

Memorandum

To : Division Chiefs and Above

Date : November 4, 1986



Rande Kanouse, Chief
Office of Legislative and Public Affairs

From : **STATE WATER RESOURCES CONTROL BOARD**

Subject: LEGISLATIVE SUMMARY FOR SECOND HALF OF 1985-86 SESSION

The 1985-86 Session of the Legislature has been completed and the Legislature will convene for the 1987-88 Session in January.

The attached summary identifies legislation enacted during the 1986 portion of the 1985-86 Session. It also summarizes bills which were either vetoed by the Governor or denied passage by the Legislature in 1986. The legislation is presented under the following categories:

- Agricultural Drainage
- Hazardous Waste
- Miscellaneous
- Reorganization
- Sewage Treatment
- Solid Waste Disposal Sites
- Surface Impoundments
- Underground Tanks
- Water Quality
- Water Rights and Supply

Within each category, legislation is separated in Enacted, Vetoed and Failed Passage sections. Bills in the Enacted section marked with an asterisk are urgency measures which became effective upon signature of the Governor. All other statutes take effect on January 1, 1987.

If you need further information concerning this legislation or need copies of the statutes or bills, please let me know.

Attachment

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AGRICULTURAL DRAINAGE

Enacted

AB 1982 (Costa) Ground water recharge and drainage projects: state bonds (Statutes of 1986, Chapter 6).

Enacts the Water Conservation and Water Quality Bond Law of 1986 to provide a \$75 million appropriation to the State Water Board for low interest loans to public agencies for agricultural drainage projects and an additional \$75 million to the Department of Water Resources for low interest loans to public agencies for water conservation and ground water recharge projects approved by the voters at the June 1986 election.

Vetoed

None

Failed Passage

AB 348 (Frizzelle) Water contamination.

Would have required the State Board to report to the Legislature by January 1, 1987 on the major sources of contamination in the San Joaquin River and for any other river that it deems to have a major contamination problem, and to coordinate with other specified departments in the development of water quality standards for the protection of various water uses from contamination.

AB 518 (Campbell) San Joaquin Valley Agricultural Drain.

Would have prohibited any discharge from the San Joaquin Valley Agricultural Drain to the San Joaquin-Sacramento Delta, Suisun Bay, Carquinez Straits, San Pablo Bay, San Francisco Bay or Morro Bay, or tributaries thereof, as well as to Monterey Bay and its tributaries. Would have prohibited any discharge from such a drain until specified conditions concerning treatment of the drain water have been met.

ACR 26 (Costa) Joint Committee on Drainage of Agricultural Lands.

Would have created in the Legislature the Joint Committee on Drainage of Agricultural Lands with specified membership, powers and duties. Would have authorized the joint committee to study various issues related to drainage of agricultural lands, including the impact of irrigation return flows on the beneficial use of state water and methods for draining salt and removing toxic substances from agricultural lands.

AJR 40 (Costa) Kesterson Reservoir: irrigation.

Would have memorialized the Secretary of the Interior, the President and Congress of the United States to continue the delivery of water to the affected 49,000 acres of farmland which would otherwise be taken out of production upon the closure of Kesterson Reservoir. In addition, would have requested them to take related actions concerning the cleanup of Kesterson and the development of irrigation practices, drainage alternatives, construction of evaporation ponds and the treatment of agricultural drainage water.

SB 233 (Maddy) San Luis Drain: task force.

Would have created a task force to undertake a comprehensive study concerning the location of the San Luis interceptor drain of the federal Central Valley Project and determine the most advantageous place for its terminus location.

SB 318 (Marks) Water quality: San Joaquin River.

Would have required the State Board to study the water quality of the San Joaquin River from Friant Dam to Vernalis and submit a report to the Legislature by January 30, 1987.

HAZARDOUS WASTE

Enacted

AB 2702 (La Follette) Hazardous substances: incident response training (Statutes of 1986, Chapter 1503).

Establishes the California Hazardous Substances Incident Response Training and Education Program within the Office of Emergency Services. The OES will (1) develop curriculum for training classes, (2) train and certify investors, (3) approve classes meeting the program's requirements and (4) certify students who have completed approved training. A representative from the State Water Board will sit on the curriculum development committee, which is composed of 23-members representing state, local and federal agencies and industry associations.

AB 2928 (Connelly) Hazardous waste: injection wells (Statutes of 1986, Chapter 1015).

Makes technical amendments to the Toxic Injection Well Control Act, including changes requested by the Department of Health Services, the Department of Conservation's Division of Oil and Gas and the State Water Board.

AB 2948 (Tanner) Hazardous waste: management plans and facility siting procedures (Statutes of 1986, Chapter 1504).

Creates a county hazardous waste management planning process patterned after existing general county planning procedures. Also creates procedures for the siting of all new hazardous waste treatment, storage and disposal facilities. Prohibits disposal of any untreated hazardous waste to a landfill after January 1, 1990.

AB 3750 (Cortese) Hazardous waste release sites: list of site locations (Statutes of 1986, Chapter 1048).

Requires the State Water Board to submit an annual list to the Office of Planning and Research containing hazardous substance release and enforcement information. The list will contain locations of the following: underground tank unauthorized releases, leaking solid waste disposal sites and sites receiving cleanup and abatement orders or cease and desist orders. These lists will be provided by OPR to cities and counties. Applicants for development projects will be required to consult these lists as part of the CEQA review process.

AB 4095 (Bradley) Hazardous substance liability: arbitration (Statutes of 1986, Chapter 321).

Existing law authorizes the Hazardous Substance Cleanup Arbitration Panel to apportion liability among responsible parties for the cleanup costs of hazardous substance releases specified in a remedial action plan. This measure allows either the Department of Health Services or a Regional Board to select one of the panel members. Additionally, it modifies prior law to allow Regional Boards to identify certain potentially responsible parties and petition the panel to modify an apportionment decision. It also provides for judicial review of a Regional Board decision to modify a remedial action plan.

SB 1500 (Roberti) Hazardous waste: restrictions on land disposal (Statutes of 1985, Chapter 1509).

Prohibits disposal of liquid hazardous wastes into hazardous waste landfills, except as specified, and requires the Department of Health Services to adopt criteria for the disposal of non-liquid hazardous wastes into landfills. Additionally prohibits, after May 8, 1990, the land disposal of any hazardous waste unless the waste is treated or is a solid waste generated from a cleanup action.

SB 1875 (Craven) Environmental quality assessments (Statutes of 1986, Chapter 1507).

Requires the Secretary of Environmental Affairs to adopt criteria and examination requirements for the voluntary registration of environmental assessors in consultation with the Department of Health Services, Air Resources Board, Division of Occupational Safety and Health and the State Water Board. After October 1, 1987, persons could apply for registration as an environmental assessor.

SB 1891 (Presley) Hazardous substances: removal and remedial action (Statutes of 1986, Chapter 1508).

