AGENDA
IRVINE RANCH WATER DISTRICT
WATER RESOURCES POLICY AND COMMUNICATIONS COMMITTEE
MONDAY, MAY 11, 2015

CALL TO ORDER 11:30 a.m., Committee Room, Second Floor, District Office
15600 Sand Canyon Avenue, Irvine, California

ATTENDANCE
Committee Chair: Mary Aileen Matheis _____
Member: Steve LaMar _____

ALSO PRESENT

Paul Cook	_____	Cheryl Clary	_____
Beth Beeman	_____	Patrick Sheilds	_____
Mark Tettemer	_____	Christine Compton	_____
Fiona Sanchez	_____	Amy McNulty	_____
Paul Weghorst	_____	Mike Hoolihan	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

COMMUNICATIONS

1. Notes: Weghorst
2. Public Comments
3. Determine the need to discuss and/or take action on item(s) introduced that came to the attention of the District subsequent to the agenda being posted.
4. Determine which items may be approved without discussion.

INFORMATION

5. UPDATE ON RECYCLED WATER CONVERSIONS – TETTEMER/WEGHORST

   Recommendation: Receive and file.

ACTION

6. ORANGE PARK ACRES TRANSITION TO THE IRVINE RANCH RATE AREA – CLARY/COOK

   Recommendation: That the Board authorize staff to issue courtesy adjustments to District customers, upon request, in Orange Park Acres for a period of three months beginning July 1, 2015, the effective date of their transition from the OPA Rate Area to the IRWD Rate Area, for water usage in excess of their basic allocations.

7. 2015 STATE LEGISLATIVE UPDATE – COMPTON/WEGHORST

   Recommendation: That the Board discuss SB 992 (2014)'s impact on homeowners who take steps to substantially reduce outdoor water use during the drought and provide input as to how the District should provide homeowners protection from HOA fines when they take steps requested by the District with regard to outdoor water use; and take a "SUPPORT" position on AB 1201 (Salas).

OTHER BUSINESS

8. A. Directors' Comments

   B. Adjourn

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Availability of agenda materials: Agenda exhibits and other writings that are disclosable public records distributed to all or a majority of the members of the above-named Committee in connection with a matter subject to discussion or consideration at an open meeting of the Committee are available for public inspection in the District's office, 15600 Sand Canyon Avenue, Irvine, California ("District Office"). If such writings are distributed to members of the Committee less than 72 hours prior to the meeting, they will be available from the District Secretary of the District Office at the same time as they are distributed to Committee Members, except that if such writings are distributed one hour prior to, or during, the meeting, they will be available at the entrance of the meeting room at the District Office.

The Irvine Ranch Water District Committee Room is wheelchair accessible. If you require any special disability-related accommodations (e.g., access to an amplified sound system, etc.), please contact the District Secretary at (949) 453-5300 during business hours at least seventy-two (72) hours prior to the scheduled meeting. This agenda can be obtained in an alternative format upon written request to the District Secretary at least seventy-two (72) hours prior to the scheduled meeting.

May 11, 2015
Prepared by: M. Tettemer
Submitted by: P. Weghorst
Approved by: Paul Cook

WATER RESOURCES POLICY AND COMMUNICATIONS COMMITTEE

UPDATE ON RECYCLED WATER CONVERSIONS

SUMMARY:

At the Committee meeting, staff will provide an update on recycled water conversion projects involving Royalty Carpet, the University of California, Irvine (UCI), the City of Irvine, the Irvine Company and the Orange County Fire Authority.

BACKGROUND:

Staff is pursuing numerous recycled water conversion projects. Following is an overview of ongoing conversion projects that are likely to be completed in the near future.

Royalty Carpet:

Royalty Carpet with the assistance of staff is working to convert its facility back to recycled water. Currently its carpet-dyeing process uses approximately 200 acre-feet (AF) of potable water on an annual basis. Staff has reviewed with Royalty recycled water quality sampling results from the Michelson Water Recycling Plant and from one of IRWD's field sample stations. As a result of this review, Royalty is convinced that the quality of the water will meet its requirements and it is taking action to facilitate the conversion.

To reintroduce recycled water into Royalty's facility, improvements will need to be made which include the construction of a new pipeline from the front to the back of Royalty's property. On April 15, representatives from the Metropolitan Water District of Southern California (MWD) toured Royalty's facility and answered Royalty's questions about MWD's On-Site Retrofit Pilot Project program. This program provides grant funds to help customers convert to the use of recycled water.

Royalty is currently in the process of hiring a consultant to develop a project schedule and to prepare design schematics. Two consulting firms have toured Royalty's facilities and are preparing competitive proposals. Royalty will contract directly with its preferred consultant and will be reimbursed by MWD through the On-site Retrofit Pilot Program.

UCI Cooling Towers:

Staff is working with UCI to study the use of recycled water in its Central Plant and Anteater Recreation Center cooling towers. Staff developed a Request for Proposal (RFP) for the study and is developing a list of qualified consultants with UCI. On April 29, staff conducted a tour of several recycled water use sites for UCI staff. The sites included in the tour were the Capital Group and two Irvine Company commercial buildings. The Capital Group uses recycled water for landscape irrigation, toilet/urinal flushing and in its cooling towers. The two Irvine Company commercial buildings use recycled water for toilet/urinal flushing. Staff is preparing to send the

RFP to the agreed-upon list of qualified consultants and will follow up with UCI in the selection process.

City of Irvine:

Staff recently met with City of Irvine to discuss the use of recycled water at approximately 35 medians and parkways throughout the City. Many of the sites identified have very low water use with over half using less than 0.5 AF annually. To help prioritize the work, City staff identified four high priority sites. Staff has determined that two of the four sites, which use approximately 4.0 AF annually, require some improvements to make recycled water available to the City. IRWD has agreed to pay for these improvements which will be performed by staff at an estimated cost of $15,000. Staff is exploring the costs and possible hydraulic constraints in the City's systems at the two other priority sites.

Street Sweeping:

Staff also met with the City of Irvine to discuss its use of recycled water for street sweeping consistent with Title 22 of the California Code of Regulations. Street sweepers typically fill their trucks with potable water from fire hydrants along their routes. A challenge with using recycled water for street sweeping is that there are no recycled water fire hydrants on the distribution system. The City has provided staff with a list of its preferred locations for recycled water fire hydrants. Staff is currently performing an evaluation of each site from an access and cost perspective and has initiated a dialog with the Regional Water Quality Control Board about conditions associated with the use of recycled water fire hydrants.

Construction Activities:

Construction contractors typically receive a temporary construction meter which they connect to a fire hydrant to fill their trucks with potable water for construction-related activities including grading and dust control. Staff is currently identifying locations in the City of Irvine where construction-related activities occur for possible placement of additional recycled water fire hydrants.

The Irvine Company:

Staff is in the early stages of design for the required improvements to convert the upper reach of the Irvine Lake Pipeline from untreated imported water to recycled water. The Irvine Company, a key IRWD customer currently served by the District from this reach of the Irvine Lake Pipeline, owns hundreds of acres of avocado orchards which would be converted to recycled water. To address the Irvine Company's concerns about using recycled water to irrigate its avocado orchards, staff is working with the Irvine Company and the California Avocado Commission (CAC).

The Avocado Commission has identified Blake Sanden, a qualified horticulturist who works for the University of California Cooperative Extension in Bakersfield, to determine potential impacts of irrigating avocados with recycled water and to identify ways to mitigate any impacts. Mr.

Sanden has agreed to review the information provided by the Irvine Company (e.g., plant tissue information, irrigation schedules, etc.) and IRWD (recycled water quality information). He will soon visit the Irvine Company's avocado orchards, some of which currently use recycled water. The estimated fee for Mr. Sanden's services is $20,000 which the Irvine Company and IRWD intend to cost-share. CAC has agreed to manage the project free of charge. The project is expected to be completed within the next three months.

The Irvine Company has also approached IRWD staff about the ability to serve recycled water for landscape irrigation at several multi-family residential sites. Staff is researching the location of the distribution system relative to these sites, site demands and the associated costs of providing recycled water service. This information will be used to assess the feasibility of converting the sites to the use of recycled water.

Orange County Fire Authority:

IRWD's facilities at Rattlesnake Reservoir include several buildings that house chemicals, pumps and other operational equipment. The fire suppression system in and around the buildings is currently supplied with water from the upper portion of Irvine Lake Pipeline which is currently delivering untreated water from MWD. With the expected conversion of this portion of the pipeline from imported water to recycled water, staff contacted the Orange County Fire Authority (OCFA) to request approval to use recycled water in the fire suppression systems including the inside of a building. OCFA has approved this use of recycled water; staff will send a letter to OCFA to document its approval.

Staff met with the Division of Drinking Water (formerly the State Department of Public Health) and the Orange County Health Care Agency to discuss this project which would include a dual-plumbed building. At the Committee meeting, staff will provide an oral update on the outcome of the meeting.

FISCAL IMPACTS:

None.

ENVIRONMENTAL COMPLIANCE:

Not applicable.

RECOMMENDATION:

Receive and file.

LIST OF EXHIBITS:

None.

May 11, 2015
Prepared by: Cheryl Clary CC
Submitted by: Cheryl Clary CC
Approved by: Paul Cook

WATER RESOURCES POLICY AND COMMUNICATIONS COMMITTEE

ORANGE PARK ACRES TRANSITION TO THE IRVINE RANCH RATE AREA

On June 30, 2015, the Orange Park Acres (OPA) Acquisition Balance will be retired and IRWD customers in OPA will transition from the OPA Rate Area to the IRWD Rate Area. Staff has determined an initial monthly water allocation for each customer in the OPA area and has been working with these customers to explain allocations and other aspects of the rate structure. In order to ensure a smooth transition for these customers onto the IRWD rates, staff recommends the Board authorize staff to issue courtesy adjustments to District customers, upon request, in the OPA area for a period of up to three months beginning July 1, 2015, for water usage in excess of their basic allocations.

BACKGROUND:

On June 1, 2008, IRWD consolidated with the former Orange Park Acres Mutual Water Company (OPAMWC). As part of the consolidation agreement, the former OPAMWC Board of Directors negotiated a number of significant improvements to its water infrastructure to bring the system up to contemporary standards, including replacement of the sub-standard 1929 steel pipe that had been utilized throughout the system. The system improvements were financed by IRWD, and customers in the OPA area paid for the improvements through a water rate differential (the difference between the water rate charged to the former customers of OPAMWC and the water rates charged in the Irvine Ranch Rate Area). The cost to construct these improvements was partially offset by assets of the former OPAMWC resulting in an Acquisition Balance. The Acquisition Balance will be retired by June 30, 2015, and as of July 1, 2015, customers in the OPA area will be transitioned to IRWD's allocation-based conservation rate structure.

Over the past few months, staff has been working with IRWD's customers in the OPA area to determine their allocations based on a reasonable amount of water needs and property characteristics. To set the allocations, IRWD assumes certain minimum standard values for different types of accounts. Allocations can be increased through a variance request if the need is greater than the basic standard allocation. Staff is continuing to work with customers throughout this transition period to ensure allocations are appropriate and to evaluate variance requests. Staff estimates the transition period to continue through September 2015.

Staff recommends that the Board authorize staff to issue courtesy adjustments, upon request, to customers in the OPA area for water usage in excess of their basic allocations, for a period of up to three months beginning July 1, 2015, the effective date of the transition.

As part of the capital improvements in IRWD's OPA water distribution system, the District replaced all water meters for its OPA customers. Based on the new rate structure, some customers may require a smaller meter. Staff will be working with these customers to determine if their meters should be replaced.

FISCAL IMPACTS:

Funding for any transition related to courtesy adjustments will come from the District's non-operating revenue, which is a non- ratepayer source of funds.

ENVIRONMENTAL COMPLIANCE:

None.

RECOMMENDATION:

That the Board authorize staff to issue courtesy adjustments to District customers, upon request, in Orange Park Acres for a period of up to three months beginning July 1, 2015, the effective date of their transition from the OPA Rate Area to the IRWD Rate Area, for water usage in excess of their basic allocations.

LIST OF EXHIBITS:

None.

May 11, 2015
Prepared by: C. Compton
Submitted by: P. Weghorst
Approved by: Paul Cook

WATER RESOURCES POLICY AND COMMUNICATIONS COMMITTEE

2015 STATE LEGISLATIVE UPDATE

SUMMARY:

This report provides an update on the 2015-2016 legislative session and IRWD priorities. As legislation develops, staff will provide updates and recommendations to the Water Resources Policy and Communications Committee and the Board, as appropriate.

Staff recommends that the Board consider the following actions/positions:

- Discuss SB 992 (2014)'s impact on homeowners who take steps to substantially reduce outdoor water use during the drought, and provide input as to how the District should provide homeowners protection from Home Owners' Association (HOA) fines when they take steps requested by the District with regard to outdoor water use; and
- AB 1201 (Salas, D-Bakersfield) – *Fish and Wildlife: Sacramento-San Joaquin Delta: Predation by Nonnative Species* — "SUPPORT".

BACKGROUND:

This year, the last day for policy committees to hear fiscal bills was May 1, while May 15 is the policy committee deadlines for non-fiscal bills. The last day for fiscal committees to hear and report to the floor any bills introduced in its house is May 29, 2015, and the house of origin deadline is June 5.

Any bill which does not meet the June 5 deadline and does not contain an urgency clause is now a two-year bill or dead. The next major legislative deadline is June 15, which is the constitutional deadline for passage of the budget.

A copy of the 2015 State Legislative Matrix is attached as Exhibit "A".

State Budget Update:

March Revenue Numbers:

On April 10, 2015, State Controller Betty Yee released her monthly report on the State's finances. She announced that the State took in $6.9 billion during the month of March. This amount was $547 million, or 8.6 percent, above budget estimates.

The increased revenues were due in large part to personal income tax receipts coming in $498 million higher than estimate in the Governor's January budget proposal. Additionally, corporate tax revenues came in $77 million higher than estimates while sale tax revenues came in $96 below estimates. Total General Fund revenues, as of the end of March, were $75 billion, or 2.1

percent, above estimates. The State General Fund cash deficit was $15.1 billion or $834 million less than estimates.

Safe Drinking Water Program Funding:

As part of the budget process the State Water Resources Control Board (SWRCB) has asked for an increase in the fees charged under the Safe Drinking Water Program and for changes in the how the fees are set. The Safe Drinking Water Program was previously operated by the Department of Public Health but is now being operated by the SWRCB's Division of Drinking Water given the transition of the Drinking Water Program to the SWRCB last July. The program ensures that small and large public water systems meet Safe Drinking Water Act standards.

The Health and Safety Code provides authority for this program and the fees set under it. Specifically, the Health and Safety Code requires that the program's fees be charged on a fee-for-service basis; be based on the actual cost incurred by the SWRCB; caps the total fees charged to large systems, which is defined as those serving 1,000 or more connections, based on a 5 percent annual escalation to Fiscal Year 2001-2002 expenditures of $7,000,000; caps annual increases in the fees at 5 percent; and requires that changes to the fee amount and its implementing regulations be made under the Administrative Procedures Act (APA).

The SWRCB has determined that the current fee schedule is not generating sufficient revenue to fund the program and has asked that the fee structure be changed. The SWRCB, through the budget process, has requested that the:

- Fees be increased to meet current program expenditures;
- Fee-for-service approach be abandoned and that the fees be based on a fee schedule;
- SWRCB be authorized to adopt the fee schedule by emergency regulation instead of the normal APA process; and
- Five percent cap on fee increases be removed.

