Administration).

Reclamation provides services through many of its projects and programs to fulfill its trust responsibilities to Tribes. The FY 2020 budget request includes a total of \$132.9 million for Indian water rights settlements.

The FY 2020 budget will continue to support water delivery and quality concerns along the Colorado River. The long-term impacts from droughts, such as those in the Colorado River Basin, can't be solved by a single wet year. Even in states such as California, where hydrologic patterns have recently been beneficial, the hydrologic system is ill equipped to address long term needs. The FY 2020 budget, through programs such as the Lower Colorado River Operations Program (\$31.3 million) and the Central Valley Project (\$144.3 million), will continue efforts in

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both areas to find a long-term, comprehensive solution to water supply and quality issues in Colorado and California.

Other highlights of Reclamation's FY 2020 budget proposal include:

- \$92.8 million for the Dam Safety Program, to effectively manage risks to the downstream public, property, project and natural resources and provides for risk management activities at Reclamation's high and significant hazard dams.
- \$54.8 million for the Central Valley Project Restoration Fund, to protect, restore, and enhance fish, wildlife, and associated habitats and address impacts of the Central Valley Project (CVP). Offset by discretionary receipts to be collected from project beneficiaries.
- \$2.6 million for the Desalination and Water Purification Research Program, to support new and continued projects in three funding areas -- laboratory scale research studies, pilot-scale testing projects and full-scale testing projects.
- \$11.0 million for the Science and Technology Program to support continued science and technology projects, water and power technology prize competitions, technology transfer and dissemination/outreach activities that address critical water and power management issues.
- \$36.4 million for the Site Security Program, which includes physical security upgrades at key facilities, guards and patrols, anti-terrorism program activities and security risk assessments.
- \$19.9 for the WaterSMART Program to support Reclamation's collaboration with non-federal partners in efforts to address emerging water demands and water shortage issues in the West as well as promote water conservation and improved water management.

The Budget expands the Corps' current use of section 1043 of the Water Resources Reform and Development Act of 2014, as amended, by including \$150 million for an innovative program under which the Corps would transfer appropriated funds to non-Federal sponsors that decide to construct a project on their own. Non-Federal implementation of projects, where appropriate, would accelerate the construction of more infrastructure projects and create efficiencies in their delivery.

### ***Senate Budget Committee Releases Budget Resolution***

On Friday, March 22, Senate Budget Committee Chairman Mike Enzi (R-WY) unveiled his draft fiscal year 2020 budget resolution that leads to a proposed net decrease in both defense and nondefense spending, which differs from President Donald Trump's proposed budget request to Congress that kept spending caps in place, but turbo-charging defense spending in the Overseas Contingency Operation (OCO) fund. The OCO fund is not subject to the discretionary spending caps set out in the Budget Control Act of 2011.

The Senate's proposal, which will be marked up in committee during the week of March 25, stuck to the drastic cuts mandated by law, putting defense spending at \$576 billion and nondefense spending at \$542 billion, which together amount to a \$126 billion drop from current spending caps.

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The resolution would also instruct congressional authorizing committees to find \$94 billion in cuts to mandatory spending programs.

The Senate's budget resolution is the latest salvo in the debate over 2020 spending, putting eyes on the Democrat-controlled House for its proposal. House Democrats maintain that increasing the spending caps is the top priority.

In the House, the Democratic leadership has not yet decided if or when they will take up a budget resolution. With a divide among the Democratic caucus regarding ambitious proposals like Medicare for all and the “Green New Deal”—both of which would require significant increases to federal spending.

If the House decides to forgo the production of a budget resolution, Democrats may instead put out a deeming resolution that would set the spending levels that House appropriators would use to markup the FY20 appropriations bills.

As the fiscal year 2020 budget and appropriations processes get underway in the House and Senate, lawmakers from both parties agree that some type of spending agreement needs to be reached to set topline spending numbers before the House and Senate Appropriations Committees get too far in marking up the annual spending bills.

### ***House Democrats Plan Veto Override Vote***

Just as President Donald Trump was announcing his veto of a resolution terminating the national emergency he declared at the southern border, House Speaker Nancy Pelosi (D-CA) announced that the House would attempt to override that veto as lawmakers return from a week-long district work period.