Revises the criteria for ranking hazardous waste cleanup sites on the priority ranking list to include a minimum hazard threshold below which the site is not required to be listed. This is consistent with the ranking criteria used by the federal Superfund program. Sites which meet specified requirements concerning responsible parties will be exempt from the annual priority ranking publishing requirement. Also requires that DHS or the Regional Board consider, when determining the cost effectiveness of alternative remedial action measures in a remedial action plan, whether deferral of a remedial action will result in increased cost or a public health hazard.

SB 2424 (Torres) Hazardous waste enforcement (Statutes of 1986, Chapter 1187).

Revises the hazardous waste enforcement provisions of the Health and Safety Code and vests the Department of Health Services with essentially the same enforcement tools currently used by the Regional Boards to protect water quality. This enhances the enforcement capabilities of the Department by allowing for the issuance of cleanup orders prior to a hearing and giving DHS the power to impose civil liabilities administratively. Additionally, local prosecutors will be allowed to seek remedial action, civil or criminal penalties or injunctions against violators of hazardous waste laws.

Vetoed

AB 3504 (Hayden) Hazardous substances: releases.

Would have required any designated employee who obtains information revealing the unauthorized release or threatened release of a hazardous substance likely to cause substantial injury to public health or safety to inform the affected board of supervisors and local health officer within 10 days. The disclosure requirement would not apply if notification is prohibited by law, would harm an ongoing investigation or is already general public knowledge. Would have required the Department of Health Services to adopt regulations defining substantial injury to the public health and safety. Designated employees are those required to file yearly financial disclosure statements.

SB 1832 (Maddy) Waste discharges: state subventions.

Would have appropriated \$135,000 from the Hazardous Waste Control Account in the General Fund to Fresno County to fund monitoring of ground water at the Blue Hills Class I disposal site.

SB 2190 (Rosenthal) Ocean incineration of hazardous waste.

Would have required the Department of Health Services to coordinate an interagency study concerning the ocean incineration of hazardous wastes to identify further research needs and environmental safeguards. Would have required the Department to report its findings to the Governor and Legislature by July 1, 1988. Would have also required a coastal development permit to be obtained from the Coastal Commission prior to siting and operating any activities related to ocean incineration.

Failed Passage

AB 2041 (Tanner) Hazardous substance loan program: small businesses.

Would have established a low-interest loan program for small businesses to fund projects necessary to comply with the underground tank law and the Toxic Pits Cleanup Control Act. Loans could also have been used by responsible parties to cleanup hazardous substance release sites.

AB 2498 (Costa) Hazardous waste: disposal.

Would have stated legislative intent concerning used chemical containers and the need for creating statewide county facilities for the safe and efficient collection of such containers.

AB 2657 (Elder) Materials management training program.

Would have established, within the Department of Health Services, the Commission on Hazardous Materials Management Training with membership from 25 state and local agencies, including the State Water Board. Would have required the commission to develop a certification program for local and state officials concerning enforcement of hazardous waste laws.

AB 2705 (Molina) Hazardous waste facilities: closure.

Would have prohibited the Department of Health Services from approving a facility closure plan until the local air quality district, county and city have approved the closure report and a public hearing has been held. This measure would have allowed the above mentioned local agencies to approve a closure plan in disregard of existing Regional Board determinations or orders.

AB 2935 (Johnston) Hazardous material data: release sites.

Would have required the Department of Health Services to establish a pilot computer data base in two counties to collect and organize information on releases of hazardous waste. This information would have been available to public agencies or the general public upon request. It would have required the State and Regional Boards to provide specified information to the Department.

AB 3670 (Hayden) Hazardous substance: industrial establishment cleanup.

Would have enacted the Environmental Cleanup Responsibility Act to require owners and operators of industrial establishments to submit cleanup plans to the enforcement agency having jurisdiction over the industrial establishment whenever the property is closed, sold or transferred. The Regional Boards must occasionally issue an order concerning a condition of pollution caused by hazardous waste to a discharger who claims to have not known of the existing condition of pollution at the time the property was acquired.

AB 3721 (Katz) Hazardous waste loans: small businesses.

Would have established a low-interest loan program for small businesses to finance projects necessary to comply with the underground tank law and the Toxic Pits Cleanup Act.

AB 4096 (Bradley) Hazardous waste facilities: pretreatment.

Would have exempted specified hazardous waste generators participating in the federal Clean Water Act pretreatment program from the requirement that they obtain a hazardous waste facility permit from the Department of Health Services

SB 712 (Morgan) Hazardous waste: Toxics Control, Cleanup and Reduction Bond Act of 1986.

Would have enacted the Toxics Control, Cleanup and Reduction Bond Act of 1986 to provide for the issuance and sale of general obligation bonds in an amount not to exceed \$150 million. \$55 million of the bond sales would have been reserved for the cleanup of leaking underground storage tanks. Another \$10 million would have been used by the State Board to establish a low-interest loan program for small businesses to finance projects necessary to comply with the Toxic Pits Cleanup Act and the underground tank law.

SB 1376 (Morgan) Hazardous Substance Cleanup Act of 1986: bonds.

Would have enacted the Hazardous Substance Cleanup Bond Act of 1986, which would be subject to the same provisions as the Johnston-Filante Hazardous Substance Cleanup Bond Act of 1984 (California Superfund Program), except that it would have provided for the issuance and sale of general obligation bonds in an amount not to exceed \$200 million for remedial and removal actions at hazardous substance release sites and for site characterization.

SB 1451 (Torres) Toxic Cleanup Act of 1986: bonds.

Would have enacted the Toxic Cleanup Act of 1986 for the issuance and sale of general obligation bonds in an amount not to exceed \$200 million, subject to the same provisions as the Johnston-Filante Hazardous Substance Cleanup Bond Act of 1984 (California Superfund Program). Would have revised the formula used to determine the taxes imposed on the disposal of hazardous wastes, by prohibiting the maximum amount of these taxes which can be collected annually from exceeding the "revenue target" as defined.

SB 1959 (Roberti) Hazardous substances: information, education and training.

Would have required the Department of Health Services, in consultation with the State Board and other agencies, to develop public information, education and training plans as part of these agencies' regulatory programs for hazardous substances.

SB 2267 (Keene) Hazardous substances: remedial action plans.

Would have authorized a potentially responsible party to request the Department of Health Services or a Regional Board to prepare a remedial action plan for a site on the state Superfund Priority Ranking List. The Department or Regional Board would have been required to respond to such a request within 90 days of receipt. The bill would have also required the Regional Board to respond to a request to prepare a remedial action plan for an unlisted site.

SB 2317 (Roberti) Hazardous substances: above-ground storage tanks.

Would have created a program for registration of above-ground tanks containing hazardous substances. This measure was modeled in part after the registration program undertaken by the Board in 1984 for inventorying underground tanks.

SB 2423 (Torres) Hazardous waste facilities: compliance.