The Association of California Water Agencies (ACWA) formed a work group to study the SWRCB's budget proposal. Staff participated on the work group which discussed the needs of the Safe Drinking Water Program and established an approach on the proposed fee changes to protect large water systems. ACWA confirmed that the program is currently under funded and that larger water systems are at risk of loosing the fee rate protections built into the Health and Safety Code.

With this risk in mind, ACWA has adopted the following approach to the SWRCB budget proposal:

- Retain existing provisions in state law which limit the activities the fees can cover;
- Retain existing provisions in state law which cap annual fee increases at 5 percent;
- Retain existing provisions in state law which require that the APA process be used for fee setting and do not use the emergency regulation process; and

- Reset the initial funding cap from a Fiscal Year 2001-2002 amount of $7,000,000 for large system operating and enforcement fees to a new initial funding cap from Fiscal Year 2015-2016 of $15,390,000.

Although ACWA's proposal would raise the fees paid by the District for the Safe Drinking Water Program for Fiscal Year 2015-2016, it retains the protections in existing law which have protected large water systems from larger fee increases overtime. Currently, the SWRCB's budget proposal has already been adopted by the Assembly Budget Committee and will be considered by the Senate Budget Committee - Subcommittee 2 on May 7. Staff will provide the Committee with an oral update on the subcommittee's actions on the budget proposal.

Attached as Exhibit "B" is a copy of the SWRCB's Budget Change Proposal and attached as Exhibit "C" is a copy of ACWA's alternative proposal.

Authorization of Local Agency Fining Authority:

As part of a budget trailer bill, Governor Brown will seek the enactment of legislation to help local officials better enforce conservation requirements in response to the drought. While specific language has yet to be released, the proposal will:

- Establish a new penalty of up to $10,000 per violation, expanding on the $500 per day maximum infraction established in last year's drought legislation;
- Allow penalties to be issued administratively by wholesale and retail water agencies, as well as city and county governments;
- Enable local agencies to enforce local water restrictions against water waste, as well as conservation restrictions established by the SWRCB; and
- Allow local agencies to deputize staff to issue water conservation-related warnings and citations.

Under the proposed legislation, any monetary penalties from enforcement penalties will be used for local conservation efforts.

Staff will continue to monitor this issue and will provide the Committee with an oral update on any new developments.

<u>Executive Order on 2030 Carbon Target and Adaptation:</u>

On April 29, Governor Brown issued Executive Order B 30-15 establishing a new interim statewide greenhouse gas emission reduction target for 2030. The Executive Order sets the new 2030 target at 40 percent below 1990 levels. The order also calls for state agencies to take a variety of actions related to the new target including:

- Incorporating climate change impacts into the State's *Five-Year Infrastructure Plan*;
- Updating the *Safeguarding California Plan*, the State climate adaption strategy, to identify how climate change will affect California infrastructure and industry, and what actions the State can take to reduce the risks posed by climate change;

- Factoring climate change into State agencies' planning and investment decisions; and
- Implementing measures under existing agency and departmental authority to reduce greenhouse gas emissions.

In addition to the Executive Order which is attached as Exhibit "D", the Governor released *Frequently Asked Questions About Executive Order B-30-15.* A copy of this document is attached as Exhibit "E".

Staff will monitor the implementation of the Governor Executive Order, its impact on a variety of 2015 legislative proposals and will provide updates the Committee as appropriate.

IRWD 2015 Legislative Priorities:

Legislative Clarification on Tiered Water Rates:

Since staff's April 27 presentation to the Board on the *Capistrano Taxpayers Association, Inc. v. City of San Juan Capistrano* and the Board's discussion regarding the need for legislative clarification on tiered water rates, staff has been working with the District's industry and association partners on seeking legislative clarification. Staff will provide the Committee with an oral update on those meetings.

Other 2015 Legislation:

Common Interest Developments and Drought Response:

The Davis-Stirling Common Interest Development Act provides for the creation and regulation of common interest developments (HOA). That act provides that any provision of an HOA's governing documents is void and unenforceable if it prohibits, or has the effect of prohibiting, the use of low water-using plants as a group or compliance with a local water-efficient landscape ordinance or water conservation measure. The act also deals with an HOA's ability to fine homeowners who reduce or eliminate watering of vegetation or lawns during a declared drought emergency. Specifically, it prohibits an HOA from fining a homeowner for eliminating outdoor watering during a declared drought emergency except where the HOA uses recycled water for landscape irrigation. This provision was placed into the act through SB 992 (2014) at the end of session last year and took effect January 1, 2015.

In order to meet the water reduction goals adopted by the SWRCB on May 5, many homeowners throughout the state will be asked to let their lawns go brown or let their vegetation die. Unless state law is changed, homeowners who take this action in response to the drought may be at risk for being fined by their HOA, if the HOA uses recycled water on its own properties. A copy of SB 992 (2014) is attached as Exhibit "F".

Staff will discuss this issue with the Committee and seek Committee input as to how the District can provide homeowners protection from HOA fines when they take steps requested by the District with regard to outdoor water use.

AB 1201 (Sala, D- Bakersfield)—Fish and Wildlife: Sacramento-San Joaquin Delta: Predation by Nonnative Species:

AB 1201 would require the California Department of Fish and Wildlife (DFW) to develop a science-based approach to address predation by nonnative species within the Sacramento- San Joaquin Delta. The bill would require DFW to implement the developed approach by June 30, 2016.

Predation is one of the stressors that has had a negative impact on the health of the Delta's ecosystem. It is appropriate for California to address predation within the Delta through a science-based approach. Such an approach is consistent with the co-equals of improved water supply reliability and protecting and enhancing the Delta ecosystem. Staff recommends that the Board adopt a "SUPPORT" position on AB 1201.

A copy of AB 1201 is attached as Exhibit "G"

FISCAL IMPACTS:

Not applicable.

ENVIRONMENTAL COMPLIANCE:

Not applicable.

RECOMMENDATION:

That the Board discuss SB 992 (2014)'s impact on homeowners who take steps to substantially reduce outdoor water use during the drought and provide input as to how the District should provide homeowners protection from HOA fines when they take steps requested by the District with regard to outdoor water use; and take a "SUPPORT" position on AB 1201 (Salas).

LIST OF EXHIBITS:

Exhibit "A" – 2015 IRWD Legislative Matrix
Exhibit "B" – SWRCB's Budget Change Proposal for Safe Drinking Water Program Fees
Exhibit "C" – ACWA's Alternative Proposal for Safe Drinking Water Program Fees
Exhibit "D" – Executive Order B-30-15
Exhibit "E" – *Frequently Asked Questions About Executive Order B-30-15*
Exhibit "F" – SB 992 (2014)
Exhibit "G" – AB 1201 (Salas), as amended

EXHIBIT "A"
IRWD 2015 LEGISLATIVE MATRIX
Updated May 6, 2015

Bill No. Author	Title	IRWD Position	Summary/Effects	Status	Notes
AB 1 Brown (D)	Drought: Local Governments: Fines		Prohibits a city, county, or city and county from imposing a fine under any local maintenance ordinance or other relevant ordinance for a failure to water a lawn or having a brown lawn during a period for which the Governor has issued a proclamation of a state of emergency based on drought conditions.	04/23/2015 - In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE.	
AB 2 Alejo (D)	Community Revitalization Authority		Authorizes certain local agencies to form a community revitalization authority with a community revitalization and investment area to carry out provisions of the Community Redevelopment Law in that area for infrastructure, affordable housing, and economic revitalization and to provide for the issuance of bonds serviced by tax increment revenues.	04/22/2015 - From ASSEMBLY Committee on LOCAL GOVERNMENT: Do pass to Committee on APPROPRIATIONS.	
AB 10 Gatto (D)	Political Reform Act of 1974: Disclosures		Requires the disclosure of certain behested payments. Increases the thresholds at which a public official has a disqualifying financial interest in sources of income in investments in business entities and in interests in real property. Revises the dollar amounts associated with the value ranges for reporting the value of economic interests. Requires certain public officials to disclose information relating to governmental decisions for which the public official had a disqualifying financial interest.	04/29/2015 - In ASSEMBLY Committee on APPROPRIATIONS: To Suspense File.	
AB 12 Cooley (D)	State Government: Administrative Regulations: Review		Requires each state agency after a noticed public hearing, to review the agency's regulations, identify any regulations that are duplicative, overlapping, inconsistent, or out of date, to revise those identified regulations, and report to the Legislature and Governor.	04/29/2015 - From ASSEMBLY Committee on ACCOUNTABILITY AND ADMINISTRATIVE REVIEW: Do pass to Committee on APPROPRIATIONS.	

Bill No. Author	Title	IRWD Position	Summary/Effects	Status	Notes
AB 14 Waldron (R)	Unmanned Aircraft Systems: Task Force		Creates the Unmanned Aircraft Systems Task Force to research, develop, and formulate a comprehensive policy for unmanned aircraft systems. Requires the task force to submit a policy draft and suggested legislation pertaining to unmanned aircraft systems.	04/13/2015 - In ASSEMBLY Committee on TRANSPORTATION: Failed passage.;04/13/2015 - In ASSEMBLY Committee on TRANSPORTATION: Reconsideration granted.	
AB 21 Perea (D)	Global Warming Solutions Act of 2006: Emissions Limit		Requires the State Air Resources Board to prepare and approve a scoping plan for achieving the maximum technologically feasible and cost-effective reductions in greenhouse gas emissions.	05/05/2015 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.	
AB 23 Patterson (R)	Global Warming Solutions Act of 2006: Compliance		Exempts categories of persons or entities that did not have a compliance obligation under a market-based compliance mechanism from being subject to that market-based compliance mechanism.	03/23/2015 - In ASSEMBLY Committee on NATURAL RESOURCES: Failed passage.;03/23/2015 - In ASSEMBLY Committee on NATURAL RESOURCES: Reconsideration granted.	
AB 33 Quirk (D)	Global Warming Solutions Act: Climate Council		Establishes the Climate Change Advisory Council. Requires the Council to develop an analysis of various strategies to achieve the statewide greenhouse gas emissions limit. Requires the State Air Resources Board to establish consistent metrics to accurately quantify reductions in greenhouse gas emissions, quantify public health benefits, and measure the cost-effectiveness of the various strategies identified by the Council.	04/27/2015 - From ASSEMBLY Committee on NATURAL RESOURCES: Do pass to Committee on APPROPRIATIONS.	

Bill No. Author	Title	IRWD Position	Summary/Effects	Status	Notes
AB 45 Mullin (D)	Household Hazardous Waste		Requires each jurisdiction providing for the residential collection and disposal of solid waste to increase the collection and diversion of household hazardous waste in its service area over the baseline. Provides the increase is to be determined in accordance with Department of Resources Recycling and Recovery regulations. Authorizes the adoption of a model ordinance for a comprehensive program for the collection of waste. Requires an annual report to the Department on progress in achieving compliance.	04/30/2015 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.	
AB 56 Quirk (D)	Unmanned Aircraft Systems		Prohibits the use of unmanned aircraft systems by public agencies or the contracting therefor. Exempts law enforcement agencies. Requires public notice by agencies when intending to deploy such system. Provides the time frame for destruction of images and data collected. Prohibits public dissemination of images and data. Prohibits arming. Relates to surveillance restrictions. Applies to private entities contracting with agencies. Relates to data and images subject to disclosure. Requires public comment.	04/30/2015 - From ASSEMBLY Committee on PRIVACY AND CONSUMER PROTECTION: Do pass to Assembly Committee on APPROPRIATIONS.	
AB 78 Mathis (R)	Groundwater Basins		Makes technical nonsubstantive changes to existing law that requires the Department of Water Resources to categorize each basin or subbasin as high-, medium-, low-, or very low priority and to establish ground water the initial priority for each basin.	01/05/2015 - INTRODUCED.	
AB 88 Gomez (D)	Sales and Use Taxes: Exemption: Home Appliances		Exempts from the sales and use tax laws the gross receipts from the sale of, and the storage, use, or other consumption in this state of, an energy or water efficient home appliance purchased by a public utility that is provided at no cost to a low-income participant in a federal, state, or ratepayer-funded energy efficiency program for use by that low-income participant in the energy efficiency program.	04/20/2015 - In ASSEMBLY Committee on REVENUE AND TAXATION: To Suspense File.	
AB 149 Chavez (R)	Urban Water Management Plans	Support	Requires each urban water supplier to update and submit a urban water management plan for a specified year to the State Department of Water Resources by a specified date. Requires the Department to submit its urban water management plan report for a specified year to the Legislature by a specified date.	05/04/2015 - In ASSEMBLY. Ordered to Consent Calendar.	
AB 156 Perea (D)	Greenhouse Gas Reduction Fund: Technical Assistance		Requires the State Air Resources Board to establish a comprehensive technical assistance program, upon the appropriation of moneys from the Greenhouse Gas Reduction Fund, for eligible applicants assisting disadvantaged communities and other specified communities. Requires the Department of Finance to include in a multi-year	04/29/2015 - In ASSEMBLY Committee on APPROPRIATIONS: To Suspense File.	