The House held a veto override vote on Tuesday, March 26, but the measure failed to garner the necessary two-thirds majority given that only 13 House Republicans joined with Democrats in support of a resolution last month when it was originally on the House floor.

Even though 12 Senate Republicans joined the Democrats to send the measure to the President's desk, eight more would have to follow suit in the Senate to override the veto.

Democrats are also eyeing other strategies for preventing the President from expanding the wall with funds Congress previously allotted for other purposes, including military construction projects. One such avenue is simply to bring repeated votes on Rep. Joaquin Castro (D-TX) disapproval resolution — a plan suggested by Senate Minority Leader Chuck Schumer (D-NY). Democrats are also considering efforts to attach the language as an amendment to larger bills, including 2020 spending measures and reauthorization of defense funding — legislation that's “a natural fit” for the disapproval resolution.

Minority Leader Schumer signaled that Senate Democrats would force additional votes on resolutions of disapproval, as allowed under the National Emergencies Act, to prolong an issue that divides Republicans.

***Trump Signs Conservation, Public Lands Bill into Law***

President Donald Trump signed a bill on March 12 permanently reauthorizing the Land and Water Conservation Fund and designating several million acres of new public lands and waters.

The measure, S. 47, cleared Congress in February and includes language to extend the \$900-million-a-year Land and Water Conservation Fund, which is largely financed from receipts from oil and gas drilling along the Outer Continental Shelf. In signing the law, Trump issued a signing statement suggesting two relatively modest provisions raised some constitutional concerns.

Congress failed to reauthorize the Land and Water Conservation Fund before its September 30, 2018, deadline—a lapse that has prevented local communities from accessing funds for future community parks and biking and hiking trails.

The public lands portion of the bill includes land exchanges in various states, additions to wilderness areas, and boundary revisions or additions to the Death Valley National Park, Mojave National Preserve, and Joshua Tree National Park.

The measure also is meant to improve access for fishing, hunting, and other outdoor recreation on certain public lands.

***As Muller Report is Released, House Democrats Say Probes Will Continue***

On Friday, March 22, Special Counsel Robert Muller delivered his much-anticipated report from the Russian election interference investigation to Attorney General William Barr. The completion of the report marks the end of the nearly two-year investigation that saw incitements, guilty pleas, and convictions of several Trump associates on issues unrelated to the central focus of alleged collusion between the Trump campaign and officials tied to the Russian government.

Attorney General Barr notified leaders of the House and Senate Judiciary Committees that Robert Muller had delivered his report, noting that he would likely be prepared to deliver a summary of the principal conclusions of the report later; Barr followed up with those conclusions on Saturday, March 23.

In his letter over the weekend to Judiciary Committee leaders, Barr noted that the Special Counsel had obtained a number of indictments and convictions of individuals and entities in connection with his investigation, which have all been made public. Barr also noted that the Special Counsel referred several matters to other offices for further action. Barr goes on to note that the report does not recommend any further indictments, nor are there any sealed indictments that have yet to be made public.

Barr said the Muller report was broken down into two parts, one dealing with Russian interference in the 2016 investigation and possible obstruction of justice by President Trump based on his actions and comments after investigations began.

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With regard to the Russian interference and collusion investigation, Barr told Congress that the Special Counsel did not find that the Trump campaign, or anyone associated with it, conspired or coordinated with the Russian government in these efforts, despite multiple offers from Russian-affiliated individuals to assist the Trump campaign.

In looking at obstruction of justice charges, Barr said that the Muller made a “thorough factual investigation” into those matters but chose not to make a traditional prosecutorial judgement but rather set out evidence on both sides of the question and left unresolved what Muller viewed as “difficult issues” of law and fact concerning whether the President’s actions and intent were in fact obstruction.

Barr noted that absence of any legal conclusions leaves it to the Attorney General to determine if the President’s conduct constituted a crime. Barr told Congress that he and Deputy Attorney General Rod Rosenstein have concluded that the evidence gathered by Muller’s team is not sufficient to establish an obstruction of justice offense. Barr noted that their conclusions was made “without regard to, and is not based on, the constitutional considerations that surround the indictment and criminal prosecution of a sitting president.” In his letter, Barr specifically noted that since Muller did not establish that the President was involved in the underlying Russian election interference investigation, it would be difficult to show Trump had intent to interfere with the investigation.