Would have required the Department of Health Services, State Air Resources Board and the Regional Water Boards, by December 31, 1986, to inspect all operating commercial hazardous waste land treatment facilities. Each agency would have been required to determine if a facility is in compliance with all applicable laws and regulations. By July 1, 1987 each agency would have been required to issue results of the inspection, including all violations. The facility would have been given until March 1, 1988 to comply with all applicable laws and regulations or cease operations.

SB 2500 (Keene) Hazardous waste disposal: residuals repositories.

After January 1, 1994, would have restricted any hazardous waste facility which is a landfill from accepting liquid wastes. Would have established legislative findings concerning the advisability of residual repositories. Would have required the Department of Health Services and the State Water Board to jointly revise existing regulations to allow residual repositories be sited and identify regions in the state most likely to meet siting criteria.

SCA 31 (Torres) Toxic substances: Toxic Bill of Rights.

Would have enacted the Toxic Bill of Rights to require public agencies which regulate use of toxic substances to interpret laws so as to maintain the existing air, water and land quality. Would have prohibited anyone from selling or offering for sale specified food or water if it contains a toxic substance above a specified level.

MISCELLANEOUS

Enacted

AB 3823 (Leonard) Regional agencies (Statutes of 1986, Chapter 758).

Codifies existing State Board policy requiring all Regional Board guidelines be approved by the State Board before becoming effective.

SB 2374 (Dills) Public contracts: use of securities. (Statutes of 1986, Chapter 1167).

Extends the January 1, 1987 sunset date to January 1, 1992 for existing law which permits public agency contractors to substitute securities for any money withheld by the public agency to ensure performance under the contract. Also establishes a uniform escrow agreement when substitution of securities is used. Makes permanent the provision which exempts projects funded by the federal Farmers Home Administration from the substitution of securities law. This legislation continues to help contractors participate in the Board's program for assisting local agencies, and construct sewage treatment facilities.

SB 2590 (Craven) State Boards and Commissions Statutes of 1986, Chapter 4652).

Specifies that the per diem salary of a member of a board or commission created by executive order or statute shall be \$100 per day unless a higher rate is provided by statute. This raises the per diem of Regional Water Board members from \$75 to \$100.

Vetoed

AB 3973 (Sher) Outer Continental Shelf Lands Act Revenues.

Would have specified that \$200,000 shall be appropriated annually to the State Water Board for monitoring and enforcement of water diversion permits. The appropriation would have taken effect only if over \$375 million was received by California from any federal Outer Continental Shelf Lands Act Revenues.

SB 2173 (Roberti) Public meetings.

Would have revised the Bagley-Keene Open Meeting Act to make all advisory bodies, regardless of size, subject to the open meetings law by deleting the three-person minimum requirement and specifically adding "task force." Would have required public bodies to provide notice of all meetings to the State Library which would maintain a State Meeting Calendar. Would have substantially narrowed the circumstances under which a state body may hold executive session to discuss litigation. Would have required the legal counsel of the state body to prepare a memorandum stating specific reasons and legal authority for the closed session.

Failed Passage

AB 1048 (Costa) Regional Water Quality Control Boards: membership: vacancies.

Would have provided that a member of a Regional Board who fails to attend at least one-half of all regular and special meetings and hearings of the Board in a calendar year automatically ceases to be a member of the Board on December 31st of that calendar year and the position would become vacant.

AB 1625 (N. Waters) Income tax: bank and corporation taxes; deductions; soil and water conservation.

Would have permitted taxpayers under both the Personal Income Tax Law and Bank and Corporation Tax Law to deduct 50 percent of expenditures (up to a \$3,000 deduction) in each tax year for projects to treat, move or cultivate land for soil and water conservation and erosion prevention. Would have required the projects be in designated sensitive areas as determined by the State and Regional Water Boards, the Coastal Commission and the Tahoe Regional Planning Agency.

AB 3621 (Johnston) Water: Regional Board budgets.

Would have required the annual budget prepared by the State Board to include a detailed plan of expenditures for each Regional Board. Before adopting a proposed budget for submission to the State Board, each region would have been required to assess its projected workload and hold at least one public hearing on the subject.

REORGANIZATION

Enacted

AB 650 (Tanner) Hazardous waste facilities: endangerment (Statutes of 1986, Chapter 1502).

As signed into law, requires the Director of the Department of Health Services to conduct a special hearing to determine whether the operation of an existing hazardous waste facility may present an imminent and substantial endangerment to the public or the environment. Specifically, a special hearing is required in cases where a hazardous waste management facility has been responsible for evacuations of surrounding areas.

An earlier version of AB 650 proposed an agency reorganization. It would have created the Department of Waste Management which would have been overseen by a 13-member commission. Also, would have transferred specified regulatory authority regarding hazardous waste and hazardous substances from the Department of Health Services, Waste Management Board, Air Resources Board, and State and Regional Boards to the newly created Department.

Vetoed

SB 1048 (Torres) Environmental Affairs Agency: Department of Waste Management.

Would have created the Department of Waste Management and transferred certain responsibilities relating to hazardous waste from the California Waste Management Board, the Department of Health Services and the State and Regional Water Control Boards to the Department of Waste Management. Would have abolished the California Waste Management Board. Would have created the Environmental Affairs Agency in state government and placed within the agency the State Air Resources Board, the State Water Resources Control Board and the nine Regional Boards and the Department of Waste Management.

Failed Passage

AB 22 (W. Brown) Health.

Would have transferred, on July 1, 1986, specified regulatory authority regarding hazardous waste and hazardous substances from the Department of Health Services to the State and Regional Water Boards. Would have created, on July 1, 1986, the Environmental Affairs Agency in state government and placed within the agency all environmental boards. Would have abolished the State Department of Health Services and transferred specified responsibilities to the Department of Public and Environmental Health and the Department of Medical Services, created by this bill.

AB 2408 (Filante) Hazardous waste; substances and waste; solid waste.

Would have transferred responsibility from the California Waste Management Board, the Department of Health Services, the State Water Board and the Regional Water Boards to a new Department of Waste Management. Would have also created a 13-member California Waste Commission with three regional commissions under the Waste Commission.

SEWAGE TREATMENT

Enacted

AB 1618 (Farr) Water Quality Control Fund loan: San Lorenzo Valley Water District (Statutes of 1986, Chapter 962).

Authorizes the State Water Board to loan, if it makes specified findings set forth in the legislation, the San Lorenzo Valley Water District up to \$1.5 million to repay debts associated with construction of a sewage treatment facility. Requires repayment of the loan under terms and conditions to be established by the State Board.

AB 3286 (Hauser) Wastewater construction loan: Humboldt Bay (Statutes of 1986, Chapter 1363).

Restructures an existing loan from the State Water Control Board to the Humboldt Bay Wastewater Authority by forgiving approximately \$144,705 in interest and delaying repayment of any of the remaining principal of \$455,047 until January 1, 1989.

SB 1802 (Presley) Wastewater treatment plants (Statutes of 1986, Chapter 649).