Bill No. Author	Title	IRWD Position	Summary/Effects	Status	Notes
			investment plan, an allocation to the State Board for the assistance program.		
AB 219 Daly (D)	Public Works: Concrete Delivery		Expands the definition of public works for purposes of requirements regarding the payment of prevailing wages for public works projects to include the delivery of ready-mixed or asphaltic concrete with respect to contracts involving any State agency or any political subdivision of the State.	04/29/2015 - In ASSEMBLY Committee on APPROPRIATIONS: To Suspense File.	
AB 243 Wood (D)	Medical Marijuana Cultivation		Requires a permit to cultivate medical marijuana. Provides limitations as to where such product may be grown. Requires indoor and outdoor medical marijuana cultivation to be conducted in accordance with state and local laws and best practices related to land conversion, grading, electricity usage, water usage, agricultural discharges, and similar matters. Requires each regional water quality control board to address discharges of waste resulting from medical marijuana cultivation and associated activities.	04/28/2015 - From ASSEMBLY Committee on ENVIRONMENTAL SAFETY AND TOXIC MATERIALS: Do pass to Committee on APPROPRIATIONS.	
AB 259 Dababneh (D)	Personal Information Privacy		Requires an agency, if the agency was the source of the breach and the breach compromised a person's social security number, driver's license number, or California identification card number, to offer to provide the person with identity theft prevention and mitigation services at no cost for not less than 12 months.	03/25/2015 - In ASSEMBLY Committee on APPROPRIATIONS: To Suspense File.	
AB 291 Medina (D)	Environmental Quality Act: Local Agencies: Water		Authorizes a local agency, for certain water projects, to file the notice with the county clerk of the county in which the local agency's principal office is located in and with the Office of Planning and Research and to mail a copy of the notice to the county clerk of the counties in which the project is located. Requires the notices to be available to for public inspection.	04/30/2015 - In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE.	
AB 307 Mathis (R)	Graywater: Groundwater Recharge		States the intent of the Legislature to enact legislation to explicitly permit the usage of residential, commercial, and industrial graywater for the recharge of a groundwater basin or aquifer.	02/12/2015 - INTRODUCED.	
AB 308 Mathis (R)	Graywater: Agricultural Use		States the intent of the Legislature to enact legislation to explicitly permit incorporated and unincorporated communities to sell graywater for agricultural purposes and agriculture to use graywater for agricultural purposes.	02/12/2015 - INTRODUCED.	
AB 311 Gallagher (R)	Environmental Quality: Water Quality and Supply		Requires the public agency, in certifying the environmental impact report and in granting approvals for specified water storage projects	04/29/2015 - From ASSEMBLY	

Bill No. Author	Title	IRWD Position	Summary/Effects	Status	Notes
			funded, in whole or in part, by Proposition 1, to comply with specified procedures. Requires the Judicial Council to adopt a rule of court to establish procedures applicable to actions or proceedings seeking judicial review of an agency's action in certifying the environmental impact report and in granting project approval. Relates to court staying of the projects.	Committee on NATURAL RESOURCES without further action pursuant to JR 62(a).	
AB 327 Gordon (D)	Public Works: Volunteers		Extends the provisions of existing law that governing public works does not apply to specified work performed by a volunteer, a volunteer coordinator, or a member of the California Conservation corps or a community conservation corps.	04/30/2015 - From ASSEMBLY Committee on LABOR AND EMPLOYMENT with author's amendments.;04/30/2015 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on LABOR AND EMPLOYMENT.	
AB 335 Patterson (R)	Air Quality: Minor Violations		Requires the State Air Resources Board and air pollution control and air quality management districts to adopt regulations classifying minor violations. Requires a representative of those agencies to issue a notice to comply. Requires the State Air Resources Board to report to the Legislature regarding implementation of these provisions. Exempts such districts from these provisions if the districts have a similar program in effect as of a specified date.	04/13/2015 - In ASSEMBLY Committee on NATURAL RESOURCES: Failed passage.	
AB 341 Achadjian (R)	Financial Affairs: Reports		Amends existing law that requires the officer of each local agency, who has charge of the financial records of the local agency, to furnish to the Controller a report of all the financial transactions of the local agency during the preceding fiscal year. Requires the report to contain underlying data from audited financial statements if this data is available.	05/05/2015 - From ASSEMBLY Committee on LOCAL GOVERNMENT with author's amendments.;05/05/2015 - In ASSEMBLY. Read second time and	

Bill No. Author	Title	IRWD Position	Summary/Effects	Status	Notes
				amended. Re-referred to Committee on LOCAL GOVERNMENT.	
AB 349 Gonzalez (D)	Common Interest Developments: Property Use		Amends the Davis-Stirling Common Interest Development Act. Makes void and unenforceable any provision of the governing documents or architectural or landscaping guidelines or policies that prohibits the use of low water-using landscapes that require not more than a specified amount of water.	05/05/2015 - From ASSEMBLY Committee on HOUSING AND COMMUNITY DEVELOPMENT with author's amendments.;05/05/2015 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on HOUSING AND COMMUNITY DEVELOPMENT.	
AB 356 Williams (D)	Oil and Gas: Groundwater Monitoring		Authorizes the State Oil and Gas Supervisor to require a well operator to implement a monitoring program for below ground oil production tanks and facilities, and disposal and injection wells. Requires the annual review of underground injection or disposal projects that use Class II wells. Requires the submission of a related groundwater monitoring plan. Requires submission of certain data for inclusion in the State's geotracker database. Provides procedures for an aquifer exemption.	05/05/2015 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.	
AB 401 Dodd (D)	Low-Income Water Rate Assistance Program		Requires the Department of Community Services and Development to develop a plan for the funding and implementation of the Low-Income Water Rate Assistance Program, which would include specified elements. Requires the Department to report to the Legislature on its findings regarding the feasibility, financial stability, and desired structure of the program.	04/15/2015 - In ASSEMBLY Committee on APPROPRIATIONS: To Suspense File.	
AB 402 Dodd (D)	Local Agency Services: Contracts		Allows a local agency formation commission to authorize a city or district to provide new or extended services outside its jurisdictional boundaries to support existing or planned uses involving public or	05/05/2015 - From ASSEMBLY Committee on	

Bill No. Author	Title	IRWD Position	Summary/Effects	Status	Notes
			private properties, subject to approval at a publicly noticed hearing where the commission makes specified determinations. Authorizes the commission to delegate to its executive officer review and approval of requests to provide new or extended services outside a city or district's boundary.	LOCAL GOVERNMENT with author's amendments.;05/05/2015 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on LOCAL GOVERNMENT.	
AB 434 Garcia E (D)	Drinking Water: Point-of-Entry: Point-of-Use Treatment		Requires the State Water Resources Control Board to adopt regulations governing the use of point-of-entry and point-of-use treatment by a public water system in lieu of centralized treatment where it can be demonstrated that centralized treatment is not immediately economically feasible. Provides limitations. Prohibits the use of point-of-entry treatment absent a Board determination of no community opposition. Deletes the limitation on permit duration.	04/30/2015 - In ASSEMBLY. Read third time, urgency clause adopted. Passed ASSEMBLY. *****To SENATE.	
AB 452 Bigelow (R)	Water Rights Fund: Groundwater Regulation		Amends existing law that establishes groundwater reporting requirements for a person extracting groundwater in an area within a basin that is not within the management area of a groundwater sustainability agency or that is a probationary basin. Prohibits water rights fees from being available for expenditure by the Water Resources Control Board for the purposes of Board enforcement of the provisions of the Sustainable Groundwater Management Act and the groundwater reporting requirements.	04/28/2015 - In ASSEMBLY Committee on WATER, PARKS AND WILDLIFE: Not heard.	
AB 453 Bigelow (R)	Groundwater Management		Authorizes, until a groundwater sustainability plan is adopted, a local agency to amend an existing groundwater management plan in furtherance of, and consistent with, the groundwater management plan's objectives.	04/16/2015 - In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE.	
AB 454 Bigelow (R)	Sustainable Groundwater Management		Relates to groundwater basins. Requires a high- or medium-priority basin that is not subject to critical conditions of overdraft to be managed under a groundwater sustainability plan or coordinated groundwater sustainability plan. Provides for the designation of basins as probationary basins.	04/14/2015 - From ASSEMBLY Committee on WATER, PARKS AND WILDLIFE: Do pass to	

Bill No. Author	Title	IRWD Position	Summary/Effects	Status	Notes
				Committee on APPROPRIATIONS.	
AB 455 Bigelow (R)	Groundwater Sustainability Plans		Amends the California Environmental Quality Act. Requires the Judicial Council to adopt a rule of court to establish procedures applicable to actions or proceedings brought to attack, review, set aside, void, or annul the certification of an environmental impact report for certain projects covered by a groundwater sustainability plan. Prohibits the court from staying or enjoying the construction or operation of the project unless the court makes a certain finding.	04/14/2015 - In ASSEMBLY Committee on WATER, PARKS AND WILDLIFE: Not heard.	
AB 472 Harper (R)	Public Works: Prevailing Wage: Volunteers		Makes a nonsubstantive, technical change by deleting an obsolete provision in existing law that generally requires the payment of not less than the prevailing rate of per diem wages for work of a similar character in the locality in which the public work is performed by workers employed on public works projects, except work performed by a volunteer, a volunteer coordinator, or member of the State Conservation Corps, or a community conservation corps.	02/23/2015 - INTRODUCED.	
AB 478 Harper (R)	Desalination		Makes a nonsubstantive change to the Cobey-Porter Saline Water Conversion Law that states the policy of this state that desalination projects developed by or for public water entities be given the same opportunities for state assistance and funding as other water supply and reliability projects, and that desalination be consistent with all applicable environmental protection policies in the state.	02/23/2015 - INTRODUCED.	
AB 501 Levine (D)	Resources: Delta Research		Relates to the Sacramento-San Joaquin Delta Reform Act of 2009. Requires a person conducting State-funded Delta Research to take specified actions with regard to the sharing of the primary data, samples, physical collections, and other supporting materials created or gathered in the course of that research. Relates to ineligibility. Authorizes the Delta Independent Science Board to adopt guidelines. Suspends State funding for improper reporting. Provides research property rights remain with the researcher.	04/29/2015 - In ASSEMBLY Committee on APPROPRIATIONS: To Suspense File.	
AB 537 Allen T (R)	Public Employees' Benefits		Prohibits a public agency, state employer, employee organization, or public employee from entering into a memorandum of understanding that provides postemployment health care benefits without a strategy for permanently prefunding members' postemployment healthcare benefits.	03/05/2015 - To ASSEMBLY Committee on PUBLIC EMPLOYEES, RETIREMENT AND SOCIAL	

Bill No. Author	Title	IRWD Position	Summary/Effects	Status	Notes
				SECURITY.	
AB 577 Bonilla (D)	Biomethane: Grant Program		Requires the State Air Resources Board to allocate an unspecified percentage of the moneys in the Greenhouse Gas Reduction Fund to the State Energy Resources Conservation and Development Commission for the implementation of a biomethane collection and purification grant program. Requires the Commission to develop and implement the grant program to award moneys for projects that build or develop collection, purification technology, infrastructure, and projects that upgrade existing facilities.	05/05/2015 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.	
AB 585 Melendez (R)	Outdoor Water Efficiency: Personal Income Tax Credits		Relates to the Outdoor Water Efficiency Act. Allows a credit, under the Personal Income Tax Law, for a specified percentage of the amount paid or incurred by a qualified taxpayer for water-efficiency improvements made to outdoor landscapes on real property in the State.	05/04/2015 - In ASSEMBLY Committee on REVENUE AND TAXATION: To Suspense File.	
AB 590 Dahle (R)	Greenhouse Gas Reduction Fund		Creates the Biomass State Cost Share Account within the Greenhouse Gas Reduction Fund. Provides that moneys in the account would be available for expenditure by the State Energy Resources Conservation and Development Commission for the purposes of maintaining the current level of biomass power generation in the State and revitalizing currently idle facilities in strategically located regions. Establishes requirements for an applicant to receive funding for a facility's eligible electrical generation.	05/04/2015 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.	
AB 603 Salas (D)	Income Taxes: Turf Removal Tax Credit		Allows a credit under the Personal Income Tax and the Corporation Tax Laws to a taxpayer participating in a lawn replacement program.	04/13/2015 - In ASSEMBLY Committee on REVENUE AND TAXATION: To Suspense File.	
AB 606 Levine (D)	Water Conservation		Requires the Department of General Services, when the Department replaces landscaping and irrigation on public property or when new property is added to the Department's inventory, to reduce water consumption and increase water efficiencies for that property through replacement of landscaping, irrigation timers, or spray sprinkler heads, implementation of recycled water irrigation, or any combination thereof.	04/29/2015 - From ASSEMBLY Committee on ACCOUNTABILITY AND ADMINISTRATIVE REVIEW: Do pass	

Bill No. Author	Title	IRWD Position	Summary/Effects	Status	Notes
				to Committee on APPROPRIATIONS.	
AB 617 Perea (D)	Groundwater		Authorizes a minimum combination of local agency and mutual water companies to enter into an agreement to form a groundwater sustainability agency. Authorizes such agency to enter into agreements and funding with private parties that assist in or facilitate the implementation of groundwater sustainability plans or elements of a plan. Requires the Water Resources Control Board to direct a State agency's cooperation with the plan. Relates to the designation of probationary basins. Relates to plan extensions.	04/28/2015 - From ASSEMBLY Committee on WATER, PARKS AND WILDLIFE: Do pass to Committee on APPROPRIATIONS.	
AB 639 Dahle (R)	Water Quality: Membership of Regional Boards		Makes nonsubstantive changes to provisions of existing law which requires the State Water Resources Control Board and the regional water quality control boards to prescribe waste discharge requirements in accordance with the federal national pollutant discharge elimination system permit program established by the federal Clean Water Act and the Porter-Cologne Water Quality Control Act.	02/24/2015 - INTRODUCED.	
AB 647 Eggman (D)	Beneficial Use: Storing of Water Underground		Declares that the storing of water underground constitutes a beneficial use of water if the diverted water is used while it is in underground storage for specified purposes. Provides that the period for the reversion of a water right does not include any period when the water is being used in the aquifer or storage area or is being held in storage for later application to beneficial use.	05/05/2015 - In ASSEMBLY. Read second time and amended. To second reading.	
AB 723 Rendon (D)	Plumbing Fixtures: WaterSense Standards		Requires the State Energy Commission, when setting plumbing fixture water efficiency standards, to consider the performance requirements established by the WaterSense standards set by the federal Environmental Protection Agency.	04/30/2015 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.	
AB 725 Wagner (R)	Water Quality: Recycled Water: Storm-Induced Overflow	Sponsor	Requires the State Water Resources Control Board to adopt a policy to address the potential for a storm-induced overflow from an impoundment in which recycled water is stored for subsequent beneficial use or aesthetic purposes.	03/26/2015 - To ASSEMBLY Committee on WATER, PARKS AND WILDLIFE.;03/26/2015 - From ASSEMBLY	

Bill No. Author	Title	IRWD Position	Summary/Effects	Status	Notes
				Committee on WATER, PARKS AND WILDLIFE with author's amendments.;03/26/2015 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on WATER, PARKS AND WILDLIFE.	
AB 852 Burke (D)	Public Works: Prevailing Wages		Expands the definition of public works for the purposes of provisions relating to the prevailing rate of per diem wages, to also include any construction, alteration, demolition, installation, or repair work done under private contract on a general acute care hospital, when the project is paid for, in whole or in part, with the proceeds of conduit revenue bonds.	04/27/2015 - In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE.	
AB 856 Calderon I (D)	Invasion of Privacy		Expands liability for physical invasion of privacy to additionally include a person knowingly entering into the airspace above the land of another person without permission.	05/05/2015 - From ASSEMBLY Committee on PRIVACY AND CONSUMER PROTECTION: Do pass. To Consent Calendar.	
AB 876 McCarty (D)	Compostable Organics		Requires each countywide siting element to provide an estimate of the total organics processing capacity that will be needed over a specified time period to safely handle organic wastes generated with the county and to identify areas for the location of organics processing facilities, if needed or desired.	04/29/2015 - In ASSEMBLY Committee on APPROPRIATIONS: To Suspense File.	
AB 888 Bloom (D)	Waste Management: Plastic Microbeads		Prohibits a person from selling or offering for promotional purposes in this state a personal care product containing plastic microbeads that are used to exfoliate or cleanse in a rinse-off product. Provides an exception. Makes a violator liable for a civil penalty to be assessed and recovered in a civil action brought in any court of competent jurisdiction by the Attorney General or local officials.	04/28/2015 - From ASSEMBLY Committee on ENVIRONMENTAL SAFETY AND TOXIC	

Bill No. Author	Title	IRWD Position	Summary/Effects	Status	Notes
			Requires the civil penalties collected to be retained by the office that brought the action.	MATERIALS: Do pass to Committee on APPROPRIATIONS.	
AB 935 Salas (D)	Integrated Regional Water Management Plans: Grants		Requires the Department of Water Resources to provide grants and expenditures for the planning, design and construction of local and regional conveyance projects supporting regional and interregional connectivity and water management. Requires a regional management group awarded a grant to provide a specified a cost share of the total project costs from nonstate resources. Authorizes the Department to waiver or reduce this requirements for projects that benefit a disadvantaged community or distressed area.	04/28/2015 - From ASSEMBLY Committee on WATER, PARKS AND WILDLIFE: Do pass to Committee on APPROPRIATIONS.	
AB 936 Salas (D)	Groundwater Monitoring		Amends existing law which provides that certain entities with authority to assume groundwater monitoring functions with regard to a basin or subbasin for which the Department of Water Resources has assumed those functions are not eligible for a water grant or loan awarded or administered by the state. Authorizes an exemption for the eligibility restriction if the entity submits specified documentation that provides that there are special circumstances justifying noncompliance.	04/22/2015 - In ASSEMBLY Committee on APPROPRIATIONS: To Suspense File.	
AB 937 Salas (D)	Groundwater Planning: Disadvantaged Communities		Requires the Department of Water Resources to provide technical assistance to disadvantaged communities so that they may participate in groundwater planning, including planning for regional groundwater banking, with any county or other local agency.	04/28/2015 - From ASSEMBLY Committee on WATER, PARKS AND WILDLIFE: Do pass to Committee on APPROPRIATIONS.	
AB 938 Salas (D)	Groundwater: Basin Reprioritization		Imposes the requirement to establish a groundwater sustainability agency on a local agency or combination of local agencies overlying a groundwater basin.	04/20/2015 - In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE.	
AB 939 Salas (D)	Groundwater Sustainability Agency: Financial Authority		Requires a groundwater sustainability agency to make the data upon which a proposed fee is based available prior to a public meeting to impose or increase a fee.	04/20/2015 - In ASSEMBLY. Read third time. Passed ASSEMBLY. *****To SENATE.	