While the White House touts the outcome of the Muller report, Congressional Democrats say they plan to continue their own investigations of the White House.

“We’re going to move forward with our investigations of obstruction of justice, abuses of power, corruption, to defend the rule of law, which is our job,” House Judiciary Chairman Jerrold Nadler (D-NY) said at a news conference in New York. “It’s a broader mandate than the special prosecutor had.”

The strategy poses risks for the Democrats, particularly if voters prove tired of talk of investigating the President now that Mueller has completed his work. In addition, the probes could overshadow their agenda, particularly on issues like health care that helped the party take back the House in 2018.

Within an hour of Attorney General William Barr delivering a summary of Mueller’s report to Congress, Nadler said his panel will call the attorney general to testify about “very concerning discrepancies and decisions at the department” in its interpretation of Mueller’s findings, particularly the decision not to pursue an obstruction of justice prosecution.

Investigations in the Democratic-controlled House stretch across six committees, including Nadler’s Judiciary panel along with the Intelligence, Financial Services and Oversight Committees. The topics for investigation include alleged public corruption, presidential abuses of power, banking relationships, tax returns and efforts to quash embarrassing stories about the President in coordination with the National Enquirer.

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### ***Green New Deal Voted Down in Senate***

Earlier this month, Senate Majority Leader Mitch McConnell (R-KY), outlined and introduced the “Green New Deal,” which is based off nonbinding resolutions (H. Res. 109 and S. Res. 59) introduced by Rep. Alexandria Ocasio-Cortez (D-NY) and Sen. Ed Markey (D-MA).

The text of the measure credits federal efforts during World War II and the New Deal with creating “the greatest middle class that the United States has ever seen,” but says that many communities were excluded from those benefits.

Despite introducing the measure that the Senate voted on after returning from a week-long recess, Leader McConnell opposed the resolution, but planned to use the vote as a litmus test for Senate Democrats—many who are running to be President of the United States.

The resolution would establish as policy that the U.S. has a duty to meet five core goals:

- Achieve net-zero greenhouse gas emissions through a transition fair to all.
- Create millions of good, high-wage jobs and ensure economic security for all.
- Invest in sustainable industry and infrastructure.
- Secure clean air and water, climate resiliency, healthy food, access to nature, and a sustainable environment for future generations.
- Promote justice and equity by ending and undoing the effects of discrimination against marginalized groups, including indigenous peoples, communities of color, deindustrialized and depopulated communities, the poor, women, the elderly and the young, persons experiencing homelessness, and those with disabilities.

The measure would lay out several policies to achieve the goals, including by meeting all U.S. demand for electricity with “clean, renewable, and zero-emission” sources. Other policies include:

- Investments to build resiliency against climate change.
- Rebuilding infrastructure to eliminate pollution and guarantee access to clean water.
- Upgrading the energy and water efficiency of every building in the country and promoting distributed and “smart” power grids.
- Collaborating with farmers and ranchers to decarbonize the agricultural sector. Overhauling the transportation sector through investments in public transit, high-speed rail, and zero-emission infrastructure and manufacturing.
- Enforcing labor and environmental protections in trade rules, procurement standards, and border adjustments to keep jobs in the U.S.
- Removing greenhouse gases already in the atmosphere through “proven low-tech solutions” such as land preservation and creating new forests on treeless land.
- Promoting international adoption of similar policies through exchange of technology, expertise, and funding.

The resolution would also call for providing everyone in the U.S. with health care, housing, and economic security. It includes provisions to support the creation of a jobs guarantee with “family-sustaining” wages and benefits, strengthened collective bargaining rights, and increased protections against “unfair competition and domination by domestic or international monopolies.”

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Leader McConnell introduced the joint resolution using procedures to bypass committee consideration and force a vote to put Green New Deal supporters on the record. Senate Democrats have opposed the move, and Sen. Chris Murphy (D-CT) called on Democrats to vote “present”.

After the measure failed to pass the Senate, with Democrats voting “present” rather than in favor of the legislation, Minority Leader Schumer signaled that Senate Democrats would launch a new panel on climate while targeting tax and infrastructure bills for new environmental protections, while Speaker Nancy Pelosi is backing a bill to more strongly enforce emissions standards of the Paris Agreement.