Corrects an inadvertent deletion made by 1985 legislation by restoring the requirement that operators of federal wastewater treatment facilities be certified by the State Water Board.

SB 1815 (Davis) State Water Quality Control Fund: interest rate (Statutes of 1986, Chapter 978).

Lowers the interest rate for "hardship" loans to communities from the State Water Quality Control Fund. These loans will be used for constructing water reclamation, water conservation and wastewater treatment projects.

Vetoed

AB 4309 (Peace) International Border Pollution Control Authority.

Would have created a new agency, the International Border Pollution Control Authority, to study sources of pollution from Mexico into the Tijuana, New and Alamo Rivers, prepare management strategies and undertake pollution control and cleanup. Would have established a 19-member board to operate the agency, comprised of 11 voting representatives of local governments, the Legislature and the public. Eight ex-officio, nonvoting members would represent Regional Water Boards, the Environmental Protection Agency and the International Boundary and Water Commission.

Failed Passage

AB 902 (Lancaster) Public facilities: local governments: privatization.

Would have authorized any city, county, city and county or special district to provide for the establishment of "privatization projects". Privatization is defined to mean the construction or operation of facilities or the provision of services by a private or public corporation or a natural person pursuant to a franchise, license or service agreement, as specified.

AB 1012 (W. Brown) Wastewater and toxics cleanup: international border.

Would have authorized, subject to voter approval, the sale of \$100 million in general obligation bonds to correct pollution problems associated with the New, Alamo and Tijuana Rivers in Mexico. Also, would have appropriated \$2 million from the General Fund, apart from the bond issue, to the State Board to conduct work in Imperial County related to Mexican pollution and to finance start-up costs on border control facilities.

AB 1287 (Hannigan) Conservation retrofit devices.

Would have required the installation of low-flow shower heads and water closet conservation devices when older properties are sold. It would have also created an exemption process for those local agencies which operate a wastewater treatment facility which may be impaired by the reduced flow caused by installation of such devices. The Regional Boards would have been required to hold public hearings to determine if a wastewater treatment facility would be so impaired.

AB 2908 (Ferguson) Residential development: water and sewer capacity.

Would have prohibited any city, county or special district from denying a residential development permit solely on the basis of insufficient water or sewerage capacity; except that the locality could deny the permit if it finds that the sewerage or water facilities are insufficient to serve the housing needs identified in the general plan and identifies mitigation measures to remedy the lack of capacity.

AB 3296 (Bader) Bond guarantees.

Would have authorized the State Board to provide a specified guarantee for all or part of a proposed local agency bond issue for wastewater treatment or reclamation facilities. Would have specified conditions and limitations applicable to any such guarantee. Identical to SB 126.

AB 3654 (Hayden) Water quality: ocean discharger.

Would have required the State and Regional Water Boards to require full secondary treatment of all municipal and industrial waste discharges into the ocean waters of Santa Monica Bay, San Pedro Bay and waters off the Palos Verdes Peninsula.

AB 3805 (Farr) Monterey Bay: sewage impact study.

Would have required the Central Coast Regional Water Board to conduct studies and investigate the cumulative impact of sewage disposal on the Monterey Bay ecosystem and to determine the potential impact of additional sewage outfall systems from the Gilroy-Morgan Hill area.

SB 126 (Garamendi) Bond guarantees.

Would have authorized the State Board to provide a specified guarantee for all or part of a proposed local agency bond issue for wastewater treatment or reclamation facilities. Would have specified conditions and limitations applicable to any such guarantee. Identical to AB 3296.

SB 228 (Garamendi) Infrastructure Commission.

Would have established a commission charged with preparing a plan to meet the state's infrastructure needs, and would have required the commission to report annually its recommendations for expenditures from the Special Fund for Infrastructure, which the bill would also have created.

SOLID WASTE DISPOSAL SITES

Enacted

AB 3088 (O'Connell) Solid waste disposal sites: assessment reports (Statutes of 1986, Chapter 971).

Shifts the deadline for submission of solid wastewater quality assessment reports (SWAT) to the Regional Boards back by six months by changing the due date from January 1st to July 1st. Regional Boards must now also consider other site-specific engineering data, along with SWATs, when revising waste discharge requirements for solid waste disposal sites.

AB 3374 (Calderon) Solid waste disposal sites (Statutes of 1986, Chapter 1055).

Shifts the deadline for submission of three reports to the Legislature (summarizing the extent of hazardous waste in solid waste disposal sites and their potential effect on water quality) back six months from January 1st to July 1st. This change has been made for consistency with the deadline shift in AB 3088. This measure also revises the air quality portions of this law, but leaves the water quality portions alone.

SB 1714 (Bergeson) Hazardous waste: shredder wastes (Statutes of 1986, Chapter 520).

Specifies that, although some Class III landfills have been designated by the Regional Boards as acceptable for the disposal of metal shredder wastes, the Class III landfill facility is not required to accept such wastes by virtue of this designation. Also allows operators of these Class III facilities to charge a disposal rate proportionate to the cost of modifying the landfill to meet water quality objectives.

SB 2427 (Foran) Hazardous waste: landfills.

Would have required the State and Regional Boards to consider topographical and climatological variations in annual precipitation when imposing construction and prescriptive standards for Class III landfills under Subchapter 15.

Vetoed

None

Failed Passage

AB 2233 (Rogers) Solid waste: standards.

Would have required the California Waste Management Board to formulate and adopt a state policy, including minimum comprehensive standards, for solid waste facilities by January 1, 1987 in consultation with specified boards, districts and departments. Also provided that the Waste Management Board would be the only state agency authorized to develop, adopt and maintain these standards. Would have repealed specified provisions of current law regarding the powers of certain state agencies with regards to solid waste matters.

SURFACE IMPOUNDMENTS

Enacted

AB 3121 (Katz) Toxics Pits Cleanup Control Act: technical changes (Statutes of 1986, Chapter 260).

Corrects a drafting error in the Toxic Pits Cleanup Control Act which referenced nonexistent regulations adopted by the United States Geological Survey.

AB 4325 (N. Waters) Toxic Pits Cleanup Act: partial exemption (Statutes of 1985, Chapter 1449).

Allows pesticide control operators and vector control districts which close their surface impoundments by January 1, 1988, to file for an exemption from the hydrogeological assessment report (HAR) requirements of the Toxic Pits Cleanup Act. In lieu of an HAR, these owners could instead submit a hydrogeological site assessment report (HSAR). The HSAR is essentially a "short form" version of the HAR which requires a less extensive hydrogeological analysis. Applications for exemption are due to the Regional Board by February 1, 1987, after which the Regional Boards have one year to analyze the HSAR to determine if leakage has occurred. If leakage has occurred, owners must complete an HAR within an additional six months.

Vetoed

None

Failed Passage

AB 2249 (Costa) Surface impoundment: restricted wastes.