Bill No. Author	Title	IRWD Position	Summary/Effects	Status	Notes
AB 952 Garcia (D)	Local Government: Vacancies		Provides updated procedures for the filling of a vacancy in an elective office by a city council for a vacancy that occurs in the first half or the second half of the term of office and at least a specified number of days prior to the next general municipal election, the person appointed to fill the vacancy holds office until the next general municipal election at which a person is elected to fill that vacancy, and thereafter, until the person elected is qualified.	04/20/2015 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on ELECTIONS AND REDISTRICTING.	
AB 954 Mathis (R)	Water and Wastewater Loan and Grant Pilot Program		Creates the Water and Wastewater Loan and Grant Pilot Program. Require the State Water Resources Control Board to establish a pilot program to provide low-interest loans and grants to local agencies for grants to eligible individual homeowners for purposes relating to drinking water and wastewater treatment. Creates a related fund for use under the program. Transfers a specified amount of funds from the General Fund to the fund.	05/05/2015 - From ASSEMBLY Committee on APPROPRIATIONS with author's amendments.;05/05/2015 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.	
AB 957 Mathis (R)	Water Quality, Supply, Infrastructure Improvement		Relates to grants under the Water Quality, Supply, and Infrastructure Improvement Act of 2014 for water supply reliability improvement to include in that improvement criterion whether the project is proposed by a community that is dependent on groundwater from a basin in overdraft, and would include in the public health benefits criterion whether the project is proposed by a community that has extended, or is in the process of extending, its water service deliveries to specified groundwater entities.	04/28/2015 - In ASSEMBLY Committee on WATER, PARKS AND WILDLIFE: Not heard.	
AB 977 Mayes (R)	State Water Pollution Control Revolving Fund		Amends existing law that requires loans under the State Water Pollution Control Revolving Fund to meet specified criteria, including requiring full amortization not later than a specified number of years after project completion. Requires full amortization not later than another specified number of years after project completion.	03/26/2015 - From ASSEMBLY Committee on ENVIRONMENTAL SAFETY AND TOXIC MATERIALS with author's amendments.;03/26/2015 - In	

Bill No. Author	Title	IRWD Position	Summary/Effects	Status	Notes
				ASSEMBLY. Read second time and amended. Re-referred to Committee on ENVIRONMENTAL SAFETY AND TOXIC MATERIALS.	
AB 1019 Garcia E (D)	Metal Theft and Related Recycling Crimes		Requires the Department of Justice to establish a Metal Theft Task Force Program designed to enhance the capacity of the department to serve as the lead law enforcement agency in the investigation and prosecution of illegal recycling operations, and metal theft and related recycling crimes. Authorizes the department to enter into partnerships with local law enforcement agencies.	04/22/2015 - In ASSEMBLY Committee on APPROPRIATIONS: To Suspense File.	
AB 1030 Ridley-Thomas S (D)	Global Warming Solutions Act of 2006: Greenhouse Gas		Amends existing law that relates to the Greenhouse Gas Reduction Fund. Requires a State agency that allocates moneys from the fund to prioritize projects that include project labor agreements with targeted hire goals, community workforce agreements, or partnerships with the training entities that have a proven track record of placing disadvantaged workers in career-track jobs.	05/05/2015 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.	
AB 1068 Allen T (R)	California Environmental Quality Act: Priority Projects		Authorizes each Member of the Legislature to nominate one project within his or her respective district each year, and the Governor to designate those projects as priority projects if the projects meet specified requirements. Requires the Governor to provide a notice of the designation to the appropriate lead agency and to the Office of Planning and Research. Requires an environmental impact report for each project. Authorizes tiering from previously prepared reports. Relates to court stays of projects.	03/19/2015 - To ASSEMBLY Committees on NATURAL RESOURCES and JUDICIARY.	
AB 1095 Garcia E (D)	Restoration Funding: Salton Sea		Appropriates an unspecified sum from funds of the Water Quality, Supply, and Infrastructure Improvement Act of 2014, that provides funding relating to multiparty water quantification settlement agreement provisions relating to the Salton Sea, to the Natural Resources Agency to be used for restoration projects that fulfill obligations of the State in complying with those quantification settlement agreement provisions.	04/29/2015 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.	
AB 1128 Jones-Sawyer	Water Conservation		Makes nonsubstantive changes to existing law that declares the intent of the Legislature to, among other things, promote urban water	02/27/2015 - INTRODUCED.	

Bill No. Author	Title	IRWD Position	Summary/Effects	Status	Notes
(D)			conservation standards that are consistent with the California Urban Water Conservation Council's adopted best management practices and specified requirements for demand management.		
AB 1139 Campos (D)	Personal Income Tax: Credit: Turf Removal		Allows a taxpayer, under the Personal Income Tax Law, a credit for participation in a lawn replacement program.	03/26/2015 - To ASSEMBLY Committee on REVENUE AND TAXATION.;03/26/2015 - From ASSEMBLY Committee on REVENUE AND TAXATION with author's amendments.;03/26/2015 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on REVENUE AND TAXATION.	
AB 1144 Rendon (D)	Renewables Portfolio Standard Program: Credits		Provides that unbundled renewable energy credits may be used to meet the first category of the portfolio content requirements if the credits are earned by electricity that is generated by an entity that, if it were a person or corporation, would be excluded from the definition of an electrical corporation by operation of the exclusions for a corporation or person employing landfill gas technology or digester gas technology, and the entity has specified first points of interconnection.	04/27/2015 - From ASSEMBLY Committee on NATURAL RESOURCES: Do pass to Committee on APPROPRIATIONS.	
AB 1201 Salas (D)	Delta: Predation by Nonnative Species		Requires the State Department of Fish and Wildlife to develop and initiate a science-based approach that addresses predation by nonnative species upon species of fish listed pursuant to the State Endangered Species Act that reside all or a portion of their lives in the Sacramento-San Joaquin Delta.	04/28/2015 - From ASSEMBLY Committee on WATER, PARKS AND WILDLIFE: Do pass to Committee on	

Bill No. Author	Title	IRWD Position	Summary/Effects	Status	Notes
				APPROPRIATIONS.	
AB 1242 Gray (D)	Water Quality: Impacts on Groundwater Basins		Requires the State Water Resources Control Board to take into consideration any applicable groundwater sustainability plan or alternative in formulating state policy for water quality control and adopting or approving a water quality control plan that affects a groundwater basin. Requires the board to evaluate impacts on groundwater basins.	05/05/2015 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.	
AB 1243 Gray (D)	Groundwater Recharge: Grants		Establishes the Groundwater Recharge Grant Fund. Provides that moneys in the fund are available to the State Water Resources Control Board to provide grants to local governments and water districts for groundwater recharge infrastructure projects.	04/14/2015 - In ASSEMBLY Committee on WATER, PARKS AND WILDLIFE: Not heard.	
AB 1315 Alejo (D)	Public Contracts Water Pollution Prevention Plans		Prohibits a public entity, charter city, or charter county from delegating to a contractor the development of a plan used to prevent or reduce water pollution or runoff on a public works contract. Provides exceptions. Prohibits those same entities from requiring a contractor on a public works contract that includes compliance with a plan to assume responsibility for the completeness and accuracy of a plan developed by that entity.	04/29/2015 - From ASSEMBLY Committee on LOCAL GOVERNMENT: Do pass to Committee on APPROPRIATIONS.	
AB 1325 Salas (D)	Delta Smelt		Enacts the Delta Smelt Preservation and Restoration Act of 2016. Requires the development of a deltas smelt hatchery program to preserve and restore the delta smelt. Requires entering into mitigation banking agreements with banking partners of the Department of Fish and Wildlife for the purpose of providing take authorizations to those partners and to obtain funding from banking agreements. Appropriates an unspecified amount of money from an unspecified source to implement these provisions.	04/28/2015 - In ASSEMBLY Committee on WATER, PARKS AND WILDLIFE: Failed passage.;04/28/2015 - In ASSEMBLY Committee on WATER, PARKS AND WILDLIFE: Reconsideration granted.	
AB 1362 Gordon (D)	Local Government Assessments Fees and Charges		Defines stormwater for purposes of the Proposition 218 Omnibus Implementation Act to mean any system of public improvements or service intended to provide for the quality, conservation, control, or	03/23/2015 - To ASSEMBLY Committee on	

Bill No. Author	Title	IRWD Position	Summary/Effects	Status	Notes
			conveyance of waters that land on or drain across the natural or man-made landscape.	LOCAL GOVERNMENT.	
AB 1390 Alejo (D)	Groundwater: Adjudication		Establishes special procedures for an adjudication action to determine the rights to extract groundwater within a basin or store water from a basin. Authorizes the court to determine all rights to groundwater in a basin whether based on appropriation, overlying right, or other basis of right. Requires a complaint filed in an action to name certain defendants, including counties or cities that provide water service and overlie a basin in whole or in part, and to be served and published in a specified manner.	04/30/2015 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.	
AB 1454 Wagner (R)	Water Quality: Trash: Single-Use Carryout Bags		Suspends the operation of certain amendments to water quality control plans relating to the total maximum daily load for trash unless and until specified provisions inoperative due to a pending referendum election become effective. Requires the State Water Resources Control Board to revisit and revise the water quality control plans to address impaired water quality due to trash if the law pending referendum is defeated.	04/23/2015 - Re-referred to ASSEMBLY Committee on RULES.	
AB 1463 Gatto (D)	Onsite Recycled Water		Requires the State Water Resources Control Board to establish water quality standards and distribution, monitoring, and reporting requirements for onsite water recycling systems prior to authorizing the use of onsite recycled water in internal plumbing of residential and commercial buildings.	04/28/2015 - From ASSEMBLY Committee on BUSINESS AND PROFESSIONS: Do pass to Committee on APPROPRIATIONS.	
AB 1532 Local Government Cmt	Local Government: Omnibus		Provides provisions regarding local governments to include the revision of existing law regarding local agency formation commissions. Updates provisions regarding hospital districts, a change of organization or reorganization of a city, conflict of interest rules for a commission appointed legal counsel, the annexation of inhabited territory, and the issuance of a certificate of completion or termination regarding the consolidation of cities or districts.	04/06/2015 - To ASSEMBLY Committee on LOCAL GOVERNMENT.	
AB 1534 Ting (D)	Assessment Analyst: Certification		Prohibits an assessor or any person employed by the Office of the County Assessor from making decisions with regard to change in ownership, or with regard to property tax exemptions, except a homeowners' exemption claim, unless he or she is the holder of a valid assessment analyst certificate issued by the State Board of Equalization. Requires prescribed annual training for certification.	04/30/2015 - In ASSEMBLY. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.	

Bill No. Author	Title	IRWD Position	Summary/Effects	Status	Notes
			Provides for advanced certification. Provide failure to complete training would be grounds for revocation.		
SB 7 Wolk (D)	Housing: Water Meters: Multi-unit Structures		Encourages the conservation of water in multifamily residential rental buildings through means within the landlord's or the tenant's control, and to ensure that the practices involving the submetering of dwelling units for water service are just and reasonable, and including appropriate safeguards for both tenants and landlords. Authorizes building standards that require the installation of water submeters in multiunit residential buildings. Defines the term submeter for the Water Measurement Law.	05/04/2015 - In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY.	
SB 13 Pavley (D)	Groundwater		Authorizes the State Water Resource Control Board to designate a basin as a probationary basin and to develop an interim plan. Relates deficiency remedies by a local agency or groundwater sustainability agency. Relates to the designation of a basin as probationary. Relates to the determination criteria for establishing a groundwater sustainability plan. Authorizes a mutual water company to participate in such agency. Provides a water corporation or mutual water company may participate.	04/30/2015 - In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY.	
SB 20 Pavley (D)	Wells: Reports: Public Availability		Amends an existing law which requires a person who digs, bores, or drills a water well, cathodic protection well, or a monitoring well to file a report of completion with the Department of Water Resources. Requires the Department to make reports available to the public. Requires the Department to redact from the report specified information pertaining to the well owner.	04/27/2015 - In SENATE Committee on APPROPRIATIONS: To Suspense File.	
SB 32 Pavley (D)	Global Warning Solutions Act of 2006: Emissions Limit		Requires the State Air Resources Board to approve a specified statewide greenhouse gas emission limit that is equivalent to a specified percentage below the 1990 level to be achieved by 2050. Authorizes the Board to adopt interim emissions level targets to be achieve by specified years.	05/05/2015 - In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.	
SB 47 Hill (D)	Environmental Health: Synthetic Turf		Requires the Office of Environmental Health Hazard Assessment, in consultation with the Department of Resources Recycling and Recovery, the State Department of Public Health, and the Department of Toxic Substances Control, to prepare and provide to the Legislature and post on the office's Internet Web site a study analyzing synthetic turf, for potential adverse health impacts. Provides the information to be included in the study. Authorizes	04/13/2015 - In SENATE Committee on APPROPRIATIONS: To Suspense File.	