### ***Flood Insurance Extension with Debt Relief Offered by Democrats***

The National Flood Insurance Program’s \$20.5 billion of debt would be canceled under a new package from House Democrats. The proposal, offered by Financial Services Chairwoman Maxine Waters (D-CA), would also reauthorize the flood insurance program through fiscal year 2024.

The proposal represents the Democrats’ opening bid to address the future of the program, which insures about 5 million properties across the United States. Absent a long-term authorization, the program has been kept alive with temporary extensions while lawmakers struggle to find a long-term deal.

The current authorization expires on May 31, giving lawmakers just over two months to avoid a lapse in the program’s key authorities ahead of the 2019 hurricane season.

Without an extension, the Federal Emergency Management Agency (FEMA) will not be able to issue new policies after May 31, and its borrowing authority will be reduced to \$1 billion from \$30.4 billion. Lawmakers have passed 10 short-term extensions of the program since the last major reauthorization (Public Law 112-141) expired at the end of fiscal 2017.

The measure from Waters would also authorize any necessary funding through fiscal 2028 for FEMA grants to help states launch revolving loan funds to reduce flood risks and damages.

The program would be modeled after the Environmental Protection Agency’s Drinking Water State Revolving Loan Fund. The proposal is similar to legislation (H.R. 1610) introduced by Reps. Charlie Crist (D-FL) and Roger Williams (R-TX).

Loans could be issued to homeowners, businesses, nonprofit groups, and local governments. Eligible projects would include structural elevation, flood-proofing, and relocating buildings outside of high-risk flood zones.

Funds couldn’t be used for certain high-value properties or high-income homeowners, or to acquire property from an unwilling seller.

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States would have to match 10 percent of FEMA's contribution. They could forgive loans issued to low-income homeowners, as long as the subsidies don't exceed 30 percent of FEMA's grant. Another proposal would authorize \$200 million annually for five years for FEMA's Pre-disaster Mitigation Grant Program.

It would also authorize the following annual amounts:

- \$20 million through fiscal 2024 for FEMA to provide technical and financial assistance to states, tribes, and communities.
- \$7 million over five years for FEMA grants to states and communities to expand the use of flood mitigation practices beyond the minimum requirements.

Many policyholders are required to purchase a separate policy for expenses to comply with heightened building code and floodplain standards. The measure would double the maximum "Increased Cost of Compliance" coverage to \$60,000. Funds could be used for additional types of mitigation and acquiring other property.

FEMA would have to offer a reduced premium rate for mitigation methods that could be deployed in dense urban neighborhoods.

A third proposal would authorize \$400 million a year through fiscal 2023 for FEMA's flood mapping program.

Maps would have to incorporate remote sensing and other geospatial technology. FEMA would have to establish a digital display for flood maps that could include detailed information on individual properties.

It would also have to develop a process using updated topographic data to remove low-risk structures in bulk from high-risk designations on flood maps. Property owners and communities can ask FEMA to correct an inaccurate flood map, based on the actual elevation of a property or changes to natural features in the area. The proposal would allow them to file appeals, including with an independent scientific resolution panel that would make a nonbinding recommendation. If a property is removed from a high-risk map area, policyholders could cancel their policies and FEMA would provide a prorated refund.

### ***California Lawmakers Take on Federal Privacy Law***

Congress should not weaken California's new privacy law in any federal bill, Senator Dianne Feinstein (D-CA) said at a hearing this month.

Sen. Feinstein joined other members of the state's congressional delegation, including House Speaker Nancy Pelosi (D-CA), who have said they would oppose a federal privacy bill that preempts the California Consumer Privacy Act. The Californians' stance increases the odds that lawmakers will not end up sending a broad data privacy bill to President Donald Trump's desk this year.



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“I will not support any federal privacy bill that weakens the California standard,” Sen. Feinstein said at the start of the hearing.

The California law, and the European Union’s General Data Protection Regulation that took effect last year, led to the private sector pushing Congress to enact a new law pre-empting states. Privacy advocates and their congressional allies want a tough new federal law that would also give the Federal Trade Commission more tools to regulate privacy.