Would have revised the specified information required of an owner of a surface impoundment that has been used to manage extremely hazardous wastes when requesting a Regional Board exemption from the June 30, 1988 closure requirement, and from the double-lining/leachate collection system/ground water monitoring system requirements.

AB 2515 (Sebastiani) Surface impoundment: restricted hazardous wastes.

Would have deleted the mining wastes exemption continued in the Toxic Pits Cleanup Act and would have instead authorized the Department of Health Services to grant a variance from specified requirements for a particular combination or category of restricted hazardous wastes if the Department determined that sufficient recycling or treatment capacity for that combination or category of wastes is not available in the state.

AB 3691 (Waters) Toxic Pits Cleanup Act: exemption.

Would have allowed the University of California to apply by July 1, 1987 to the Regional Board for an exemption from the hydrogeological assessment report, fee and discharge requirements of the Toxic Pits Cleanup Act. The University would have been required to maintain a monitoring plan for the ponds and in the event of contamination of a drinking water source, the exemptions provided under this bill would have been cancelled.

UNDERGROUND TANKS

Enacted

*AB 2920 (Sher) Underground Tank Program: state surcharge fees (Statutes of 1986, Chapter 1390).

Makes the following changes to the underground tank law: (1) places restrictions on local agencies to assure the collection and remittance of surcharge monies to the State Board; (2) requires the State Board to conduct a financial analysis of the Board's own data base system and the Statewide Environmental Evaluation and Planning System (SWEEPS) to choose the most cost-efficient system for administering the underground tank permit data base; (3) allows specified tank owners of motor vehicle fuel tanks to delay the installation of equipment required by an interim permit until January 1, 1989 and (4) also makes changes to strengthen the enforcement abilities of local governments and the state. This urgency measure became effective September 29, 1986.

AB 3570 (Clute) Underground storage tank: farm fuel exemption (Statutes of 1986, Chapter 935).

Restructures the exemption offered to underground tanks located on farms. Previous law exempted farm tanks used to propel motor vehicles from the requirements of the underground tank law regardless of tank size. Deletes the requirement that farm tanks must be used exclusively to propel vehicles so that farm equipment can also be eligible for exemption. However, farm tanks with a capacity of less than 1,100 gallons will now be exempt from the underground tank law. Farm tanks between 1,100 and 5,000 gallons will be subject to limited testing and monitoring requirements and farm tanks over 5,000 gallons capacity are subject to all requirements of the underground tank law.

SB 1818 (Morgan) Underground storage tanks: pressurized pipe exemptions (Statutes of 1986, Chapter 1025).

Makes pressurized motor vehicle fuel piping, previously exempt, subject to the requirements of the underground tank law. Secondary containment of all valves, connections, pumping units, fabricated assemblies and any associated metering and delivery systems connected to the pressurized pipelines is also required by this measure. Delivery hoses, vapor recovery hoses and nozzles situated above-ground are specifically exempted from the double-containment requirements.

The State Board must review tank regulations by July 1, 1987 and where appropriate, revise them by April 1, 1988 to prescribe performance standards for pipes connected to underground storage tanks. The Board is also directed to assess existing regulations relating to standards for the construction, design, installation and leak detection of pipes.

Vetoed

AB 853 (Sher) Underground storage tanks: cleanup authority.

Would have required the State and Regional Boards to assume responsibility for the cleanup of hazardous substance releases from underground tanks. Also, would have required the State Board to adopt regulations governing tank cleanup and to establish a procedure whereby local agencies could assume cleanup responsibility for minor leaks limited to soil contamination.

Failed Passage

AB 1764 (Bradley) Underground storage tanks: monitoring.

Would have authorized the operator of certain hazardous storage facilities to monitor an underground storage tank installed after January 1, 1984 by using the dipstick method, as defined.

AB 2029 (Bradley) Underground storage tanks: penalties.

Would have delayed the effective date for the imposition of civil and criminal penalties upon operators and owners of underground storage tanks containing hazardous substances who violate various provisions concerning the operation, monitoring and maintenance of these tanks until January 1, 1986 and stated legislative intent to bar the imposition of these penalties before that date.

AB 2031 (Bradley) Hazardous substances: underground tanks.

Would have required that monitoring system alternatives specified in State Water Board regulations for tanks storing motor vehicle fuels installed on or before January 1, 1984, contain a 7-year phase-in period for compliance with secondary containment standards.

AB 2032 (Bradley) Hazardous substances: underground storage tanks.

Would have created the Hazardous Substance Insurance Fund to continuously appropriate all money in the fund to the Department of Health Services for an insurance program for owners of underground storage tanks storing motor vehicle fuel.

AB 2473 (Wright) Underground storage tanks: detecting unauthorized releases.

Would have revised one of the alternative methods of monitoring motor vehicle fuel tanks to require daily inventory gauging (rather than daily gauging) and inventory reconciliation by the operator.

AB 2984 (Bradley) Income tax credit: underground tanks.

Would have allowed metal finishers to obtain tax credits to acquire equipment necessary to comply with the underground tank law.

AB 3663 (Vasconcellos) Santa Clara Valley Model Hazardous Substance Cleanup Program.

Would have appropriated \$1.15 million to the San Francisco Regional Water Board (Region 2) from the General Fund to be used to fund a contract with the Santa Clara Valley Water District. The contract would have given responsibility for supervising cleanup of leaking underground fuel tanks to the water district. Would have required the district upon completion of the contract to evaluate the success of the program and make recommendations concerning its application to other local jurisdictions.

SB 1853 (McCorquodale) Underground tanks: local agencies.

Identical bill to AB 2920. Allowed to die in the Legislature when AB 2920 was enacted.

SB 2273 (Robbins) Underground storage tanks: state owned tanks.

Would have specified the precise manner of appropriation for \$8.6 million from the Budget Act of 1986 to the Department of General Services for statewide underground storage tank compliance. Would have required \$2.6 million to be used for testing all state-owned tanks, drainage of leaking tanks and soil borings at leaking sites; \$370,000 for site investigations and \$5.2 million for cleanup of leaking tanks. Failure of this measure did not affect General Service's ability to use the \$8.6 million appropriation.

SCR 17 (Montoya) Underground tanks: motor vehicle fuels.

This concurrent resolution would have requested the State Board to repeal a specified section of its underground tank regulations concerning vacuum testing of underground tanks used to store motor vehicle fuels.

SR 13 (Montoya) Underground tanks: motor vehicle fuels.

This one-house resolution would have requested the State Board to repeal a specified section of its underground tank regulations concerning vacuum testing of underground tanks used to store motor vehicle fuels. (Identical to SCR 17).

WATER QUALITY

Enacted

AB 2631 (Costa) Fish and Wildlife Pollution Cleanup and Abatement Account (Statutes of 1986, Chapter 977).

Revises provisions governing the Fish and Wildlife Pollution Cleanup and Abatement Account in the Fish and Game Preservation Fund by placing any money received from the State Water Board from the State Water Pollution Cleanup and Abatement Account into the Fish and Game Abatement Account. Provides that any funds in excess of \$500,000 in the account as of June 30th of each year will be expended for projects to preserve California plants, wildlife and fisheries.