Bill No. Author	Title	IRWD Position	Summary/Effects	Status	Notes
			grant to crumb rubber businesses to find alternative markets.		
SB 113 Galgiani (D)	Disaster Preparedness and Flood Prevention Bond Act		Specifies that the Disaster Preparedness and Flood Prevention Bond Act of 2006 funds provided by the act are only available for appropriation until a specified date and at that time the amount of indebtedness authorized by the act is reduced by the amount of funds that have not been appropriated. Removes the restriction that the funds are available for appropriation only until that specified date.	03/24/2015 - In SENATE Committee on NATURAL RESOURCES AND WATER: Not heard.	
SB 119 Hill (D)	Protection of Subsurface Installations		Relates to excavation. Provides for certain training requirements, fines, and license suspension. Makes changes relating to a regional notification center and subsurface installations. Provides for delineation of areas to be excavated, preservation of certain plans, damages, an exemption for certain residential property owners, occupational safety and health standards for excavators, and the use of moneys collected as a result of the issuance of citations. Creates a relates complaint authority.	05/05/2015 - In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.	
SB 122 Jackson (D)	Environmental Quality Act: Record of Proceedings		Amends the Environmental Quality Act. Relates to a database for the collection, storage, retrieval, and dissemination of environmental documents, notices of exemption, notices of preparation, notices of determination, and notices of completion provided to the office that shall be available online to the public through the internet. Provides for the phase-in of electronic documents. Requires the lead agency to submit to the State Clearinghouse a sufficient number of environmental documents for review.	05/04/2015 - In SENATE Committee on APPROPRIATIONS: To Suspense File.	
SB 127 Vidak (R)	Water Quality, Supply, and Infrastructure Improvement		Relates to the Water Quality, Supply, and Infrastructure Improvement Act of 2014. Requires the public agency, in certifying the environmental impact report and in granting approvals for projects funded, in whole or in part, by Proposition 1, including the concurrent preparation of the record of proceedings and the certification of the record of proceeding within 5 days of the filing of a specified notice, to comply with specified procedures.	02/05/2015 - To SENATE Committees on ENVIRONMENTAL QUALITY and JUDICIARY.	
SB 142 Jackson (D)	Civil law: Unmanned Aerial Vehicles		Defines knowing entry upon the land of another to include the operation of an unmanned aerial vehicle below the navigable airspace overlaying the real property. Extends liability for wrongful occupation of real property and damages to a person who without permission operates an unmanned aerial vehicle below the navigable airspace overlaying the real property or operation of an unmanned aerial vehicle less than a specified number of feed above ground level	05/04/2015 - In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY.	

Bill No. Author	Title	IRWD Position	Summary/Effects	Status	Notes
			with the airspace overlaying the real property.		
SB 143 Stone (R)	Diamond Valley Reservoir: Recreational Use	Oppose	Amends existing law that prohibits recreational use in which there is bodily contact with water, in a reservoir in which water is stored for domestic use.	02/05/2015 - To SENATE Committee on ENVIRONMENTAL QUALITY.	
SB 173 Nielsen (R)	Groundwater: De Minimis Extractors		Amends existing law that generally excepts a de minimis extractor from the requirement that a person who extracts groundwater from a probational basin or extracts groundwater on or after July 1, 2017, in an area within a basin that is not within the management area of a groundwater sustainability agency and where the county does not assume responsibility to be the groundwater sustainability agency has to file a report of groundwater extraction. Defines a de minimis extractor.	03/24/2015 - In SENATE Committee on NATURAL RESOURCES AND WATER: Failed passage.;03/24/2015 - In SENATE Committee on NATURAL RESOURCES AND WATER: Reconsideration granted.	
SB 179 Berryhill (R)	Secondhand Goods: Junk Dealers		Makes nonsubstantive changes to existing law that prohibits a junk dealer or recycler from possessing a reasonably recognizable, disassembled, or inoperative fire hydrant or fire department connection, a manhole cover or lid, or a backflow device, that was owned by an agency, without a written certification on the agency's letterhead that the agency either has sold the material described or is offering the material for sale.	02/19/2015 - To SENATE Committee on RULES.	
SB 184 Hertzberg (D)	Local Government: Omnibus Bill		Clarifies that provisions in existing law relating to the authority of the duties of the auditor apply only to the county auditor. Authorizes marginal notations on recorded records. Repeals keeping an index of separate property of married women. Authorizes general grantor-grantee index in computerized of electronic format. Deletes certain endorsement requirements. Deletes certain name and address posting on records requirement. Updates government contract cost accounting. Relates to local contract bidding.	04/29/2015 - From SENATE Committee on GOVERNANCE AND FINANCE: Do pass to Committee on APPROPRIATIONS.	
SB 185 De Leon (D)	Public Retirement Systems: Divestiture of Thermal Coal		Prohibits the boards of the Public Employees' Retirement System and the State Teachers' Retirement System from making new investments or renewing existing investments of funds in a thermal coal company.	04/27/2015 - In SENATE Committee on	

Bill No. Author	Title	IRWD Position	Summary/Effects	Status	Notes
			Requires the boards to liquidate investments and to engage with such companies to ascertain if they are transitioning to clean energy generation business models. Requires the boards to make a comprehensive assessment on divesting in natural gas and petroleum investments.	APPROPRIATIONS: To Suspense File.	
SB 208 Lara (D)	Integrated Regional Water Management Plans: Grants		Requires a regional water management group to provide the state entity administering the regional water management grant with a list of projects to be funded by the grant funds where the project proponent is a nonprofit organization or a disadvantaged community, or the project benefits a disadvantaged community.	04/27/2015 - In SENATE Committee on APPROPRIATIONS: To Suspense File.	
SB 216 Pan (D)	Public Employees Retirement System		Amends the Public Employees Retirement System. Repeals the provisions regarding investing in residential realty on the system's investment portfolio. Changes the frequency of a specified report to eliminate the requirement to report on the investments on a cost basis. Makes other changes to the content of the report. Specifies that the option to purchase service credit shall be elected prior to retirement, that the member be returning to State service.	04/30/2015 - In SENATE. Read third time. Passed SENATE. *****To ASSEMBLY.	
SB 223 Galgiani (D)	Division of Boating and Waterways: Oversight Committee		Requires the Division of Boating and Waterways to establish an advisory and oversight committee to evaluate and monitor the activities of the Division relating to the management and control or eradication of invasive aquatic plants. Provides the expertise of members of the committee. Requires the committee to meet a specified amount of times per year and to communicate any findings or recommendations to the Division.	04/30/2015 - In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.	
SB 226 Pavley (D)	Sustainable Groundwater Management Act		Provides for a comprehensive method for determining groundwater rights. Provides that a court shall use the Code of Civil Procedure for determining rights to groundwater. Requires the rights determination process to be available to specified courts. Provides for applicability to Indian tribes and the federal government. Requires the boundaries of a basin to be identified in Bulletin 118. Authorizes certain departments to intervene in specified actions. Provides for expert witness disclosures.	05/05/2015 - In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.	
SB 228 Cannella (R)	Groundwater Storage: Beneficial Use		Declares that the recharging of a groundwater basin by a local groundwater management agency or a local groundwater sustainability agency for the purposes of repelling saline intrusion and recovering basin groundwater levels constitutes a beneficial use of water if the recharge is consistent with the local agency's	02/26/2015 - To SENATE Committee on NATURAL RESOURCES AND WATER.	

Bill No. Author	Title	IRWD Position	Summary/Effects	Status	Notes
			groundwater management plan or groundwater sustainability plan.		
SB 248 Pavley (D)	Oil and Gas		Provides for an inspection protocol and schedule of activities regulated pursuant to provisions concerning drilling, operation, maintenance, and abandonment of oil and gas wells and certain tanks and facilities. Requires information on inspections to be included in a certain report. Requires the recording of certain information in a well history, including fluid injection, chemical composition, and waste disposal injection information. Relates to Class II wells regulated under the Safe Drinking Water Act.	05/05/2015 - From SENATE Committee on APPROPRIATIONS with author's amendments.;05/05/2015 - In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.	
SB 258 Bates (R)	Local Government		States the intent of the Legislature to enact legislation that would protect the right of the public to participate in open deliberations of the legislative bodies of local agencies by clarifying the appropriate use of special meetings.	02/26/2015 - To SENATE Committee on RULES.	
SB 272 Hertzberg (D)	State Public Records Act: Local Agencies: Inventory		Requires each local agency, in implementing the State Public Records Act, to create a catalog of enterprise systems, to make the catalog publicly available upon request in the office of the clerk of the agency's legislative body, and to post the catalog on the local agency's Internet Web site. Requires the catalog to disclose a list of the systems utilized by the agency and, among other things, the current system vendor and product.	05/05/2015 - In SENATE. Read second time. To third reading.	
SB 317 De Leon (D)	Safe Neighborhood Parks, Rivers, and Coastal Protection		Enacts the Safe Neighborhood Parks, Rivers, and Coastal Protection Bond Act of 2016, which, if adopted by the voters, would authorize the issuance of bonds in a specified amount pursuant to the State General Obligation Bond Law to finance a safe neighborhood parks, rivers, and coastal protection program.	05/05/2015 - In SENATE. Read second time and amended. Re-referred to Committee on GOVERNANCE AND FINANCE.	
SB 350 De Leon (D)	Clean Energy and Pollution Reduction Act of 2015		Establishes the quantity of electricity products from eligible renewable energy resources be procured by each retail seller for specified periods. Requires the boards of local publicly owned electric utilities to ensure that specified quantities of such products be procured to achieve a specified percentage by a specified date. Excludes combustion from municipal waste as eligible renewable energy sources. Requires submission of renewable energy	04/29/2015 - From SENATE Committee on ENVIRONMENTAL QUALITY: Do pass to Committee on APPROPRIATIONS.	

Bill No. Author	Title	IRWD Position	Summary/Effects	Status	Notes
			procurement plans. Relates to reducing motor vehicle emissions.		
SB 360 Cannella (R)	Biomethane		Authorizes the Public Utilities Commission to consider providing the option to all corporations to engage in competitive bidding and direct investment in ratepayer financed biomethane collection equipment.	03/05/2015 - To SENATE Committee on ENERGY, UTILITIES AND COMMUNICATIONS.	
SB 385 Hueso (D)	Primary Drinking Water Standards: Hexavalent Chromium		Authorizes the State Water Resources Control Board to grant a period of time to achieve compliance with the primary drinking water standard for hexavalent chromium by approving the compliance plan. Requires a public water system to provide specified notice regarding the plan to its customers and to send status reports to the Board. Authorizes the Board to direct revisions to the plan and to implement, interpret, or make specific provisions by means of criteria, published on its Internet Web site.	05/05/2015 - In SENATE Committee on JUDICIARY: Not heard.	
SB 454 Allen (D)	Water Quality: Oil and Gas: Exempt Aquifer		Relates to water quality, oil and gas wells and exempt aquifers. Prohibits the Division of Oil, Gas, and Geothermal Resources from submitting a proposal for an aquifer exemption to the United States Environmental Protection Agency unless the division and the State Water Resources Control Board concur in writing that the aquifer meets specified conditions. Relates to the Clean Water Act. Relates to an aquifer that is hydrocarbon bearing. Provides for injection zones separated from beneficial waters.	04/29/2015 - From SENATE Committee on ENVIRONMENTAL QUALITY: Do pass to Committee on APPROPRIATIONS.	
SB 471 Pavley (D)	Water, Energy, Reduction of Greenhouse Gas		Requires the development of an emissions inventory of greenhouse gas emissions from the water system in the State. Provides that water recycling, wastewater treatment, water end-use efficiency, water technology improvements, best management practices, and other projects that reduce water system greenhouse gas emissions shall be eligible for funding under the Greenhouse Gas Reduction Fund.	05/05/2015 - In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.	
SB 485 Hernandez (D)	County of Los Angeles: Sanitation Districts		Authorizes specified sanitation districts in the County of Los Angeles, to acquire, construct, operate, maintain, and furnish facilities for the diversion, management, and treatment of stormwater and dry weather runoff, the discharge of the water to the stormwater drainage system, and the beneficial use of the water. Makes legislative findings and declarations as to the necessity of a special statute for the County of Los Angeles.	04/16/2015 - Re-referred to SENATE Committee on GOVERNANCE AND FINANCE.	
SB 487	Sustainable Groundwater		Relates to the California Environmental Act (CEQA). Exempts from	03/12/2015 - To	

Bill No. Author	Title	IRWD Position	Summary/Effects	Status	Notes
Nielsen (R)	Management Act: Exemptions		the requirements of CEQA the formation of a groundwater sustainability agency, the amendment of a groundwater sustainability plan or coordinated groundwater sustainability plan, and the implementation of those plans, except to the extent that the implementation requires the construction or installation of a new facility.	SENATE Committee on ENVIRONMENTAL QUALITY.	
SB 551 Wolk (D)	State Water Policy: Water and Energy Efficiency		Declares the policy of the state that water use and water treatment shall be as energy efficient as in feasible and energy use and generation shall be as water efficient as is feasible. Requires all relevant state agencies to consider this state policy when revising, or establishing policies, regulations, and grant criteria when pertinent to these uses of water and energy.	04/28/2015 - From SENATE Committee on NATURAL RESOURCES AND WATER: Do pass to Committee on APPROPRIATIONS.	
SB 552 Wolk (D)	Disadvantaged Communities Drinking Water Standards		Requires the State Water Resources Control to develop a report identifying specific funding and enforcement mechanisms necessary ensure that disadvantaged communities have water systems that are in compliance with state and federal drinking water standards. Requires the report to identify specific legislative and administrative actions necessary to bring disadvantaged communities into compliance with safe drinking water standards.	04/29/2015 - From SENATE Committee on ENVIRONMENTAL QUALITY: Do pass to Committee on APPROPRIATIONS.	
SB 553 Wolk (D)	Water Conservation		Requires the Department of General Services to identify each public property in the department's state property inventory where it is feasible for water consumption to be reduces and water efficiencies to be achieved through implementation of the relevant recommendations made in the model water efficient landscape ordinance and would require the department to implement the relevant recommendation where feasible.	04/28/2015 - From SENATE Committee on GOVERNMENTAL ORGANIZATION: Do pass to Committee on APPROPRIATIONS.	
SB 554 Wolk (D)	Water Commission Disqualifying Financial Interest		Removes a member of the California Water Commission from office if after trial a court finds that the commission member has knowingly participated in any commission decision in which the member has a disqualifying financial interest in the decision.	04/21/2015 - In SENATE Committee on ELECTIONS AND CONSTITUTIONAL AMENDMENTS: Not heard.	
SB 555 Wolk (D)	Urban Retail Water Suppliers: Water Loss		Require each urban retail water supplier to submit a completed and validated water loss audit report for the previous calendar year.	04/27/2015 - In SENATE Committee	

Bill No. Author	Title	IRWD Position	Summary/Effects	Status	Notes
	Management		Requires the Department of Water Resources of post a reports on its Internet Web site and to develop metrics for reporting year-over-year progress on water loss reduction. Requires rules requiring urban retail water suppliers to meet performance standards for the volume of water losses.	on APPROPRIATIONS: To Suspense File.	
SB 556 De Leon (D)	Victims of Crime: Indemnification: Applications		Relates to indemnification of victims of crime. Defines the time of processing applications. Requires the Victim Compensation and Government Claims Board to post on its Internet Web site its progress and current average time of processing applications, the number of applications approved and denied, and incomplete applications received. Relates to the period of time, including all calendar days, that begins when the board first receives an application and ends when a check is mailed to an eligible victim.	05/04/2015 - From SENATE Committee on APPROPRIATIONS with author's amendments.;05/04/2015 - In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.	
SB 568 Fuller (R)	Groundwater Management		Relates to the Sustainable Groundwater Management Act. Authorizes the State Water Resources Control Board to designate a basin as a probationary basin if the state board makes a certain determination and authorizes the state board to develop an interim plan for the probationary basin.	03/12/2015 - To SENATE Committee on RULES.	
SB 615 Berryhill (R)	Waste Discharge: Waivers: Managed Wetlands		Relates to waste discharge requirements, waivers and managed wetlands. Requires each regional board to prescribe waste discharge requirements that implement relevant water quality control plans. Provides for waivers. Amends monitoring of wetlands unless results of downstream monitoring demonstrate a violation of water quality discharge standards.	04/29/2015 - In SENATE Committee on ENVIRONMENTAL QUALITY: Not heard.	
SB 625 Galgiani (D)	Water Management: Synthetic Plastic Microbeads		Prohibits the selling, or offering for promotional purposes a person care product containing synthetic plastic microbeads. Exempts from this prohibition the sale or promotional offer of a product containing a specified amount of such microbeads. Makes a violator liable for a civil penalty for each violation. Authorizes the penalty to be recovered in a civil action brought by the Attorney General. Prohibits any local ordinance, resolution, or rule relating to the sale of such microbeads.	04/22/2015 - Re-referred to SENATE Committees on ENVIRONMENTAL QUALITY and JUDICIARY.	
SB 687 Allen (D)	Renewable Gas Standard		Requires the State Air Resources Board to adopt a carbon-based renewable gas standard that requires all gas sellers to provide	05/05/2015 - In SENATE. Read	