California’s privacy law serving as a legislative floor is a goal that the bipartisan Commerce Committee group shares, Senator Blumenthal (D-CT) said, adding that he hopes the Senate Commerce bill will come out in the “near future.”

Privacy advocates and some lawmakers argue that federal legislation should set minimum regulatory standards on which states can build.

Some companies have said that a patchwork of state privacy laws is untenable and snuffs out technological innovation. Lawmakers, for their part, are seeing corporate pressure to create a national privacy standard.

Senator Marco Rubio (R-FL) introduced a privacy bill (S. 142) in January that would override more restrictive state laws. The bill has support from a Washington-based technology trade group that counts Alphabet Inc.’s Google, Facebook Inc. and eBay Inc. as members.

### ***Lowey Announces No Congressionally Directed Spending for FY20***

Currently there is not enough bipartisan, bicameral support to reinstate the use of earmarks in fiscal 2020, House Appropriations Chairwoman Nita Lowey (D-NY) said in a letter to her colleagues early this month.

Appropriators in both parties, among other lawmakers, had previously raised the possibility of a return to earmarks, arguing they should use more of their power under Article 1 of the Constitution to direct federal spending.

In her Dear Colleague letter, Chairwoman Lowey noted that over the coming months, Democrats in the House and Senate must discuss the issue of earmarks in their respective caucuses and conferences to determine member preferences, solicit ideas to ensure taxpayer dollars are spent wisely, and when applicable, change rules to permit members to request earmarks.

With House Appropriations Subcommittee markups potentially beginning as early as the first week of May, little time was available for the Committee to setup the necessary processes and procedures to appropriately vet earmarks before the fiscal year 2020 appropriations process formally begins.

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### ***Administration Staffing Shuffles***

On February 28, 2019, the U.S. Senate confirmed Andrew Wheeler as the fifteenth Administrator of the Environmental Protection Agency. President Donald Trump had announced his appointment as the Acting EPA Administrator on July 5, 2018. Mr. Wheeler had previously been confirmed by the U.S. Senate as the EPA Deputy Administrator on April 12, 2018.

A former EPA bureaucrat who also served as an influential Capitol Hill staffer and an energy lobbyist, Wheeler had been acting administrator of the agency since July when he replaced Scott Pruitt.

Shortly after taking over in July, Wheeler's EPA moved ahead with a plan to do away with the Obama-era Clean Power Plan and replace it with a proposed rule to set state guidelines for power-plant emissions of greenhouse gases that contribute to a warming planet. His agency finalized revisions to a 2015 Obama-era rule regulating the disposal of coal ash that gives states and utilities what he called "much needed flexibility" to manage their waste.

He also recommended freezing miles-per-gallon standards for cars and light trucks after the 2020 model year and preventing California and other states from setting tougher standards, saying it will improve safety and keep prices lower for consumers.

Given these and other policy decisions Wheeler's EPA had executed, he faced strong objections from Senate Democrats. Sen. John Barrasso (R-WY) Chairman of the Senate Environment Committee, called Wheeler "uniquely qualified" to lead EPA, the Senate confirmed Wheeler by a vote of 52-47.

Following the conclusion of the government shutdown the White House tapped Acting Interior Secretary David Bernhardt's him to become new Interior Secretary, replacing former Sec. Ryan Zinke who stepped down last year.

Top Democratic appropriators say Acting Interior Secretary David Bernhardt's decision to fund national parks during the government shutdown without consulting Congress may intensify questioning during hearings on his confirmation and the department's 2020 budget. Chair of the House Appropriations Committee's Interior, Environment and Related Agencies Subcommittee Rep. Betty McCollum (D-MN), said "Congress holds the power of the purse, and our subcommittee has every intention of fulfilling our Constitutional authority and responsibility."

During the 35-day government shutdown, Chairwoman McCollum and Sen. Tom Udall (D-N.M.), Ranking Member on the Senate Subcommittee on Department of the Interior, Environment which oversees the Department's budget, said they were not consulted before Bernhardt announced in early January that the National Park Service would dip into entrance fees from visitors to pay certain employees to keep facilities open.