AB 3127 (Areias) Ground water quality: local water well ordinance (Statutes of 1986, Chapter 1152).

Requires the State Board, by September 1, 1989, to adopt a model water well, cathodic protection well and ground water monitoring well ordinance. Further requires local governments to adopt an ordinance protective of water quality that meets or exceeds the standards contained in DWR Bulletin 74-81, no later than January 15, 1990. If local agencies fail to adopt an ordinance by February 15, 1990, the State Board's model ordinance will take effect.

AB 3500 (Hayden) Water quality: California ocean plan. (Statutes of 1986, Chapter 1473).

Establishes legislative findings regarding the harmful effects of discharges to the ocean and the need to implement monitoring programs to determine compliance with water quality standards. Requires the State Water Board to formulate and adopt an ocean plan, and requires it to be reviewed at least every three years. Also adds an uncodified provision to law stating that, if the Board deems it appropriate, the Board will adopt a multispecies toxicity testing program using representative marine species to monitor complex ocean discharges.

AB 3506 (Hayden) Water quality enforcement (Statutes of 1986, Chapter 1479).

Adds the State Water Board, in addition to the Regional Boards, to the list of agencies which must be notified of a discharge of hazardous material to water. Requires the notified board to list all such reports in the minutes of the next business meeting and provide a copy of the minutes to the appropriate local health officials. Establishes, as interim reportable quantity levels for hazardous materials, standards adopted by the federal Environmental Protection Agency under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA).

ACR 121 (Harris) Aquatic Habitat Institute (Statutes of 1986, Resolution Chapter 109).

Encourages state agencies to develop a close working relationship with the San Francisco Bay Aquatic Habitat Institute, a non-profit organization. Recognizes the institute as the coordinator of research and long-term archives of data for the Bay, provided the institute maintains a board of directors representing diverse interests and secures necessary operating funds.

SB 186 (Garamendi) Water quality: research (Statutes of 1986, Chapter 1469).

Creates within the University of California a Water Quality Task Force to develop a research agenda to identify cost-effective methods for providing safe drinking water. Specifies membership shall include representatives from the State Water Board, Department of Health Services and municipal water districts. The task force, creation of which requires approval by the UC Board of Regents, must report to the Legislature by April 15, 1987.

SB 1745 (Bergeson) Water quality: New River and Alamo River (Statutes of 1986, Chapter 1468).

Appropriates \$150,000 from the General Fund to finance a work plan for abating pollution in the New and Alamo Rivers coming from Mexico. Directs the State Board to allocate these funds to the Colorado River Basin Regional Water Board (Region 7) for use in completing or entering into a contract with an outside firm to complete the plan.

SB 1817 (Morgan) Water wells (Statutes of 1986, Chapter 1373).

Defines monitoring well in statute and specifies requirements for well drillers to report drilling activities on a well drilling log. Also, restates an obligation found in previous law requiring the Regional Boards to adopt well standards for a locality which has failed to adopt well standards protective of water quality.

*SB 2562 (Presely) Vessels: marine sanitation (Statutes of 1986, Chapter 1119).

Revises existing law to require marine vessel terminals to provide vessel pumpout facilities in accordance with requirements imposed by Regional Water Boards. Areas designated as federal no discharge areas must be given priority. Subsequently, areas to be regulated shall be dependent on the funding level provided in the annual Budget Act.

Violations are subject to all penalties and remedies of the Porter-Cologne Water Quality Act, including the issuance of cleanup and abatement orders and imposition of administrative fines. Authorizes the Department of Boating and Waterways to issue loans to public and private marina owners for construction of pumpout facilities. Effective on September 24, 1986.

Vetoed

AB 3501 (Hayden) Marine pollution risk assessment.

Would have created a marine pollution risk assessment program in the Department of Health Services to determine the threat posed to human health from the consumption of contaminated marine fish. Would have required the Director of the Department of Health Services to submit an assessment plan to the Legislature and Governor by January 1, 1988.

SB 2319 (Roberti) Water quality: ground water protection.

Would have required the State Board, in cooperation with the Department of Water Resources, to develop a ground water strategy plan for the state. This measure would have required the State Board to expand the scope of the Board's current Ground Water Strategy planning activities to include certain issues not being examined as part of the Strategy.

Failed Passage

AB 859 (Sher) Water.

Would have provided that no public water system shall purvey water which contains any contaminant in a concentration greater than that established by the Department of Health Services action levels, unless the Department has adopted a maximum contaminant level which supersedes the action level. Would have provided that, effective January 1, 1986, all action levels established by the Department would become Interim Public Health Drinking Water Standards with applicable enforcement provisions.

AB 1161 (Vasconcellos) Water quality: enforcement.

Would have redefined "contamination" for the purposes of the Porter-Cologne Water Quality Control Act as an impairment of the quality of the waters of the state by waste to a degree which creates a hazard or potential hazard to public health.

AB 1432 (Rogers) Water wells: reports.

Under existing law, every person who digs, bores or drills a water well or cathodic protection well, or abandons, destroys or deepens any well, is required to file with the Department of Water Resources a specified report of completion of the well within 30 days after its destruction or alteration has been completed. This bill would have defined "person" for these purposes as the owner of a well regardless if the owner has a drilling contractor do the actual work.

AB 1724 (Hauser) Fish waste management.

Would have appropriated \$100,000 from the General Fund to the County of Mendocino to assist the county in alleviating a fish waste management crisis and to prepare a report, as specified, to be presented to the Legislature and the Governor by January 1, 1987.

AB 2095 (Areias) Safe drinking water grants.

Would have made a local agency ineligible for a grant under the California Safe Drinking Water Bond Law of 1984, unless the county or city where the agency is located has adopted a specified water well drilling and abandonment ordinance.

AB 2133 (Jones) Water standards.

Would have required the Department of Health Services to adopt primary drinking water standards specifying the maximum contaminant levels for all substances found in drinking water which may adversely affect human health. Would have required the Department to establish a list of all contaminants found in drinking water by January 1, 1987, and to have established primary drinking water standards for the 20 highest priority contaminants on the list by January 1, 1988.

AB 2228 (Sher) San Francisco Bay: protection.

Would have required the State Water Board to undertake a comprehensive review of all existing data on San Francisco Bay and identify any gaps in information. By December 1, 1989, the Board would have been required to adopt new standards to protect the reasonable and beneficial uses of the Bay including restoration of fish and wildlife and improvement in the quality of waste discharged into the Bay.

AB 2267 (Connelly) Tahoe Conservancy.

Would have authorized the California Tahoe Conservancy to make grants to public agencies and non-profit groups and to improve and develop acquired lands for reducing or minimizing soil erosion and discharge of sediment into the water of the Lake Tahoe region.

