

# Memorandum

Division Chiefs and Above  
Regional Board Executive Officers  
Legal Staff

Date October 5, 1984

From : **STATE WATER RESOURCES CONTROL BOARD**

Subject: LEGISLATIVE SUMMARY FOR THE LAST HALF OF 1983-84 SESSION

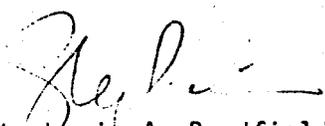
The last half of the 1983-84 legislative session is closed and the Legislature is at recess until January.

The attached summary identifies legislation enacted during 1984, the last half of the session. It also covers bills that failed passage by both houses or were vetoed by the Governor.

Urgency statutes are effective upon signature of the Governor. These statutes have been indicated on the attached summary. All other statutes take effect on January 1, 1985.

Copies of statutes amending or adding to the Water Code are included as an attachment so that the language may be incorporated into your personal copies of the Water Code. We have also attached copies of statutes dealing with the Health and Safety Code, as many of these statutes have an affect on the Water Board's programs.

The legislation listed in this summary, although very significant, represents only a small portion of the bills being followed by the Board. If you need further information, or copies of any of the statutes or bills, please let me know.

  
Stephanie A. Bradfield, Chief  
Office of Legislative  
and Public Affairs

Attachments

LEGISLATIVE SUMMARY FOR THE LAST HALF OF 1983-84 SESSION

ENACTED LEGISLATION

WATER CODE

AB 178(Waters). Water rights. (Stats. of 1984, Chapter 1655).

Extends the "area of origin" water rights protections currently applicable to the State Water Project and the Central Valley Project to all persons wishing to export water from specified river systems in Northern California. Water users within such protected areas would have a right to purchase water from an exporter for adequate compensation. Creates an obligation on the parties to negotiate in good faith to determine adequate compensation. Prohibits export of ground water from the combined Sacramento and Delta-Central Sierra basins unless a specified ground water management plan is first adopted by the Board of Supervisors and the electorate.

AB 1732(Costa). Water pollution: state bonds. (Stats. of 1984, Chapter 337).  
Urgency Measure.

Places on the November ballot the \$325 million Clean Water Bond Act of 1984 that would:

- o provide \$250 million for state assistance to municipalities for construction of needed wastewater treatment works;
- o create a \$40 million fund for small, needy communities of 5,000 or less population, for construction of wastewater treatment projects costing less than \$2.5 million;
- o provide a \$25 million loan program to assist local agencies with the construction of cost-effective water reclamation projects ineligible for federal assistance, and funding water reclamation projects needed for the advancement of water reclamation in California; and
- o provide \$10 million for low interest loans for capital intensive water conservation projects.

AB 2333(Costa). Regional water quality control boards. (Stats. of 1984, Chapter 1535).

Increases compensation for members of the regional water quality control boards from \$50 a day (maximum of \$600 per year) to \$75 a day (maximum of \$1,500 per year). It also changes the way funds from the Cleanup and Abatement Account can be spent. The first unencumbered \$500,000 deposited in the account in a fiscal year could be used by the State Board in responding to water pollution emergencies, the next unencumbered \$500,000 could be used for the same purpose but subject to approval by the Department of Finance and the Legislature pursuant to procedures set forth in Section 28 of the Budget Act. The next one million dollars deposited would be available, upon approval by the State Board, to the regional boards for remedying significant water pollution problems posing public health threats and for which adequate resources are not budgeted. Any remaining funds would be available for current purposes of the account.

AB 2542(Peace). Water conservation: Imperial Valley. (Stats. of 1984, Chapter 429).

Provides that no forfeiture of Imperial Irrigation District's appropriative water right shall occur if the district fails to use water appropriated from the Colorado River because of water conservation efforts. This law makes specific the provisions which are in existing law for protecting the rights to conserved water.

AB 3525(Calderon). Solid waste disposal sites: enforcement and hazardous waste migration. (Stats. of 1984, Chapter 1532).

This legislation makes changes in the Water Code, Government Code and Health and Safety Code to improve the regulation of solid waste disposal sites (municipal landfills) by creating mandatory notification and inspection responsibilities among the environmental agencies, with authority over these sites, including regional water boards. In addition, all solid waste disposal site owners must conduct a thorough assessment of the wastes in the site and the hydrogeology underlying the site to ensure that no hazardous wastes are leaking from the site. The regional water boards would be required to evaluate these reports pursuant to standards and time frames set forth in the legislation.