Bernhardt was confirmed as deputy Interior secretary, the No. 2 role, in a 56-39 vote in July 2017. The Interior Department is in charge of public lands and minerals (including oil and gas drilling), national parks, endangered species conservation, wildlife refuges and other parts of the government.

Bill Number (linked to the legislation on Congress.gov)	Sponsor/ Cosponsor	Title and/or Summary	Summary/Status	Latest Action
H.R. 1764	Rep. John Garamendi (D-CA)	Bill to amend the Federal Water Pollution Act	The legislation would amend the Federal Water Pollution Control Act with respect to permitting terms, and for other purposes.	Introduced on March 15 and then referred to the Subcommittee on Water Resources and Environment.
H.R. 1508	Rep. Blumenauer	Move America Act of 2019	The measure would amend the Internal Revenue Code of 1986 to provide for Move America bonds and Move America credits.	Introduced on March 5 and was referred to the House Committee on Ways and Means.
H.R. ____/ S. ____	Rep. Marcy Kaptur (D-OH) / Sen. Lamar Alexander (R-TN)	Energy and Water Development Appropriations Act, 2020	The House and Senate will soon begin writing their FY20 Energy and Water Appropriations bill, which includes funding for the Department of Energy, Bureau of Reclamation (Interior), Army Corps of Engineers, and other federal agencies.	Member offices are still receiving and submitting appropriations requests to the House and Senate Appropriations Committees. The House could markup the FY20 bills during April or May, with the Senate likely following suit several weeks later. Consideration of the legislation on the House and Senate floors likely will not occur until later this summer.

<p>H.R. ____/ S. ____</p>	<p>Rep. Betty McCollum (D-MN) / Sen. Lisa Murkowski (R-AK)</p>	<p>Interior, Environment, and Related Agencies Appropriations Act, 2020</p>	<p>The House and Senate will soon begin writing their FY20 Interior and Environment Appropriations bill, which includes funding for the Department of the Interior (except the Bureau of Reclamation), Bureau of Land Management, Land and Water Conservation Fund, National Park Service, U.S. Fish and Wildlife Service, and the U.S. Forest Service.</p>	<p>Member offices are still receiving and submitting appropriations requests to the House and Senate Appropriations Committees. The House could markup the FY20 bills during April or May, with the Senate likely following suit several weeks later. Consideration of the legislation on the House and Senate floors likely will not occur until later this summer.</p>
<p>H.R. 1744</p>	<p>Rep. Mark Takano (D-CA)</p>	<p>Energy Storage Systems by Electric Utilities</p>	<p>The bill would provide for the consideration of energy storage systems by electric utilities as part of a supply side resource process, and for other purposes.</p>	<p>The bill was introduced on March 13 and was referred to the Committee on Energy and Commerce, and in addition to the Committee on Science, Space, and Technology.</p>

H.J.Res.31	Rep. Lucille Roybal-Allard (D-CA)	Consolidated Appropriations Act, 2019 (Conference Reports for the Agriculture, Commerce-Justice-Science, Financial Services-General Government, Interior-Environment, State-Foreign Operations, and Transportation-HUD Appropriations bills)	The House and Senate came to an agreement on a Conference Report for the 7 remaining FY19 appropriations bills after holding an official conference on the FY19 Homeland Security Appropriations bill. The Homeland Security section contained approximately \$1.3 billion for border fencing in the Rio Grande Valley of Texas and slight reduction in funding for ICE detention beds. The other 6 appropriations bills contained conference reports similar to those that had been previously released.	The bill was introduced on January 22nd and was passed by both the Senate and the House before being signed into law on February 15th. This bill's enactment finalized full year funding for all federal agencies for fiscal year 2019 through September 30, 2019.
S.47	Sen. Lisa Murkowski (R-AK)	Natural Resources Management Act (renamed the John D. Dingell, Jr. Conservation, Management, and Recreation Act)	This bill sets forth provisions regarding various programs, projects, activities, and studies for the management and conservation of natural resources on federal lands. Specifically, the bill addresses: Land conveyances, exchanges, acquisitions, withdrawals, and transfers; the Santa Ana River Wash Plan Land Exchange Act; national parks, monuments, memorials, wilderness areas, other conservation and recreation areas; and federal reclamation projects. For California, the legislation included the Santa Ana River Wash Plan Land Exchange Act and the California Desert Protection and Recreation Act of 2019, which was a compromise between individual bills introduced by Senator Dianne Feinstein and Congressman Paul Cook in previous Congresses.	Introduced in the Senate on January 8th. The legislation passed the Senate by a vote 92 - 8 on February 12th. The measure was then taken up by the House and passed by a vote of 363-62. The bill was signed into law by President Trump on March 12, 2019.