AB 2269 (Hayden) Coastal resources: Santa Monica Bay.

Would have created the Santa Monica Bay Development and Conservation Commission and included in its charge the preparation of a long-range plan for the protection, enhancement, development and use of Santa Monica Bay.

AB 2952 (Jones) Ground water quality: statewide plan.

Would have required the State Board to adopt a ground water protection strategy for the state. The measure would have codified an effort currently being pursued by the Board under its existing authority to develop a ground water strategy plan.

AB 3503 (Hayden) Ocean pollution research.

Would have established an Ocean Pollution Research Program within the State Water Board to assess the impact of and illegal discharges to the ocean.

AB 3598 (N. Waters) Water quality recreational resource: bonds.

Would have authorized the issuance of State General Obligation Bonds in the amount of \$600 million to finance a water quality and recreational resources enhancement program. The funds would have been available to finance the cost of constructing the Auburn Dam.

AB 4003 (Sher) Forest practices: timber resource plans.

Would have permitted a person who owns both timber and land within a timber production zone, whose land and timber are under the management of a professional forester, to file a timber resource production plan (TRPP) in lieu of the timber harvesting plan required by existing law. The TRPP would have been filed with the Department of Forestry and contained specified information. AB 4003 proposed an alternative planning process for timber harvesting to both SB 2394 and SB 2554.

AB 4155 (Killea) Water quality: San Diego Bay study.

Would have required the San Diego Regional Board (Region 9) to prepare a study of toxic pollution in San Diego Bay and report to the Legislature by January 1, 1983. Would have appropriated \$220,000 from the General Fund to be used for the study.

SB 1548 (Ayala) Water wells: well reports.

Would have made water well reports available as public information and required persons drilling monitoring wells to also file a well report with the Department of Water Resources.

SB 1663 (Rosenthal) Drinking water standards.

The Department of Health Services would have been required to consider specified objectives when adopting water policies, guidelines and regulations. Additionally, would have required the Department, when adopting final drinking water standards, to set standards as close to health-based levels as technically possible.

Sb 1734 (Morgan) Water wells: well reports.

Would have made water well reports available as public information. Also, would have allowed an authorized representative of the well owner to sign a well report.

SB 1861 (Marks) Water pollution: environmental mitigation.

Would have specified that up to 25 percent of the money paid into the Water Pollution Cleanup and Abatement Account as a result of enforcement actions taken within a region shall be available for expenditure by that region for costs of mitigation measures for non-quantifiable damages to resources. Would have provided that the money would be paid only if the Regional Board designated public and private entities as recipients of the money.

SB 1903 (McCorquodale) Water treatment: County of Santa Clara.

Would have appropriated \$2.5 million from the Advanced Drinking Water Treatment Fund to the State Water Board for allocation to the San Francisco Bay Regional Water Quality Control Board (Region 2). The Regional Board would have awarded the money to a public water supplier in Santa Clara County to fund a pilot water treatment program. Would have been appropriated only upon enactment of SB 1451 (Torres).

SB 2394 (Keene) Forest practices: timber harvesting plans.

Would have allowed professional foresters to submit timber resource production plans (TRPP) to the Department of Forestry in lieu of a timber harvesting plan. Essentially, this measure would have created an alternative review and approval process for harvesting plans allowing a forester to either choose the planning process in existing law or the alternative, and less protective, procedure proposed in this bill. Identical to SB 2554.

SB 2401 (Seymour) Pollution abatement: nonoperating industrial location.

Would have specified that the owner of property on which pollution exists shall not be liable for costs incurred by a public agency in abating the condition if the owner neither knew or should have known of the condition at the time of purchase. If the condition occurred after purchase, the owner would be liable to the extent of the owner's degree of responsibility.

SB 2554 (Keene) Forest practices: timber harvesting plans.

Identical bill to SB 2394. Would have allowed professional foresters to submit timber resource production plans (TRPP) to the Department of Forestry in lieu of a timber harvesting plan. Essentially, this measure would have created an alternative review and approval process for harvesting plans allowing a forester to either choose the planning process in existing law or the alternative, and less protective, procedure proposed in this bill.

SB 2612 (Carpenter) Water facilities.

Would have required the Department of Water Resources to construct specified facilities to be part of the State Water Project. Would have authorized these facilities to be operated and financed as joint-use facilities with the federal government.

Would have directed the State Water Board to adopt objectives for the protection of beneficial uses of San Francisco Bay and would have directed the Department to enter into contracts to provide mitigation of project impacts on Suisun Marsh.

WATER RIGHTS AND SUPPLY

Enacted

AB 1658 (Isenberg) Agricultural water management planning (Statutes of 1986, Chapter 954).

Requires an agricultural water supplier supplying more than 50,000 acre-feet of water annually directly to customers for agricultural purposes to prepare a prescribed information report and to prepare and adopt, in accordance with specified requirements, an agricultural water management plan.

AB 2010 (Isenberg) Central Valley Project: task force (Statutes of 1986, Chapter 1384).

Authorizes the Director of Water Resources to enter into negotiations with the U.S. Bureau of Reclamation for the state to own or operate part or all of the federal Central Valley Project.

AB 2746 (Katz) Water transfer: conveyance facility use (Statutes of 1986, Chapter 918).

Prohibits the state and any regional or local public agency from denying a bona fide transferor of water the use of a water conveyance facility which has unused capacity, up to 70 percent of the usual capacity. Specifies that any person with a long-term water service contract with the owner of the facility shall have the right to use the excess capacity prior to any other transferor. Requires any transferor to pay fair compensation for the use of the facility.

AB 2888 (Costa) water rights permits (Statutes of 1986, Chapter 670).

Allows the State Water Board to consider revocation of a water rights permit during an extension hearing if the permittee has not exercised due diligence in completing the project.

AB 3083 (Costa) Water: small hydroelectric projects (Statutes of 1986, Chapter 807).

Revises law added by Chapter 1272, Statutes of 1985 (AB 951 - Jones) by specifying that applicants for permits for small hydroelectric projects must demonstrate that project revenues will exceed project costs over the life of the project. Project costs include all mitigation measures, including bypass flows to protect instream use.

AB 3101 (Sher) Wild and Scenic Rivers (Statutes of 1986, Chapter 894).

Revises the California Wild and Scenic Rivers Act by designating portions of the Carson River, West Walker River, Leavitt Creek, McCloud River and Squaw Valley Creek as potential additions to the scenic rivers system, deleting obsolete references and prohibiting construction of a dam, reservoir, diversion or impoundment facility on these rivers and creeks until January 1, 1990.

AB 3427 (Kelley) Water rights: transfer (Statutes of 1986, Chapter 364)

Permits local and regional agencies to transfer surplus water indefinitely, rather than the existing seven-year limit, if mutually agreed upon by both parties.

AB 3722 (Costa) Water transfers (Statutes of 1986, Chapter 970).