AB 3535(Costa). Water rights: statutory adjudications. (Stats. of 1984, Chapter 1654).

Makes noncontroversial changes in the procedures relating to statutory adjudications of water rights that will help parties affected by the adjudication. Would provide notice of an ongoing adjudication on the county property records so that potential buyers would know an adjudication was underway. Makes technical changes in the procedures governing the Water Board's reconsideration of its order in an adjudication. A separate provision pertains to levee maintenance in the Delta.

AB 3544(Costa). Water quality: pollution of wells: Tijuana River sewage. (Stats. of 1984, Chapter 1461).

Amends the Budget Act of 1984 to expand the purposes for which the \$5.5 million allocated for the investigation of the Tijuana sewage problem in San Diego can be used. Makes clear that the state money can be used for initial phases of construction, including site acquisition and engineering design. Additionally, Congress has approved and the President signed a bill which will provide \$5 million in federal fiscal year 1985 and \$27 million in federal fiscal year 1986 to design and construct a facility in San Diego. This amendment says the appropriation would be used as the state match required by the federal legislation.

AB 3667(Campbell). Water quality: pretreatment program. (Stats. of 1984, Chapter 1542).

Requires the Water Board to develop a pretreatment standards program for industrial firms to control toxic pollutants that cannot be adequately treated in municipal sewage treatment facilities, and to request federal approval of this program by September 1, 1985. The sum of \$270,000 is appropriated from the General Fund to the Water Board for the purposes of this program.

SB 2131(McCorquodale). Water quality enforcement. (Stats. of 1984, Chapter 1541).

Would make the following changes in the penalty provisions of Porter-Coloqne:

- o Establish new civil penalties of up to \$5,000 per day for failing to file a report of waste discharge, discharging prior to issuance of a permit, or failing to file reports required by the permit.
- o Increase the maximum penalties from that could be imposed if a court determines civil liability from \$10,000/day to \$15,000/day.
- o Establish civil penalties based on days of violation when a cleanup order is issued and subsequently violated.
- o When no cleanup is possible, establish civil penalties based on the amount of polluting discharge.
- o Allow regional boards to impose lesser penalties administratively. These actions would be taken in public meetings, and would be appealable to the State Board and the courts. The due process rights of dischargers would be protected.
- o Limit the authority of the regional boards, state board, and superior court to impose civil penalties where there are extenuating circumstances. They would have to consider twelve specific circumstances that go to the issue of culpability before deciding on the appropriate penalty amount to be imposed.

AB 1439(Filante). North Marin County Water District. (Stats. of 1984, Chapter 468).

Authorizes the North Marin County Water District to use any water for the generation of hydroelectric power, subject to limitations of existing law and approval by the county board of supervisors or the lead agency on the project. The hydroelectric power would be required to be developed so as to meet specified energy requirements of the district.

AB 2183(O'Connell). Safe drinking water bonds. (Stats. of 1984, Chapter 378).

Would provide a \$250 million general obligation bond measure on the November ballot for state loans and grants for the construction, improvement, or rehabilitation of domestic drinking water systems.

AB 3137(Statham). Watermaster service areas. (Stats. of 1984, Chapter 1462).

Provides that 1/2 of the cost of administration of a watermaster service area and the distribution of water therein be paid by the state and 1/2 be paid by the owners of the rights to divert or store water within the service area.

AB 3505(Costa). Water: dam safety regulation: Colorado River Board Members. (Stats. of 1984, Chapter 1027).

Excludes from regulation by the Division of Dam Safety any wastewater treatment ponds having a maximum height of 15 feet or less and a maximum storage capacity of 1,500 acre-feet or less, subject to adoption of a resolution by the governing body of the entity operating the facility which finds the pond has been constructed and operated to standards adequate to protect life and property.

AB 3792(Isenberg). Water: Los Banos Grandes Reservoir. (Stats. of 1984, Chapter 1656).

Authorizes, as a part of the State Water Resources Development System, the Los Banos Grandes Reservoir to be located south of the delta and adjacent to the San Luis Reservoir for the purposes of developing additional water supply, protecting water quality, and providing operational flexibility for fish and wildlife preservation and enhancement.