S.67/ H.R. 376	Sen. Dianne Feinstein (D-CA)/ Rep. Paul Cook (R-CA-08)	California Desert Protection and Recreation Act of 2019	This bill would provide for conservation, enhanced recreation opportunities, and development of renewable energy in the California Desert Conservation Area.	Introduced in the Senate on January 9th.  Included as a provision in S.47, the National Resources Management Act, which has been signed by President Trump, therefore the stand alone bill will not move.
H.R. 268	Rep. Nita Lowey (D- NY)	Supplemental Appropriations Act, 2019	This bill provides \$12.1 billion in FY2019 supplemental appropriations to several federal departments and agencies for expenses related to the consequences of recent wildfires, hurricanes, volcanos, earthquakes, typhoons, and other natural disasters.  The funding provided by this bill is designated as emergency spending, which is exempt from discretionary spending limits and other budget enforcement rules.	Passed the House on January 16th.  The Senate has officially moved to proceed to the legislation, and Senate Majority Leader Mitch McConnell has filed for cloture on a substitute amendment. The legislation could pass the Senate and be conferenced with the House as soon as the week of March 25th or April 1.

S.572	Sen. David Perdue (R-GA)	Additional Supplemental Appropriations for Disaster Relief, 2019	<p>This bill provides \$13.6 billion in FY2019 supplemental appropriations to several federal departments and agencies for expenses related to the consequences of recent wildfires, hurricanes, volcanos, earthquakes, typhoons, and other natural disasters.</p> <p>The funding provided by this bill is designated as emergency spending, which is exempt from discretionary spending limits and other budget enforcement rules. This bill was crafted as a compromise between the Senate and the White House to resolve issues related to disaster aid to Puerto Rico.</p>	<p>Introduced in the Senate on February 26. This was expected to be the supplemental appropriations package that moved in the House and Senate, but a subsequent amendment was released to H.R.268 that will now likely move in the Senate.</p> <p>No further activity is expected on this bill.</p>
S. 146	Sen. John Hoeven (R-ND)	Move America Act of 2019	<p>A bill to amend the Internal Revenue Code of 1986 to provide for Move America bonds and Move America credits- which provide tools to finance additional transportation, water, and information infrastructure capital investments, through an approach that provides assistance for financing of infrastructure to all States, rural and urban.</p>	<p>Introduced in the Senate on January 16th</p>
H.R.1162	Rep. Grace Napolitano (D-CA)	Water Recycling Investment and Improvement Act	<p>This legislation would create a competitive grant program for the funding of water recycling and reuse projects by raising the authorization cap for the Title XVI program from \$50 million to \$500 million. The legislation would also raise the authorization cap from \$20 million to \$30 million for the Reclamation Wastewater and Groundwater Study and Facilities Act.</p>	<p>Introduced in the House on February 13. Has been referred to the Water, Oceans, and Wildlife Subcommittee of the House Natural Resources Committee on 3/4/2019.</p>

S. 40	Sen. John Barrasso (R-WY)	Bureau of Reclamation Transparency Act	The bill would require the Secretary of the Interior to submit to Congress a report on the efforts of the Bureau of Reclamation to manage its infrastructure assets, which would include facilities, buildings, structures, project features, power production equipment, recreation facilities, or quarters.	<p>Introduced in the Senate on January 8th.</p> <p>Included as a provision in S.47, the National Resources Management Act, which has been signed by President Trump; therefore, the stand alone bill will not move.</p>
S. 308/ H.R. 1067	Sen. Dianne Feinstein (D-CA)/ Pete Aguilar (C-CA-31)	Santa Ana Wash Plan Land Exchange Act	The bill would direct the Secretary of the Interior to convey certain Federal lands in San Bernardino County, California, to the San Bernardino Valley Water Conservation District, and to accept in return certain non-Federal lands, and for other purposes.	<p>Introduced in the Senate on January 31st and was referred to the Committee on Energy and Natural Resources.</p> <p>Introduced in the House on February 7th and was referred to the House Committee on Natural Resources.</p> <p>Included as a provision in S.47, the National Resources Management Act, which has been signed by President Trump, therefore the stand alone bill will not move.</p>