Requires the Department of Water Resources to establish an ongoing program to facilitate the voluntary exchange or transfer of water. Requires DWR to maintain a list of entities involved in water management who could assist transfers and prepare a water transfer guide listing pertinent laws and resources for further information including resources useful in identifying potential third-party impacts and mitigation alternatives. Requires the Department to consult and coordinate its activities with interested state agencies and report to the Legislature by July 1, 1987 its recommendations regarding necessary changes in existing law and state policy to improve water management through voluntary transfers.

SB 1086 (Nielsen) Upper Sacramento River: fisheries and riparian habitat. (Statutes of 1986, Chapter 885).

Creates the Upper Sacramento River Fisheries and Riparian Habitat Advisory Council with broad representation of federal, state and local agencies and special interest groups, including the State Water Board. Requires the council to approve a plan, including an implementation program, to protect, restore and enhance fish and riparian habitat and associated wildlife. The plan must be submitted to the Legislature by January 1, 1989.

SB 1700 (Torres) Central Valley Project: entitlement transfers (Statutes of 1986, Chapter 124).

Requires the Director of the Department of Water Resources to continue negotiations with the Bureau of Reclamation concerning interim rights to water from the Central Valley Project for use by State Water Project contractors.

SB 1843 (Bergeson) Water rights: temporary permits: urgency changes (Statutes of 1986, Chapter 455).

Allows any person, whether or not an applicant, permittee or licensee, to apply for a temporary permit if the person can demonstrate an urgent need for the water and the water can be diverted without causing injury to any other lawful user. The Board must make specific findings regarding the need for the action and conclude that the request is necessary to ensure beneficial use of water to the fullest extent possible.

SCR 92 (Ayala) Ground water basins: state acquisition (Resolution Chapter 160).

The Department of Water Resources is requested to conduct appropriate technical, economic and environmental studies concerning the viability of a ground water basin prior to purchase by the state. It also requests that plans for conjunctive use of ground water basins with surface water supplies be based on sound criteria established prior to purchase.

Vetoed

AB 792 (Costa) Ground water management.

Would have authorized local agencies of specified ground water basins subject to critical conditions of overdraft, to establish, by ordinance or by resolution if not authorized to act by ordinance, programs for the management of ground water resources within the area in which that agency is authorized by law to provide water services.

Failed Passage

AB 15 (Stirling) Water facilities.

Would have directed the Department of Water Resources to proceed immediately to construct the Delta facilities of the State Water Project and would have expressly authorized those facilities to include an isolated canal to transport water through or around the Delta. Would also have provided for the operation of these facilities and for studies and adoption of water quality protection measures.

AB 459 (Bates) Water resources development: Delta Plan.

Would have placed restrictions on the activities of the State Board concerning water diversion in the Sacramento-San Joaquin Delta. Would have required the State Board to review and revise the San Francisco Bay water quality control plan. Would have imposed a ban until June 30, 1988 on the issuance of any new diversion permits from the Delta.

AB 568 (Peace) Water conservation: Imperial Valley.

Would have expressed legislative intent in enacting the provision in current law which expressly provides that no forfeiture, diminution or impairment to the right to use certain water conserved within the Imperial Irrigation District shall occur, except as specified.

AB 846 (Campbell) Water: small hydroelectric projects: wild trout water.

Would have prohibited the construction of small hydroelectric projects on designated wild trout waters, unless the project were approved by the Fish and Game Commission.

AB 1657 (Isenberg) Water resources: state facilities.

Would have included as additional facilities of the State Water Project, facilities for water conservation, water reclamation, wastewater reduction, conjunctive use of surface and ground water in specified areas and purchase of already developed water.

AB 1345 (Margolin) River recreational areas.

Would have provided for the establishment of river recreational areas, prohibited new construction of any hydroelectric or other water development project which would inundate or otherwise change the recreational character of any such designated area and would have designated a specified portion of the Mokelumne River as a river recreational area.

AB 2500 (Roos) Water: state project entitlements.

Would have required the Department of Water Resources to provide its written consent if the Metropolitan Water District requests, in writing, approval to sell any part of its share of project water that the district does not need.

AB 2810 (N. Waters) Water rights fees.

Would have limited to \$25,000 the maximum amount of the annual application fee charged water right applicants who delay by more than two years completing their application or who request delay in its consideration by the State Water Board.

AB 3351 (Isenberg) Office of Water Marketing.

Would have created in the Department of Water Resources an Office of Water Marketing. Would have charged the office with responsibility for encouraging, promoting and facilitating the transfer and exchange of water. Would have required the office to prepare a water marketing guide to help persons wishing to engage in such transfers.

AB 3428 (Kelley) Water rights.

Would have permitted the State Water Board to grant temporary diversions of water for up to one year. Existing law allows such diversion for only six months.

AB 3493 (N. Waters) Water rights fees.

Would have placed a \$100,000 ceiling on the amount which the State Water Board could charge as water right application and permit fees.

AB 3718 (Costa) Water projects: wildlife habit preservation and enhancement.

Would have authorized the Department of Water Resources to transport non-project water and surplus project water through State Water Project facilities for wildlife habitat preservation and enhancement purposes if this did not interfere with delivery of water for the State Water Project or the federal Central Valley Project. The cost of transporting this water would have been borne by the General Fund or by federal contributions.

ACA 16 (Bates) Water resources development.

Would have specified in the California Constitution that laws dealing with county and areas of origin, watershed protection, Delta protection and all provisions contained in AB 459 (Bates) could only be revised by the voters. The Legislature would have been permitted to amend these laws by a two-thirds vote if the changes did not reduce the existing protection for fish and wildlife.

SB 210 (Ayala) Water quality enhancement bonds.

Would have enacted the Water Quality Bond Act of 1986 which would authorize the issuance of bonds, pursuant to State General Obligation Bond Law provisions, in the amount of \$400,000 for purposes of purchasing rights to stored water from the federal Central Valley Project for purposes of meeting specified water quality standards.

SB 1908 (Ayala) Water facilities: water quality standards.

Would have specified that if the Director of the Department of Water Resources finds that the State Water Project cannot be operated in conformance with San Francisco Bay/Delta water quality standards, he must ask the Attorney General to bring suit to determine the standard's applicability to the project. Would have required the Director to operate the project so that water at the intake of the Contra Costa Canal meets or exceeds the standards of Water Right Decision 1485. Would have specified that if the Governor declares drought emergency conditions, however, this requirement is not applicable.

SB 2458 (L. Greene) Water facilities.

Would have prohibited the construction of water facilities within or upstream of the Sacramento-San Joaquin Delta to transport high quality water through the Delta in an isolated facility if the water would otherwise improve downstream water. Would have permitted such construction if the owner of the facility fully mitigated any adverse quality effects on water used by at least 100,000 people receiving water from the Delta or downstream from the intake.

SCA 17 (Nielsen) Water resources development.

Would have protected "areas of origin" provisions of the Water Code by requiring a two-thirds vote on any legislation directly or indirectly changing or deleting these provisions.