Bill No. Author	Title	IRWD Position	Summary/Effects	Status	Notes
			specified percentages of renewable gas meeting certain deliverability requirements, to retail end-use customers for use in the state that increases over specified compliance periods, and to issue an analysis of the lifecycle emissions of greenhouse gases and reductions for different biogas types and end uses. Requires a renewable gas assessment.	second time and amended. Re-referred to Committee on APPROPRIATIONS.	
SB 704 Gaines T (R)	Public Officers and Employees: Conflicts of Interest		Relates to conflicts of interest of public officers and employees. Provides for an updated definition of remote interest when dealing with seeking and awarding public entity contracts.	04/30/2015 - In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.	
SB 758 Block (D)	Atmospheric Rivers Research and Mitigation Program		Establishes the Atmospheric Rivers Research and Mitigation Program in the State Department of Water Resources to research the causes and effects of such rivers, and to take actions to capture water generated by such rivers to increase the water supply and reliability of water resources in the State and to operate reservoirs in a manner that improves flood protection in the State. Establishes a related fund for funding the program.	04/30/2015 - In SENATE. Read second time and amended. Re-referred to Committee on APPROPRIATIONS.	
SB 768 Wieckowski (D)	Water-Conserving Plumbing Fixtures		Makes technical, nonsubstantive changes to existing law that requires the replacement of plumbing fixtures that are not water conserving in residential and commercial real property built and available for use on or before a specified date.	03/19/2015 - To SENATE Committee on RULES.	
SB 772 Stone (R)	Bay Delta Conservation Plan: Judicial Review		States the intent of the Legislature to enact legislation establishing judicial review procedures for the Bay Delta Conservation Plan.	03/19/2015 - To SENATE Committee on RULES.	
SB 798 Pavley (D)	Natural Resources		Provides provisions regarding natural resources to include sport fishing regulations, the automated fishing and hunting license data system, the retrocession of jurisdiction by the United State over land within the State, the conveyance of certain State lands to the United States for a lighthouse, membership of the Range Management Advisory Committee, membership on the Coastal Commission, violations of water use and diversion provisions, temporary water diversion permits, and small irrigation water usage.	04/28/2015 - From SENATE Committee on NATURAL RESOURCES AND WATER: Do pass as amended to Committee on APPROPRIATIONS.	
SJR 1 Beall (D)	Social Security: Retirement Benefits: Public Employees		Requests the President and the Congress of the United States to pass legislation repealing the Government Pension Offset and the Windfall Elimination Provisions from the Social Security Act.	04/16/2015 - In SENATE. Read third time. Adopted by	

Bill No. Author	Title	IRWD Position	Summary/Effects	Status	Notes
				SENATE. *****To ASSEMBLY.	

EXHIBIT "B"

STATE WATER RESOURCES CONTROL BOARD
Drinking Water Program

Definition of the Problem

Chapter 35, Statutes of 2014 (SB 861) transferred the responsibility for administering the Safe Drinking Water Program from the California Department of Public Health to the State Water Resources Control Board (State Water Board) effective July 1, 2014. Since assuming responsibility for the Drinking Water Program, the State Water Board has conducted a fiscal analysis of the program. The fiscal analysis revealed that (1) the current fee structure is not generating sufficient revenues to support the existing program and (2) the current fee structure appears to be unreliable, unsustainable, and inequitable. Specifically, the analysis found:

- The Drinking Water Program's current fee setting process does not generate sufficient revenue to meet Drinking Water Program budgetary appropriations. It is anticipated that total revenue will fall short of the safe drinking water budget appropriation for Fiscal Years 2014-15 and 2015-16 by approximately $3.8 million. It is projected that the federal funds being used to offset this shortfall will be depleted by June 30, 2016.
- The current statutory requirements restrict the State Water Board's ability to generate revenues sufficient to pay costs of administering the program. Health and Safety Code section 116590 states that fees from Large Water Systems[1] (LWS) cannot be increased by more than five percent of the amount collected for the previous year. This effectively prevents the State Water Board from being able to increase fees to: address significant statutory expansions of program responsibilities; develop or revise new and existing regulations; or pay for increased program costs due to inflation and employee compensation packages negotiated by the California Department of Human Resources, which might exceed five percent in a given year.
- CDPH did not consistently raise fees each year by the five percent cap, resulting in a revenue shortfall each year and revenue historically and currently not meeting program expenditures.
- The Drinking Water Program is being subsidized by the federal government and the federal funds are not guaranteed on an annual basis. Nearly 55 percent of Drinking Water Program costs ($17.1 million out of the $31.2 million total program costs) are funded by federal funds. Continued reliance on this unpredictable funding source for the majority of program revenue places the entire drinking water program at risk. Furthermore, for Fiscal Years 2014-15 and 2015-16, the federal funds include approximately $3 million in un-liquated obligations from prior year grants. This money projected to be exhausted by Fiscal Year 2015-16.
- The current fee structure prevents the State Water Board from being able to focus its resources on addressing the highest priority drinking water problems in the State or to effectively shift resources to address urgent new drinking water issues, such as those associated with the current drought or promulgation of needed regulatory updates.

- Currently, fees on LWS are based on a fee-for-service model, while fees for Small Water Systems[2] (SWS) are set in statute. The current rigid structure requires the State Water Board spend the majority of its staff time inspecting LWS, notwithstanding that SWS require significantly more attention and assistance. Furthermore, the current structure impedes the Division of Drinking Water's progress on making needed regulatory updates.
- Under the current fee setting process, there is a risk that the State Water Board will not be able to adjust fee schedules in a timely manner to meet budgetary authority requirements.
- The current fee structure places a greater burden on SWS relative to LWS to pay for the costs of the drinking water regulatory program. Specifically, when the costs of the regulatory program are averaged on a per connection basis, SWS pay nearly $12 per connection, while LWS pay approximately $1 per connection. Customers of SWS pay over ten times more in fees for program regulatory costs than LWS.

Drinking Water Program Funding

The Drinking Water Program is being supported by the following sources for Fiscal Year 2014-15:

- Safe Drinking Water Account (Fund 306)
- Public Water System Supervision (PWSS) Grant
- Drinking Water State Revolving Fund PWSS Grant Set-Aside

The Safe Drinking Water Account derives the majority of its funding from cost recovery for activities associated with the oversight of Public Water Systems serving 1,000 or more service connections, also defined as Large Water Systems (LWS). A lesser amount comes from smaller public water systems and non-community water systems with less than 1,000 service connections, also defined as Small Water Systems (SWS). These activities include inspections, monitoring, permitting, compliance, enforcement, and administration. The Water Board invoices each LWS based on the amount of time staff spend working to regulate each respective system on an annual basis. The LWS reimburse the Water Board for this work.

In addition, the State Water Board assesses the following annual fees on small public water systems, and this revenue is also deposited in the Safe Drinking Water Account:

- For community water systems[3] serving less than 1,000 service connections, a graduated flat fee is applied based on the number of service connections. The fee is $6.00 per service connection but not less than $250 per water system.
- For non-transient non-community water systems[4], the fee is based on the number of people the public water system serves. The fee is $2.00 per person served but not less than $456.
- Transient non-community water systems[5] pay a flat fee of $800 per system.
- There are also fees that cover the costs of writing and amending permits. These fees range from $155 to $518.

Table 1 below shows total projected revenue for Fiscal Year 2014-15 and 2015-16 and compares the total revenue with the State Water Board's safe drinking water account budget appropriation.

Table 1

Safe Drinking Water Account							
Fiscal Year	**LWS Cost Recovery[6]**	**LWS Waiver/ Variance**	**SWS Annual Fees**	**SWS Enforcement Waiver/ Variance[7]**	**Total Revenue**	**Budget Appropriation[8]**	**Budget Appropriation compared to Total Revenue[9]**
2014-15	$10,686,000	$335,000	$2,928,000	$151,000	$14,100,000	$16,860,000	**($2,760,000)**
2015-16	$11,220,300	$340,000	$2,928,000	$151,000	$14,639,300	$15,629,000	**($989,700)**

Table 2 below summarizes a projection for Fiscal Year 2014-15 of how Large and Small Public Water Systems are being funded. The "Safe Drinking Water Account" column represents fees and cost recovery dollars collected from public water systems, while the "PWSS Grant" and "DW SRF PWSS Set-Aside" columns represent subsidy funding from the federal government. The amounts are based off six months of actual expenditures and six months of projected expenditures.

Table 2

Drinking Water Cost Recovery Program Expenditures by System Size	**Safe Drinking Water Account**	**Percentage of Program**	**Total Federal Subsidy**	**Percentage of Program**	**Total**
LWS Capped[6]	$10,686,000		$4,374,000		15,060,000
LWS Waiver/Variance	$335,000		$0		335,000
LWS Total	**$11,021,000**	**71.6%**	**$4,374,000**	**28.4%**	**15,395,000**
SWS Fees	$2,928,000		$12,772,000		15,700,000
SWS Enforcement/ Waiver/Variance	$151,000		$0		151,000
SWS Total	**$3,079,000**	**19.4%**	**$12,772,000**	**80.6%**	**15,851,000**
Total	**$14,100,000**	**45.1%**	**$17,146,000**	**54.9%**	**$31,246,000**

- The federal government subsidy for LWS is 28.4% of the LWS Program.
- The federal government subsidy for SWS is 80.6% of the SWS Program.
- The federal government subsidy for the total program is 54.9%.

Table 3 below is a detailed breakdown of the Safe Drinking Water Program activities and how those activities are being funded. The "Safe Drinking Water Account" column represents fees and cost recovery dollars collected from public water systems, while the "PWSS Grant" and "DW SRF PWSS Set-Aside" columns represent subsidy funding from the federal government. The amounts below are forecasts for Fiscal Year 2014-15 and are based on six months of actual expenditures and six months of projected expenditures.

Table 3

Safe Drinking Water Program Expenditures By Activity	Safe Drinking Water Account	PWSS Grant	DW SRF PWSS Set-Aside	Total
LWS (PICME) & Administration[10]	$7,387,000	$671,000	$977,000	$9,035,000
LWS Enforcement	$62,000			$62,000
LWS General Compliance[11]	$2,851,000	$460,000	$629,000	$3,940,000
LWS General Monitoring	$386,000	$281,000	$403,000	$1,070,000
LWS SRF, Prop 50 & 84			$545,000	$545,000
LWS Emergency			$408,000	$408,000
LWS Capped	**$10,686,000**	**$1,412,000**	**$2,962,000**	**$15,060,000**
LWS Waiver/Variance	$335,000			$335,000
LWS Total	**$11,021,000**	**$1,412,000**	**$2,962,000**	**$15,395,000**
SWS (PICME) & Administration[10]	$2,928,000	$4,266,000	$4,479,000	$11,673,000
SWS General Compliance[11]		$1,338,000	$1,427,000	$2,765,000
SWS SRF, Prop 50 & 84			$722,000	$722,000
SWS Emergency			$540,000	$540,000
SWS Capped	**$2,928,000**	**$5,604,000**	**$7,168,000**	**$15,700,000**
SWS Enforcement, Waiver/Variance	$151,000			$151,000
SWS Total	**$3,079,000**	**$5,604,000**	**$7,168,000**	**$15,851,000**
Total	**$14,100,000**	**$7,016,000**	**$10,130,000**	**$31,246,000**

Table 4 show the relative cost per service connection for both LWS and SWS.

Table 4

FY 2014-15	Active Service Connections	Total Fees Collected	Fees Collected/ Service Connection	Total Program Expenditures	Total Program Expenditures/ Service Connection
LWS	9,462,960	$ 11,021,000	$ 1.16	$ 15,395,000	$ 1.63
SWS	260,686	$ 3,079,000	$ 11.81	$ 15,851,000	$ 60.80
Total	**9,723,646**	**$ 14,100,000**	**$ 1.45**	**$ 31,246,000**	**$ 3.21**

Recommendation

In order to address these problems, and create a drinking water regulatory program fee structure that is reliable, fair, and sustainable; the State Water Board recommends statutory changes that would align the drinking water fee process with the State Water Board's existing water quality and water rights fee processes. The statutory changes would give the State Water Board authority to adopt annual fee schedules to conform with the revenue levels authorized in the Budget Act in any given year for the State Water Board's Division of Drinking Water. The State Water Board would be provided with emergency regulatory authority for this process. This approach would be consistent with the manner in which the State Water Board currently assesses fees for its water quality regulatory program and its water rights regulatory program.

The Trailer Bill Language in the BCP would give the State Water Board the authority to adopt annual fee schedules through emergency regulatory authority to meet the State Water Boards Drinking Water Program Budget Authority.

[1] Public water systems serving 1,000 or more service connections.

[2] Public water systems and non-community water systems with fewer than 1,000 service connections.

[3] A community water system supplies water to the same population year-round.

[4] A non-transient non-community water system regularly supplies water to at least 25 of the same people at least six months per year, but not year-round. Some examples are schools, factories, office buildings, and hospitals which have their own water systems.

[5] A transient non-community water system provides water in a place such as a gas station, rest stop or campground where people do not remain for long periods of time.

[6] The total amount of funds collected from LWS is capped each year and shall not increase by more than 5 percent of the amount collected for the previous fiscal year. The work perform at the LWS include Permitting, Inspection, Compliance, Monitoring and Enforcement (PICME) and General Compliance, and Monitoring and Administration cost.

[7] Enforcement program is reimbursement of actual costs incurred by the Water Board for any of the following activities related to that water system: 1) preparing, issuing, and monitoring compliance with an order or citation, 2) Preparing and issuing public notification, or 3) conducting a hearing pursuant to Health and Safety Code section 116625. Variance and waiver is reimbursement of actual costs incurred by the Water Board in the processing of public water system requests for an exemption, plan review, variance, or waiver of any applicable requirement of Safe Drinking Water Act (Act) or any regulation adopted pursuant to the Act.

[8]January 10th 2015 Governor's Proposed Budget Appropriation

[9] Budget appropriation revenue deficits are currently being offset by federal un-liquated obligations, which is projected to be exhausted by Fiscal Year 2015-16.

[10]LWS and SWS Administration includes workload associated with public meetings, complaints/media requests, presentations, training, policy and regulation development, permit related activities, database maintenance, and district managers expenditures. The Federal Government is subsidizing a portion of the LWS administration cost and is not subsidizing the LWS PICME activities.