H.R.579	Rep. Scott Tipton (R-CO-3)	Water Rights Protection Act of 2019	This bill would prohibit the conditioning of any permit, lease, or other use agreement on the transfer of any water right to the United States by the Secretaries of the Interior and Agriculture, and for other purposes.	Introduced in the House on January 15th. Referred to the Conservation and Forestry Subcommittee of the Agriculture Committee on 2/7 and to the Water, Oceans, and Wildlife Subcommittee of the House Natural Resources Committee on 2/4.
H. R. 855	Rep. Scott Peters (D-CA-52)	STRONG (Strengthening the Resiliency of our Nation on the Ground Act) Act	The bill would work to minimize the economic and social costs resulting from losses of life, property, well-being, business activity, and economic growth associated with extreme weather events by ensuring that the United States is more resilient to the impacts of extreme weather events in the short- and long-term, and for other purpose	Introduced in the House and referred to the Subcommittee on Economic Development, Public Buildings, and Emergency Management on February 7th.
S. 361/H.R. 807	Sen. Cory Gardner (R-CO)/ Rep. Ken Buck (R-CO-04)	Water and Agriculture Tax Reform Act of 2019	The measure would work to amend the Internal Revenue Code of 1986 to facilitate water leasing and water transfers to promote conservation and efficiency.	Referred to the Committee on Finance (Senate) and Ways and Means Committee (House).
H.R. 420	Rep. Earl Blumenauer (D-OR)	Regulate Marijuana Like Alcohol Act	The bill would decriminalize marijuana and sets up legal framework to regulate marijuana.	Introduced in the House on January 8th.
S.420 /H.R. 1120	Sen. Ron Wyden (D-OR)/ Rep. Earl Blumenauer (D-OR-3)	Marijuana Revenue and Regulation Act	A bill to amend the Internal Revenue Code of 1986 to provide for the taxation and regulation of marijuana products, and for other purposes.	The bill was introduced in the Senate on February 14th and was referred to the Committee on Finance. Introduced in the House on February 14th and was referred to the Subcommittee on Conservation and Forestry.

**INFORMATION  
ITEM  
2D**



CALIFORNIA STRATEGIES, LLC

Date: March 29, 2019  
To: Inland Empire Utilities Agency  
From: John Withers, Jim Brulte  
Re: March Activity Report

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1. This month John Withers and Jim Brulte held the monthly meeting on March 4<sup>th</sup> with the senior staff of the agency to discuss various Agency activities.
2. Interim General Manager Kirby Brill
  - Updated on the IGM's work program during the transition period
  - Worked on a special project for the IGM related to the Chino Basin Project
  - Updated on the GM replacement process and progress to date
  - Reviewed and discussed the recent Board member external and committee assignments
3. Chino Basin Project
  - John Withers and Jim Brulte followed up on the strategic planning workshop with IEUA Senior Staff and consultants
  - Activities included developing an aspirational vision for the project as well as identifying associated project risks and potential mitigation measures. Focused on the legal, political, regulatory, financial and other associated risks with the project
  - John Withers participated a follow up meeting that included follow up items as well as messaging strategies for the member agencies
4. Chino Basin Program Bank
  - Four-year project
  - \$6.3 mil in budget (EIR and PDR) Unanimous vote to support by IEUA BOD
  - Benefits-Accelerates delivery of the projects
  - Need agreements from participating agencies
  - MET briefing
  - Check in with IEUA BOD
  - Pursuing federal funding (Title 16-Section 4007)

- Agreements in place by 2020
5. John Withers attended the Water Reuse Conference to meet with various stakeholders and gather information to better assist the IGM and senior staff.
  6. Follow up on the creation of a basic informational program for presentation to local grassroots leaders. The presentation is designed to inform local community and political leaders as to the benefits (short term and long term) to the community due to the actions of the IEUA leadership. Presentation is designed to simplify the technical details for a better understanding by community members and stakeholders.