#### GOVERNMENT CODE

AB 3279(Filante). California Tahoe Conservancy. (Stats of 1984, Chapter 1239). Urgency Measure.

Abolishes the California Tahoe Conservancy Agency and creates the California Tahoe Conservancy within the Resources Agency, and would give the conservancy additional powers and duties relating to acquisitions of property in the Tahoe region. Implementation of the land acquisition program will be in accordance with the recommendations of the Tahoe Area Land Acquisition Commission (TALAC). These recommendations include designation of the California Tahoe Conservancy as the agency to manage the program, provisions to streamline land purchase procedures and allow use of the Forest Services's land purchase capabilities, and tort liability immunities for persons managing acquired land.

SB 2014(Vuich). Rural areas: federally financed contracts. (Stats. of 1984, Chapter 1154). Urgency Measure.

Provides that, until January 1, 1987, substitution of securities provisions required in public contracts shall not be required in contracts where the federal Farmers Home Administration is providing financing. California law allows a contractor to substitute securities equivalent to the amount of money that must otherwise be withheld by a local government until completion of the contract. FmHA has promulgated regulations which maintain that this provision of state law violates its lending policies by not providing sufficient protection for the funds FmHA lends to localities.

SB 2292(Campbell). Hazardous waste. (Stats. of 1984, Chapter 1160).

Requires the local enforcement agency with authority over solid waste disposal facilities to include permit conditions for a conversion facility and would require such facility adopt and use operating procedures to prevent significant quantities of hazardous waste from entering the conversion process. Would require the Department of Health Services to classify as nonhazardous fly ash, bottom ash, and flue gas emission control residues generated from the

combustion of solid waste if it does not contain significant quantities of industrial sludge or hazardous waste and the combustion process will be adequately monitored and controlled. Also, the Department of Health Services is prohibited from subsequently reclassifying the ash as hazardous unless it makes specific findings concerning the hazard posed by the ash.

AB 2033(Connelly). Public records: pesticides. (Stats. of 1984, Chapter 765).  
Adds a new section to the Public Records Act making pesticide study data concerning the health and environmental impacts of pesticides submitted to state agencies available to the public on the same terms as FIFRA provides for availability of information submitted to EPA. FIFRA provides for protection of trade secret data submitted as part of an application for pesticide registration, with the express provision that health and environmental effect studies shall be available for disclosure to the public.

SB 1574(Campbell). Solid waste: California Waste Management Board: report. (Stats. of 1984, Chapter 1534).  
Requires the California Waste Management Board to submit a report to the Legislature concerning the establishment of a statewide fund to assure proper closure of solid waste disposal facilities and post-closure maintenance.

SB 1896(Petris). Office of Administrative Law. (Stats. of 1984, Chapter 1115).  
Makes specified changes in the procedures governing the Office of Administrative Law's review of agency regulations.

#### HEALTH AND SAFETY CODE

AB 3566(Katz). Hazardous waste: surface impoundments. (Stats. of 1984, Chapter 1543).  
Divides all surface impoundments into two basic categories for the purposes of regulating them: those within 1/2 mile of a potential drinking water supply (as defined in the bill) and those outside the 1/2 mile zone. Those within the 1/2 mile zone are required to close as of June 30, 1988 unless the regional water board grants an exemption. Impoundments located outside the 1/2 mile zone are required by January 1, 1989, to have a double liner, a leachate collection system, and a ground water monitoring system in accord with the federal Resources Conservation and Recovery Act of 1976 and state and federal regulations on this subject, unless granted an exemption by a regional board.

Requirements of an exemption include evidence that there are no extremely hazardous wastes currently being discharged into the impoundment, business records indicate no extremely hazardous wastes have been discharged into the impoundment in the past, there has been no pollution or threatened pollution of water from hazardous wastes in the impoundment, the impoundment does not pose a significant potential of polluting, or threatening to pollute, the waters of the state, the impoundment meets the minimum requirements for leak prevention set forth in the bill, and for impoundments outside the 1/2 mile zone evidence that continuing operation of the impoundment without the mandatory retrofit requirements do not pose a significant potential to pollute or threaten to pollute the waters of the state.