[11]LWS and SWS General Compliance includes evaluating for compliance, responding to emails request from the public or water systems related to compliance of the drinking water program, maintaining timesheets and daily activity logs, and tracking various monthly/quarterly/annually compliance reports received from water systems. These various reports include: lead and copper rule reports, permitted treatment plant compliance reports, surface water treatment rule reports, disinfection by-product rule reports, consumer confidence reports, and groundwater rule reports.

EXHIBIT "C"

DRAFT – 4/30/2015

ACWA Issue Paper
Public Water System Operating Fees

Background

California's Safe Drinking Water Program ("Program") is administered by the State Water Resources Control Board's (the "SWRCB") Division of Drinking Water. The Program is funded through "operating fees" paid by public water systems according to a statutorily-established "fee-for-service" system. In FY 2012-13 and 2013-14, the Drinking Water Program experienced significant revenue shortfalls relative to the program's budget for those years.

As part of the State Budget process for Fiscal Year 2015-16, the SWRCB has proposed dramatic changes to its statutory authority to impose operating fees.

Existing Authority (Key Provisions)

1. Actual Cost Basis: Under the California Health and Safety Code, a public water system's annual operating fee is based on the "actual cost" incurred by the SWRCB in "conducting those activities mandated by [the California Safe Drinking Water Act] relating to the issuance of domestic water supply permits, inspections, monitoring, surveillance, and water quality evaluation." (Health & Safety Code §116565(a).) For public water systems that serve 1,000 or more connections, each public water system is required to reimburse the department for costs that relate to that specific public water system. "The amount of reimbursement shall be sufficient to pay, but in no event shall exceed, [the SWRCB's] actual cost in conducting these activities." (Health & Safety Code §116565(a).)

2. Statutory Caps on Large Systems Operating Fee Totals and Annual Increases: Existing law caps the operating fees for public water systems that serve 1,000 or more connections by establishing the total amount of operating and enforcement fees that could be collected for the 2001-02 fiscal year at no more than $7,000,000 with the additional provision that fees **cannot increase by more than 5 percent** of the amount collected for the previous fiscal year. (Health & Safety Code §116590(d).)

3. Fees for Small Water Systems: For public water systems that serve less than 1,000 connections, each public water system is required to pay a fee established by the SWRCB. For all public water systems serving less than 1,000 connections, "[t]he total amount of fees shall be sufficient to pay, but in no event shall exceed, the department's actual cost in conducting these activities." (Health & Safety Code §116565(b).) For community water systems with 15-999 connections, these fees are set at $6 per connection but can be increased by the SWRCB to up to $10 per connection, while the minimum fee is set at $250. (Health & Safety Code §116565(b)(1).) Transient and nontransient noncommunity water systems' fees are structured similarly. (Health & Safety Code §116565(b)(2), (3).)

4. Rulemaking Process for Fees: Under existing law, the SWRCB's development and approval of changes to the fee regulations are subject to the requirements for a regular rulemaking under the Administrative Procedures Act ("APA").

SWRCB's Proposed Change

The SWRCB is proposing to dramatically change how it imposes Program's operating fees. Under the proposed legislation, each public water system would submit an annual fee according to a fee schedule established by the SWRCB "for the purpose of reimbursing SWRCB for the costs incurred by the state board for activities mandated by this chapter." (*Proposed* Health & Safety Code §116565(a).) The SWRCB would be authorized to adopt the fee schedule by **emergency regulation** (*Proposed* Health & Safety Code §116565(b).) The SWRCB would "set the amount of total revenue collected each year through the fee schedule at an **amount equal to the amount appropriated by the Legislature in the annual budget act...**) (*Proposed* Health & Safety Code §116565(d).) **There would be no cap on fee increases.**

The SWRCB currently adopts fee schedules by emergency regulation under the APA to support its water quality (Water Code §13260(f)(1)) and water rights (Water Code §1530) programs.

SWRCB Rationale for Proposed Change and ACWA Responses (for discussion)

The SWRCB has provided a number of explanations for the need to change their fee authority:

1. ***SWRCB Rationale:*** *Drinking Water Program fee schedules are not generating sufficient revenue to meet Drinking Water Program budgetary authorizations.*
   ACWA Response: The Drinking Water Program is an important state program that needs adequate funding. The SWRCB acknowledges that the Program "did not consistently raise fees" in previous years as authorized by existing law. The SWRCB's existing authority enables it to increase the fees it collects from public water systems to conduct activities mandated by the California Safe Drinking Water Act. If escalated at the statutorily maximum rate of 5 percent per year, the total amount of fees receivable from public water systems that serve 1,000 or more connections would have increased from $7 million in FY 2001-02 to over $13.8 million in FY 2015-16. For public water systems that serve less than 1,000 connections, per connection fees have remained fixed at $6 per connection since FY 2001-02.

2. ***SWRCB Rationale:*** *The current statutory requirements require a costly and time-consuming rulemaking process for increasing fees, which limits the program's ability to meet new statutory or budgetary requirements.*
   ACWA Response: The SWRCB's current drinking water fee setting processes provide due process through a transparent, public process. Many public water systems subject to these fees are public agencies that are required to engage in public processes in order to raise their rates.

3. ***SWRCB Rationale:*** *Nearly 55 percent of Drinking Water Program costs are funded from federal funds. Federal funds are not a stable funding source, as there is no guarantee that the state will continue to receive these funds in perpetuity.*
   ACWA Response: The Public Water System Supervision ("PWSS") grant is a federal responsibility under the federal Safe Drinking Water Act and has been appropriated every year since 1976.

ACWA has looked into this in Washington, D.C. There is no indication that the PWSS funding is vulnerable or at risk of being reduced or eliminated.

4. ***SWRCB Rationale:*** *The current fee structure prevents the SWRCB from being able to focus its resources on addressing the highest priority drinking water problems which tend to involve small water systems or to effectively shift resources to address urgent new drinking water issues, such as those associated with the current drought.*
   ACWA Response: Both the current and the SWRCB's proposed fee structures are designed to reimburse SWRCB for costs incurred conducting activities mandated by the Safe Drinking Water Act. The current fee structure is based on a "fee-for-service" model, and changing that requirement may involve the imposition of a new tax-based structure on public water systems. Proposition 26, enacted by California voters in 2010, added a new definition of the term "tax" to the California Constitution and provides that taxes must be approved by two-thirds vote of Legislature and that certain local fees be approved by two-thirds of voters. Under Proposition 26, a fee is a tax if it does not link payor charges and benefits.

5. ***SWRCB Rationale:*** *The current fee structure places a greater burden on small water systems to pay for the costs of the drinking water regulatory program.*
   ACWA Response: As the SWRCB has acknowledged, problems related to consistent compliance with drinking water standards are concentrated among small systems. Accordingly, any fee-based program will concentrate costs on those systems where the time and energy of the Drinking Water Program are focused. For public water systems that serve less than 1,000 connections, per connection fees have remained fixed at $6 per connection since Fiscal Year 2001-02. The existing law allows increases to $10 per connection.

ACWA's Position (for discussion)

Principles

- The Drinking Water Program is an important program which needs to be adequately funded.
- A permit fee should cover the SWRCB's actual and reasonable cost of activities related to the permit (e.g., inspections).
- Due process should be afforded when changes are made to the drinking water program fees.

Proposal

- Retain existing provisions in State law, except as noted below. This includes Health and Safety Code section 116565, which limits what activities the fees covers. (See Health & Safety Code ("HSC") §§116565 – 116595.)
- Amend subdivision (f) of HSC Section 11565 to:
  - Reset the initial funding cap from a 2001-02 fiscal year amount of $7,000,000 cap for large system operating and enforcement fees to a new initial funding cap for the 2015-16 Fiscal Year in the amount of $15,395,000.

  - Retain the 5 percent cap on annual increases, but change the initial fiscal year reference to fiscal year 2016-17.
- Apply an increased portion of the Public Water System Supervision (PWSS) Grant (federal subsidy) funding and the Drinking Water State Revolving Fund PWSS (DW SRF PWSS) Grant Set-Aside (federal subsidy) funding to the small water systems.
- Do not use the emergency regulation process to change the permit fees. Retain the existing APA process for the fees.

EXHIBIT "D"

EXECUTIVE ORDER B-30-15

WHEREAS climate change poses an ever-growing threat to the well-being, public health, natural resources, economy, and the environment of California, including loss of snowpack, drought, sea level rise, more frequent and intense wildfires, heat waves, more severe smog, and harm to natural and working lands, and these effects are already being felt in the state; and

WHEREAS the Intergovernmental Panel on Climate Change concluded in its Fifth Assessment Report, issued in 2014, that "warming of the climate system is unequivocal, and since the 1950s, many of the observed changes are unprecedented over decades to millennia" and that "continued emission of greenhouse gases will cause further warming and long-lasting changes in all components of the climate system, increasing the likelihood of severe, pervasive and irreversible impacts for people and ecosystems;" and

WHEREAS projections of climate change show that, even under the best-case scenario for global emission reductions, additional climate change impacts are inevitable, and these impacts pose tremendous risks to the state's people, agriculture, economy, infrastructure and the environment; and

WHEREAS climate change will disproportionately affect the state's most vulnerable citizens; and

WHEREAS building on decades of successful actions to reduce pollution and increase energy efficiency the California Global Warming Solutions Act of 2006 placed California at the forefront of global and national efforts to reduce the threat of climate change; and

WHEREAS the Intergovernmental Panel on Climate Change has identified limiting global warming to 2 degrees Celsius or less by 2050 as necessary to avoid potentially catastrophic climate change impacts, and remaining below this threshold requires accelerated reductions of greenhouse gas emissions; and

WHEREAS California has established greenhouse gas emission reduction targets to reduce greenhouse gas emissions to 1990 levels by 2020 and further reduce such emissions to 80 percent below 1990 levels by 2050; and

WHEREAS setting an interim target of emission reductions for 2030 is necessary to guide regulatory policy and investments in California in the midterm, and put California on the most cost-effective path for long term emission reductions; and

WHEREAS all agencies with jurisdiction over sources of greenhouse gas emissions will need to continue to develop and implement emissions reduction programs to reach the state's 2050 target and attain a level of emissions necessary to avoid dangerous climate change; and

WHEREAS taking climate change into account in planning and decision making will help the state make more informed decisions and avoid high costs in the future.

NOW, THEREFORE, I, EDMUND G. BROWN JR., Governor of the State of California, in accordance with the authority vested in me by the Constitution and statutes of the State of California, in particular Government Code sections 8567 and 8571 of the California Government Code, do hereby issue this Executive Order, effective immediately

IT IS HEREBY ORDERED THAT:

1.A new interim statewide greenhouse gas emission reduction target to reduce greenhouse gas emissions to 40 percent below 1990 levels by 2030 is established in order to ensure California meets its target of reducing greenhouse gas emissions to 80 percent below 1990 levels by 2050.

2.All state agencies with jurisdiction over sources of greenhouse gas emissions shall implement measures, pursuant to statutory authority, to achieve reductions of greenhouse gas emissions to meet the 2030 and 2050 greenhouse gas emissions reductions targets.

3.The California Air Resources Board shall update the Climate Change Scoping Plan to express the 2030 target in terms of million metric tons of carbon dioxide equivalent.

4.The California Natural Resources Agency shall update every three years the state's climate adaptation strategy, Safeguarding California, and ensure that its provisions are fully implemented. The Safeguarding California plan will:
-Identify vulnerabilities to climate change by sector and regions, including, at a minimum, the following sectors: water, energy, transportation, public health, agriculture, emergency services, forestry, biodiversity and habitat, and ocean and coastal resources;
-Outline primary risks to residents, property, communities and natural systems from these vulnerabilities, and identify priority actions needed to reduce these risks; and
-Identify a lead agency or group of agencies to lead adaptation efforts in each sector.

5.Each sector lead will be responsible to:
-Prepare an implementation plan by September 2015 to outline the actions that will be taken as identified in Safeguarding California, and
-Report back to the California Natural Resources Agency by June 2016 on actions taken.

6.State agencies shall take climate change into account in their planning and investment decisions, and employ full life-cycle cost accounting to evaluate and compare infrastructure investments and alternatives.

7.State agencies' planning and investment shall be guided by the following principles
-Priority should be given to actions that both build climate preparedness and reduce greenhouse gas emissions;
-Where possible, flexible and adaptive approaches should be taken to prepare for uncertain climate impacts;
-Actions should protect the state's most vulnerable populations; and
-Natural infrastructure solutions should be prioritized.

8.The state's Five-Year Infrastructure Plan will take current and future climate change impacts into account in all infrastructure projects.

9.The Governor's Office of Planning and Research will establish a technical, advisory group to help state agencies incorporate climate change impacts into planning and investment decisions.

10.The state will continue its rigorous climate change research program focused on understanding the impacts of climate change and how best to prepare and adapt to such impacts.
This Executive Order is not intended to create, and does not create any rights or benefits, whether substantive or procedural, enforceable at law or in equity, against the State of California, its agencies, departments, entities, officers, employees, or any other person.

I FURTHER DIRECT that as soon as hereafter possible, this Order be filed in the Office of the Secretary of State and that widespread publicity and notice be given to this Order.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 29th day of April 2015.

_____
EDMUND G. BROWN JR.
Governor of California

ATTEST:

_____
ALEX PADILLA
Secretary of State

FREQUENTLY ASKED QUESTIONS ABOUT EXECUTIVE ORDER B-30-15

2030 Carbon Target and Adaptation

CALIFORNIA IS TAKING EARLY, DECISIVE ACTION TO REDUCE CARBON OUTPUT. THE STATE IS ALREADY EXPERIENCING UNPREDICTABLE SHIFTS IN WEATHER PATTERNS, PROLONGED FIRE SEASONS AND MEASURABLE SEA LEVEL RISE ASSOCIATED WITH CLIMATE CHANGE. BECAUSE OF THIS, MEASURES TO ADAPT TO THESE CHANGES MUST BE TAKEN. WITH THIS EXECUTIVE ORDER, WE ARE ACCELERATING CUTS TO CARBON OUTPUT THROUGH 2030 TO REDUCE CONTINUED TEMPERATURE RISE, AND SHIFTING INFRASTRUCTURE PRIORITIES TO PROTECT AGAINST CLIMATE-CHANGE RELATED IMPACTS IN THE FUTURE.

2030 Target

What is the purpose of a 2030 greenhouse gas reduction target?

Immediate and committed global action is necessary to slow the damaging impacts of climate change. Reducing greenhouse gas emissions by 40 percent below 1990 levels in 2030 ensures that California will continue its efforts to reduce carbon pollution and set the economy on a trajectory to help stabilize global temperatures. Setting a target sends a message around the world to states and regions that California is a potential partner and role model.

Reducing greenhouse gas emissions by 40 percent in 2030 is also important to help us achieve federal health-based air quality standards, and continue to drive investments in clean technology and clean energy in California, where growth in those sectors is outpacing the rest of the country.

But don't we already have a 2050 target? Why a 2030 target in addition?

Reducing greenhouse gas emissions by 40 percent below 1990 levels in 2030 and by 80 percent below 1990 levels by 2050 aligns with scientifically established levels needed in the U.S. to limit global warming below 2°C. The latest science shows that the path taken to achieve necessary science-based targets in 2050 is just as important as achieving the 2050 target itself and that we need a series of coordinated programs to capture cost-effective emission reductions opportunities wherever possible, not only in 2050, but at every point along the way. Setting clear targets beyond 2020 also provides market certainty to foster investment and growth in a wide array of industries throughout the State.