The time frames set forth in the law are predicated upon the assumption that there will be no more than 300 exemption requests from the closure and retrofit sections of the bill. If there are more than 300 exemption applications, the time frames are to be adjusted to ensure a thorough analysis of each application. No later than January 1, 1987, the State Board is required to provide the Legislature with a report specifying the number of exemption applications which have been received and plans for implementing the program.

AB 3519(Areias). Hazardous waste: notification. (Stats. of 1984, Chapter 719).

Requires the State Water Board, Regional Water Board, and the Department of Health Services to notify the local health officials within 15 days after determining that a violation of law has taken place concerning disposal of hazardous wastes, or when the agency proposes to take specified enforcement or settlement actions. This law prohibits the inclusion of trade secrets in this information. If the information is being used in current or pending litigation, the local health officials cannot release it to the public.

AB 3447(Sher). Hazardous substances: underground storage. (Stats. of 1984, Chapter 1537).

Existing law (AB 1362 enacted as Chapter 1046, Statutes of 1983) created a permit system for underground tanks storing hazardous substances. Funding for state responsibilities was intended to be based on a fee charged to each tank owner. Due to a loophole in AB 1362, less than half the tanks are subject to the state fee. This legislation imposes the fee upon all tank owners. Additionally, this law allows local governments to impose civil penalties for violations of their local ordinances.

AB 3565(Sher). Hazardous substances: underground storage. (Stats. of 1984, Chapter 1038).

Makes a number of technical, non-controversial changes to the existing underground tank regulation law (Chapter 1046, Statutes of 1983):

- o Extends the deadline for installing monitoring systems for existing tanks by six months.
- o Extends the state surcharge provisions to cover all tanks, regardless of whether a locality has exempted itself from the state program, except those within Santa Clara County.
- o Includes the United States in the definition of persons subject to the requirements so that federal installations are subject to the law.
- o Exempts tanks with a capacity of less than 1100 gallons that store home heating fuel.
- o Requires separate applications for each underground storage tank to ensure a surcharge based on the actual number of tanks subject to the program.
- o Includes an in-line automatic leak detection and flow restriction device as leak detection monitoring requirement.

- o Extends the deadline when all tank owners must be in compliance from January 1, 1985 to July 1, 1985.
- o Extends the date that the Water Board is required to complete a study concerning the appropriateness of imposing the containment standards upon surface impoundments from January 1, 1985 to July 1, 1985.

AB 3781(Sher). Underground storage tanks. (Stats. of 1984, Chapter 1584).  
Makes substantive changes in the underground tank law program by defining "monitoring system" and "testing" to ensure uniform standards for those activities. Requires testing the tank for leaks prior to and after installation as a further measure to protect ground water from leaks. Makes additional clarifications in standards for tank design and construction, what constitutes a defective tank, tank liners, etc.

AB 4047(Waters). Hazardous waste: cleanup. (Stats. of 1984, Chapter 1546).  
Requires that any city, county or state agency owning land upon which toxic material has been disposed, notify the Department of Health Services and prepare a hazardous waste management plan for submittal to the department or a regional water quality control board.

AB 3121(Filante). Hazardous substance: cleanup authority. (Stats. of 1984, Chapter 1460).  
Creates the Hazardous Substance Cleanup Financing Authority, consisting of the Director of Finance, the Controller and the Treasurer, and would authorize the authority to issue up to \$100 million in revenue bonds, notes, etc. relating to cleanup of hazardous substances.

AB 3157(Bradley). Hazardous wastes: civil penalties. (Stats. of 1984, Chapter 1462).  
Requires the Department of Health Services, in developing and revising hazardous waste regulations, to insofar as practicable, conform to the federal regulations implementing the federal Resource Conservation and Recovery Act of 1976. However, nothing precludes DOHS from adopting more stringent regulations. Until DOHS receives final approval of its regulations from EPA to administer the state program, the federal regulations will be in effect in California. The law also adds civil penalties, not to exceed \$10,000 per day, for each violation of the Health and Safety Code governing hazardous waste disposal.

AB 3181(Johnston). Hazardous substances: cleanup liability. (Stats. of 1984, Chapter 1687). Urgency Measure.  
Creates the Hazardous Substance Cleanup Fund to be placed on the November 1984 ballot. If approved by the voters, it would authorize sale of \$100 million in general obligation bonds with proceeds to go into this fund. The Hazardous Substance Cleanup Fund would be used for remedial and removal actions for sites which have been identified on the annual priority ranking and for which a remedial action plan has been issued by the Department of Health Services or a regional water quality control board. This law would create a Hazardous Substance Cleanup Arbitration Panel to apportion liability of responsible persons for the cleanup costs at these sites, specifies the procedures for arbitration. Finally, the law would prohibit imposition of civil liability upon a person who has submitted to arbitration.

AB 3513(Killea). Hazardous waste facilities: fees. (Stats. of 1984, Chapter 960).

Requires the Department of Health Services, by regulation, to adopt a schedule of nonrefundable fees for the filing, reissuance, and continuance of a hazardous waste facilities permit and continuance of a grant of interim status, and to set the fees in an amount sufficient to pay, but not to exceed, the actual and reasonable costs of administering the permitting provisions. The law also sets ceilings for these fees: \$10,000 for a permit application; \$5,000 for permit reissuance; and \$1,000 for an annual permitor interim status continuance.

AB 3593(Davis, G). Hazardous waste. (Stats. of 1984, Chapter 1673).

Requires the Governor to establish a Hazardous Waste Enforcement Unit within the Department of Health Services and would require the department to establish a statewide Hazardous Waste Strike Force, consisting of representatives from specified agencies including the State Water Board, to establish a standardized enforcement program and a statewide 24-hour number available for hazardous waste violation information. This bill also makes changes in how the civil and criminal penalties collected and deposited in the Hazardous Waste Control Account are to be apportioned.

SB 1791(Greene, B). Hazardous substances: remedial action plans. (Stats. of 1984, Chapter 1696).

Requires the Department of Health Services or the appropriate regional water quality control board, subject to adoption of the Hazardous Substances Cleanup Bond Act of 1984 (AB 3181) on the November ballot, to provide notice to all affected parties by mail and posting the notice in the newspaper and in the affected area before adopting the remedial action plan. This bill also deletes the authority of the Hazardous Substance Cleanup Apportionment Panel to negotiate cleanup agreements, instead authorizing it to apportion liability for the costs of removal and remedial actions.

#### PUBLIC RESOURCES CODE

AB 2952(Elder). Coastal zone: treatment plants. (Stats. of 1984, Chapter 978).

Prohibits the California Coastal Commission from imposing special conditions on a public utility expanding the capacity of any sewage treatment plant which would serve a public or private institution of higher education, specifically the expansion of the waste treatment facility serving Pepperdine University.

SB 2077(Johnson). Environmental quality: Tahoe Basin. (Stats. of 1984, Chapter 928).

Provides that environmental impact statements prepared under the Tahoe Regional Planning Compact may be used to satisfy, in whole or in part, the requirements of the California Environmental Quality Act, rather than requiring a separate environmental document to be completed pursuant to the compact.

AB 2411(Lancaster). Environmental quality: environmental impact report: consultations. (Stats. of 1984, Chapter 637).

Amends CEQA to require state and local lead agencies involved in issuance of a permit, lease, or other entitlement to provide early consultation to project applicants to identify specified areas to be analyzed in depth in an environmental impact report. Establishes a fee to the applicant not to exceed the actual costs of the consultations.

AB 2527(Lancaster). Environmental quality: notice documents. (Stats. of 1984, Chapter 571).

Would require that notices of project approval or determination and notices of completion of an environmental impact report be filed with the Office of Planning and Research instead of the Secretary of the Resources Agency.

AB 2583(Goggin). Environmental quality: responsible agencies. (Stats. of 1984, Chapter 1514).

Makes specified changes in CEQA, primarily related to judicial review of environmental impact report findings.

AB 2897(Kelley). Environmental impact reports and negative declarations. (Stats. of 1984, Chapter 586).

Shortens the determination period in which a lead agency is required to determine whether an environmental impact report or negative declaration is required for a project from 45 days to 30 days after receipt of a completed application. This time frame could be extended 15 days with consent of the lead agency and the project applicant.

AB 3949(Harris). Environmental quality. (Stats. of 1984, Chapter 1438).

Makes a legislative declaration that it is the policy of the state that noncompliance with the requirements of CEQA may constitute a prejudicial abuse of discretion, regardless of whether a different outcome would have resulted in the absence of that noncompliance, and makes various procedural changes regarding petitions to attack or review the public agency's decision of noncompliance.

SB 682(Seymour). Environmental quality: environmental impact reports: duties of responsible agencies. (Stats. of 1984, Chapter 1357).

Requires a local agency, upon determination to carry out a project subject to the provisions of the California Environmental Quality Act, to file a notice of that determination with the county clerk(s) of the county(ies) where the project will be located within five working days after the determination is made and to keep the returned notice for nine months after posting.

SB 1971(Nielsen). Forest practice: timber harvesting plan. (Stats. of 1984, Chapter 738).

Changes from five to 15 days the time period in which the Director of Forestry must act on a timber harvest plan when the Board of Forestry finds that its regulations do not comply with the intent of the Z'berg-Nejedly Forest Practice Act of 1973.

SB 2041(Mello). Forest practices. (Stats. of 1984, Chapter 1297).

Makes changes in the procedures of the State Board of Forestry in dealing with accusations against a registered professional forester, and specifies mandatory information that must be included within a timber harvesting plan filed with and certified by a registered professional forester.

MISCELLANEOUS

AJR 102(Peace). New River pollution. (Stats. of 1984, Chapter R-133).

Memorializes the President and Congress to appropriately recognize and declare that a clear and present threat to public health and safety exists in the Imperial Valley as a direct consequence of continuing toxic contamination and organic pollution of the New River, originating in Mexico. It also requests the President and Congress to appropriate sufficient federal funding to complete an effective water quality control system for the New River.

SB 1625(Deddeh). Municipally owned utilities and City of Norco: privatization project. (Stats. of 1984, Chapter 1112).

Specifically permits the City of Norco to enter into a privatization project agreement. This agreement would allow a private corporation to provide sewage treatment services for the city. It also specifies that the privatization project is not a public utility subject to the jurisdiction of the Public Utility Commission. Another portion of the law specifically permits a municipal corporation to provide sewage treatment services.

SB 1948(Dills). Underground storage tanks. (Stats. of 1984, Chapter 1277).

Provides that agricultural products derived from sewage sludge shall not be regulated as a hazardous substance, but shall be regulated as fertilizing material under the relevant provisions of the Food and Agriculture Code.

SJR 38(Speraw). New River pollution. (Stats. of 1984, Chapter R-188).

Same as AJR 102.

VETOED LEGISLATION OF INTEREST TO BOARD

AB 3457(Isenberg) Water right fees.

Would have increased the permit application fees and created annual permit and license fees to be paid to the State Water Board so that water right holders would pay approximately 20 percent of the water rights appropriations program costs. The veto message stated that although some increase in fees was warranted, the Governor felt that the fees represented in this legislation were excessive.

AB 333(Sher). Water contamination.

Would have appropriated \$4.3 million to the Water Board and the Department of Health Services for additional staff and equipment for specified water quality and drinking water programs. The Governor's veto message stated that additional staff to implement drinking water standards was premature and that an evaluation of the extent of contamination should be completed first. He also felt that the 1984-85 State Budget provided ample staff and funding to the Water Board for toxic programs.

AB 3567(Costa). Groundwater management.

Would have authorized any local agencies authorized to provide water services to establish programs for the management of ground water resources and, subject to voter approval, to impose fees and assessments to raise revenue to finance ground water management within the boundaries of another local agency located outside the jurisdiction of the managing agency under specified circumstances. Governor Deukmejian's veto message stated that this measure would significantly limit the County of Inyo's ground water management authority over lands within the Owens Valley that are owned by the City of Los Angeles.

AB 2807(Campbell). Water hyacinth control.

Would have appropriated \$80,000 from the Harbors and Watercraft Revolving Fund to the Department of Boating and Waterways to conduct a water hyacinth control program through use of mechanical harvesting in specified areas of Contra Costa and San Joaquin Counties. The Governor felt that this legislation limited the Department of Boating and Waterways options for the Rock Slough and Old River locations by limiting hyacinth control to mechanical harvesting.

AB 3119(Tanner). Hazardous waste: management plans and facility siting procedures.

Would have required each county, by September 30, 1986, to adopt a county hazardous waste management plan pursuant to guidelines adopted by the Department of Health Services, and would have specified the procedures for the preparation, revision, and adoption of these plans. It also would have created, within the Hazardous Waste Control Account, the Hazardous Waste Management Planning Subaccount to pay for the costs of carrying out these provisions.

AB 3626(Areias). Groundwater recharge facilities financing.

Would have enacted the Groundwater Recharge Facilities Financing Act to authorize the Department of Water Resources to make grants to local public agencies involved with water management for feasibility studies of proposed ground water recharge projects and to make loans to carry out projects determined to be feasible.

SB 1942(Greene, B). Hazardous waste: fees and taxes.

Would have authorized the Department of Health Services to expend funds deposited in the Hazardous Waste Control Account, upon appropriation by the Legislature, to pay for the costs of training state and local emergency response fire and environmental health personnel in the handling and removal of hazardous waste and substances. The Governor felt that the use of the HWCA funds to train qualified personnel to respond to emergency hazardous materials situations was inappropriate and unnecessary.

SB 1166(Marks). Public financing: California Infrastructure Bond Authority.

Would have made changes in the authority a joint powers entity would have in issuing revenue bonds and in incurring other forms of indebtedness.

LEGISLATION OF INTEREST TO THE BOARD THAT FAILED PASSAGE BY THE LEGISLATURE

AB 3235(Goggin). Water quality: task force.

Would have created a 15-member task force headed by the chairperson of the State Water Board to assess specified water quality problems and to make annual reports to the Legislature providing detailed findings and recommendations concerning solutions to these problems. The task force would have existed for five years, with a final report to the Legislature by January 1, 1990.

AB 3901(Cortese). Underground storage tanks: high risk.

Would have required every person owning an underground container storing hazardous substances to provide the State Water Board with specified information concerning each such container, required the State Board to develop a list of tanks imposing high risk of leaking and required the operators to take specified actions concerning testing, monitoring and leak reporting.

AB 4010(Campbell). Water resources: Sacramento-San Joaquin Delta: herbicides and pesticides.

Would have specifically prohibited any person from directly applying any herbicide or pesticide to the waters of the Sacramento-San Joaquin Delta, unless the Secretary of the Resources Agency has authorized its application after public hearings and after consultation with the Departments of Fish and Game, Food and Agriculture and Health Services.

SB 1369(Ayala). Water facilities.

Would have, as centerpiece of the Governor's water package, required the Department of Water Resources to construct specified facilities to be part of the State Water Project. These facilities would have been subject to determinations between DWR and the Department of Fish and Game and would have been operated and financed as joint-use facilities with the federal government.

SB 2193(Dills). Groundwater protection plans.

Would have required any facility with the potential to contaminate ground water to have, in addition to a waste discharge permit, a ground water protection plan designed to minimize leaks, spills, and other unauthorized discharges.

SCA 16(Johnson). Water resources development.

Would have amended the Constitution so that no statute could change or delete the "area of origin" or the Delta Protection Act of the Water Code unless passed by a two-thirds vote of each house.

AB 2399(Alatorre). Office of Administrative Law: repeal of administrative regulations.

Would have required the Office of Administrative Law to file with the Governor, the Senate Committee on Rules, and the Speaker of the Assembly, on or before April 1, 1981, a master plan for review of state agency regulations and to establish specific dates by which state agencies shall complete a review of regulations they administer.

AB 2588(Tucker). Liability: hazardous substances.

Would have provided that a public entity or employee attempting to abate hazards reasonably believed to be an imminent peril to public health and safety caused by the discharge, spill, or presence of a hazardous substance, not be liable for an injury caused by any action taken, unless performed in bad faith or in a grossly negligent manner.

AB 2641(Roos). California Public Improvements Act.

Would have created the California Public Improvements Act, which would have authorized issuance of revenue bonds in the amount of \$1.5 billion to provide for the financing of an interconnected system of public improvements which includes city streets, county highways, public transit facilities, sewage collection and treatment facilities, local water treatments and distribution facilities, solid waste collection and disposal facilities, and drainage and flood control facilities.

SB 1500(Keene). Fish and wildlife habitat.

Would have allocated \$5 million annually from the State Water Project Construction Fund for fishery restoration projects and created a Fisheries Restoration Advisory Council consisting of seven members including the State Water Board, to advise the Department of Fish and Game on fishery restoration projects.

SB 1958(Nielsen). Environmental quality: environmental impact reports: duties of responsible agencies.

Would have established procedures for the use of tiered environmental impact reports by lead agencies.

SB 2038(Hart). Water contamination.

Would have established notification procedures for organic chemical contamination of drinking water.