How will the 2030 target affect investment in clean technology, innovation and job development?

California has already made great progress in driving the development of clean technologies thanks to programs developed under AB 32 and other important Legislation; the 2030 target will ensure that success continues beyond 2020. Fighting climate change is a long-term commitment, and to continue -- and accelerate -- the full range of initiatives and solutions we need to send strong policy signals to companies, financiers, and entrepreneurs that continued investment and innovation to decarbonize California's economy, support clean technology and create new jobs will be rewarded over the long term.

Is California 'going it alone' in this effort?

Not at all. As part of their Intended Nationally Determined Contributions (INDCs) to the Conference of Parties meeting of the United Nations Framework Convention on Climate Change in Paris in December of 2015, countries are making pledges to reduce greenhouse gas emissions. The U.S.

has pledged to reduce its emissions by 26-28 percent below 2005 levels by 2025, and the Obama Administration has proposed rules to significantly cut greenhouse gas emissions from the power sector through 2030. The European Union and Norway have pledged to reduce emissions by 40 percent below 1990 levels by 2030, Switzerland has pledged a 50 percent reduction below 1990 levels by 2030, and Mexico has pledged to reduce emissions by 25 percent below 2013 levels by 2030, and potentially as much as 40 percent as part of a broad, global agreement. Additionally, the United Kingdom has legislation requiring a 50 percent reduction below 1990 levels by 2027, and Germany has committed to reduce emissions by 40 percent below 1990 levels by 2020, and by 55 percent below 1990 levels by 2030

In addition, California has linked its cap-and-trade program with the province of Quebec, and is discussing linkage with Ontario. Through the Pacific Coast Collaborative (CA, OR, WA, BC)and other initiatives, California is actively working to develop additional regional and coordinated approaches to greenhouse gas reductions.

How do the Governor's existing 2030 goals align with the overall 40 percent 2030 greenhouse gas reduction target?

In his Inaugural Address in January 2015, Governor Brown identified five key goals for reducing greenhouse gas emissions in California through 2030, and showing the world the way to stabilizing global warming below 2°C:

- Increase renewable electricity to 50 percent,
- Double energy efficiency savings achieved in existing buildings and make heating fuels cleaner,
- Reduce petroleum use in cars and trucks by up to 50 percent,
- Reduce emissions of short-lived climate pollutants, and
- Manage farms, rangelands, forests and wetlands to increasingly store carbon.

These goals are all well-aligned with an overall 40 percent greenhouse gas reduction target. As part of an integrated strategy to help manage the electricity grid efficiently, the energy efficiency and renewable energy goals can help reduce energy costs and greenhouse gas emissions in the electricity, residential and commercial sectors to levels that are in-line with an overall 40 percent target. Similarly, cutting petroleum use in half by 2030 aligns with the 40 percent target and is necessary to meet required federal health-based air quality standards. Emission reductions from all sources – including non-CO_2 gases and from natural and working lands – are necessary to stabilize climate change.

Can California achieve a 40 percent reduction?

Yes. We already have a 'running start' with successful policies in place that are delivering significant reductions as a result of cleaner and more fuel-efficient cars, zero emission vehicles, cleaner low-carbon fuels, more renewable energy and ongoing efforts to improve the energy efficiency of our homes and businesses.

We will need to continue those efforts, and accelerate them including a focus on zero- and near-zero technologies for moving freight, continued investment in renewables including solar roofs and distributed generation, greater use of low-carbon fuels including electricity and hydrogen, stronger efforts to reduce emissions of short-lived climate pollutants (methane, black carbon and fluorinated gases), and further efforts to create livable, walkable communities and expansion of mass transit and other alternatives to traveling by car. Continuing the cap-and-trade program and ensuring that natural lands become carbon sinks provide additional emissions reductions and flexibility in meeting the target.

Several analyses – including those by E3,[1] Lawrence Berkeley National Laboratory,[2] the National Renewable Energy Laboratory,[3] UC Berkeley,[4] and Energy Innovation,[5] among others – demonstrate a range of feasible technologies and policy pathways to meet the target.

1 https://ethree.com/public_projects/energy_principals_study.php
2 http://eetd.lbl.gov/publications/modeling-california-policy-impacts-on
3 http://www.lowcarbongrid2030.org/
4 Publication forthcoming
5 http://energyinnovation.org/wp-content/uploads/2015/03/

What are the economic impacts of a 40 percent target?

The costs associated with any future scenario are uncertain, and depend on a wide array of assumptions related to oil and natural gas prices, as well as technology costs for conventional and clean technologies. In recent years, there has been tremendous innovation that has significantly reduced the cost of clean technologies, and today, tremendous opportunity exists to improve efficiency and cut costs – solar and wind power are cost-competitive in many places, leases for electric vehicles are among the least expensive new car options, and some fueling stations sell renewable diesel at a lower price than conventional diesel. Still, additional innovation, economies of scale, and state and federal policies are needed to accelerate market growth for critical technologies and further bring down costs so that they are competitive on a broad scale.

Analysis by E3 of a 2030 target included an accounting of technology and energy costs, assuming somewhat conservatively that the pace of clean technology innovation and cost reductions slows from recent years. One scenario results in greenhouse gas emission reductions of 38 percent below 1990 levels at an average cost of $39 per household per month. This analysis does not include savings in health costs or other macroeconomic impacts associated achieving these reductions, which would be necessary to estimate whether such a scenario would ultimately have a positive or negative impact on economic growth and job creation. Different analyses that consider the macroeconomic impacts of strong action to address climate change have shown potentially positive or negative impacts on economic growth, although all tend to be very small in the context of the entire California economy.

Will meeting this target affect the reliability of the electricity grid?

No. California has effectively integrated a rapidly increasing portion of renewable energy on its grid already, which has reached 40 percent of total generation during some hours, and can easily accommodate 50 percent or more renewables by 2030. Regardless of the fraction of generation coming from renewable resources, effective, integrated grid planning is needed to maintain reliability. The State's energy agencies constantly coordinate to ensure that efforts to increase renewable electricity and reduce greenhouse gas emissions align with those aimed at maintaining and improving grid reliability.

What are the next steps for the 2030 target?

The Executive Order directs state agencies to take measures consistent with their existing authority to reduce greenhouse gas emissions. In addition, the California Air Resources Board will initiate a public process in the summer of 2015 and work closely with other state agencies to update the State's climate change Scoping Plan.

The updated Scoping Plan will provide a framework for achieving the 2030 target and will be completed and adopted by the Air Resources Board in 2016. As part of that process, public workshops will be held over the next several months to discuss new and existing approaches for reducing emissions on a sector-by-sector basis.

Concurrent planning efforts related to energy efficiency in existing buildings (AB 758), short-lived climate pollutants, sustainable freight, Greenhouse Gas Reduction Fund Investments, forest health, and others will be coordinated with, and feed into, the updated Scoping Plan.

This executive action sets the stage for the important work being done on climate change by the Legislature.

Adaptation

Why is adaptation a key part of our climate change program?

California is already experiencing adverse impacts from climate change. These include drought and wildfires; sea level rise that is accelerating coastal erosion; higher levels of harmful air pollution; increased public health risks caused by longer periods of high heat; and loss of biodiversity.

These risks are real; however, we are not out of reach of adapting to and protecting against them. Adaptation efforts can also bring many benefits with long-term planning and investments. Stronger local infrastructure for water and power that does not rely on distant and potentially

fragile connections lowers costs and increases reliability. Measures to reduce air pollution benefit us all. Better defenses against wildfires saves lives and homes.

California is currently in the midst of the worst drought in recorded history. Although the link between global warming and the drought has not been definitely established, peer-reviewed studies suggest that the two are linked, and there is broad consensus that climate change will make severe droughts like this one more frequent in California and other states. This is a glimpse of a new "normal" – a dwindling snowpack with the potential for more warm rain. In the short term, farmers and cities will increasingly turn to reservoirs and groundwater, but adaptation planning and projects are needed for long-term stability. Lack of water has also led to more frequent and intense wildfires, including the Rim fire, which scorched the largest area on record in the Sierra Nevadas.

The majority of Californians live along the coast, exposing them to risk from sea-level rise, storms, and saltwater intrusion. Already, the sea level in California has risen approximately 7 inches (18 centimeters) from 1900 to 2005, reports the National Climate Assessment. The average temperature in California in 2014 was the highest ever recorded; average temperatures were 4 degrees higher than the average temperatures in the 20th century.

Adaptation measures include using scarce water more efficiently, adapting building codes to future climate conditions and extreme weather events, building flood defenses and raising the levels of levees, developing drought-tolerant crops, choosing tree species and forestry practices less vulnerable to storms and fires, and setting aside land corridors to help species migrate.

What guides California's adaptation activities?

The Safeguarding California Plan, published in July 2014, is a comprehensive strategy to protect the state's environment, economy, and people from ongoing and inevitable climate threats. It provides guidance in nine broad areas where California will suffer from climate impacts: agriculture, biodiversity and habitat, emergency management, energy, forestry, ocean and coastal ecosystems and resources, public health, and transportation.

By identifying climate risks and vulnerabilities as well as the sector-specific actions needed to address them, the Plan comprehensively sets the direction for California's adaptation initiatives.

The Governor's Order specifically directs planners to present detailed steps for responsible agencies to take in each of these nine areas. These documents can be used by local and state-level policymakers to guide investments in key areas to best protect and improve human health and safety.

What actions is the state currently taking on climate change adaptation?

State agencies implement the Safeguarding California Plan through a range of initiatives, which can be broadly categorized into tools and practitioner guides, sector-specific detailed action plans, and investments.

Tools and practitioner guides help local and regional governments, businesses, and the general public to understand and plan for climate impacts. Cal-Adapt is a web-based adaptation visualization and planning tool that incorporates state-of-the-art climate modeling that shows information about climate threats like extreme heat and permanent warming, sea-level rise, loss of snowpack, and wildfire risk at a local level.

The Adaptation Planning Guide consists of four sets of step-by-step instructions for local and regional planners to prepare for climate threats. Threat-specific guidance like the State of California Sea-Level Rise Document provides local decision-makers the information they need to best prepare for climate-related coastal hazards.

The California Water Action Plan and the State Hazard Mitigation Plan are currently being funded and implemented. Specific threats are being addressed through programs like Preparing California for Extreme Heat, the Bay Delta Conservation Plan and the Desert Renewable Energy Conservation Plan.

The State is investing in climate adaptation through grants and other expenditures, like the Greenhouse Gas Reduction Fund. These programs mitigate climate risks as well as greenhouse gas emissions through activities like urban forestry, wetlands restoration, and water efficiency. Infrastructure funded by the state is another way for California to create a built environment more

resilient to climate impacts as well, including grants from programs funded by Proposition 1, California's historic water bond.

How does this Executive Order further the State's adaptation efforts?

The Executive Order requires that the state's adaptation strategy, Safeguarding California, is updated every 3 years; identifies vulnerabilities to climate change by sector or regions; outlines primary risks to residents, property, communities and natural systems; and establishes a process for agency coordination.

The Order also establishes a process for tracking implementation of adaptation activities, and requires that state agencies incorporate climate change into their planning and investment decisions using a full life-cycle cost accounting to evaluate and compare infrastructure investments and alternatives. The Order also requires that the 5-Year Infrastructure Plan incorporates current and future climate change impacts in decisions to construct new infrastructure projects and rehabilitate existing ones. The Safeguarding Plan provides the policy base for local and state policymakers to invest in adaptation projects. Infrastructure investments will provide multiple benefits to taxpayers, including heading off drought impacts with water recycling and storage projects and lower insurance rates with improved flood infrastructure.

How will this Order help with the State's drought response efforts?

With California facing one of the most severe droughts on record, Governor Brown has taken action to prepare for the impacts of extreme weather. Near-term actions include mandatory water rationing orders for cities and significant curtailments of water deliveries to farms.

Long-term actions to help prepare California for future droughts present substantial opportunities to improve regional self-reliance for water supplies and enhance and improve flood control projects. Emergency legislation accelerated grant funding for water recycling, storm water capture and managements, groundwater clean-up, and levee and flood control system improvements.

Regional self-reliance projects protect our communities from the impacts of drought and shifting and unpredictable weather patterns caused by climate change. Detailed implementation plans for each sector of the Safeguarding Plan as required by this Executive Order will ensure overall policy direction and provide the steps needed to complete these important projects.

The current drought serves as a tangible reminder that our entire state is vulnerable to shifting weather patterns. These projects will help people and the economy adapt to unpredictable impacts.

In addition, moving water around the state requires vast amounts of energy. Continued efforts at water conservation at all levels will reduce the greenhouse gases associated with pumping, moving, heating and using water. Thriving forests that serve as carbon sinks will also help to protect and enhance many of the State's most critical watersheds.

How does the Order relate to adaptation actions carried out at the local and regional level?

The Executive Order makes climate adaptation a top priority in infrastructure planning and identifies sector specific vulnerabilities throughout California. It also establishes accountability for assessing and tracking implementation of adaptation efforts. Local government and regional collaboratives, such as the Alliance of Regional Collaboratives for Climate Adaptation (ARCCA), utilize and benefit from state developed tools, research, guidelines, and planning documents as they assemble local and regional climate adaptation plans and projects.

EXHIBIT "F"

Senate Bill No. 992

CHAPTER 434

An act to amend Section 4735 of, and to add Section 4736 to, the Civil Code, relating to common interest developments, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor September 18, 2014. Filed with Secretary of State September 18, 2014.]

LEGISLATIVE COUNSEL'S DIGEST

SB 992, Nielsen. Common interest developments: property use and maintenance.

The Davis-Stirling Common Interest Development Act governs the management and operation of common interest developments. Existing law provides that, unless otherwise provided in the common interest development declaration, the association is responsible for repairing, replacing, or maintaining the common area, other than exclusive use common area, and the owner of each separate interest is responsible for maintaining that separate interest and any exclusive use common area appurtenant to that interest. Existing law makes void and unenforceable any provision of the governing documents of a common interest development or association that prohibits use of low water-using plants, or prohibits or restricts compliance with water-efficient landscape ordinances or regulations on the use of water, as specified.

Existing law prohibits an association from imposing a fine or assessment on separate interest owners for reducing or eliminating watering of vegetation or lawns during any period for which the Governor has declared a state of emergency or the local government has declared a local emergency due to drought.

This bill would exempt from these prohibitions against imposing a fine or assessment an association that uses recycled water for landscape irrigation.

This bill would also provide that a provision of the governing documents is void and unenforceable if it requires pressure washing, as defined, the exterior of a separate interest and any exclusive use common area appurtenant to the separate interest during a state or local government declared drought emergency.

This bill would incorporate additional changes in Section 4735 of the Civil Code proposed in AB 2104, that would become operative only if AB 2104 and this bill are both chaptered and become effective on or before January 1, 2015, and this bill is chaptered last.

This bill would declare that it is to take effect immediately as an urgency statute.

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

SECTION 1. Section 4735 of the Civil Code is amended to read:

4735. (a) Notwithstanding any other law, a provision of the governing documents shall be void and unenforceable if it does any of the following:

(1) Prohibits, or includes conditions that have the effect of prohibiting, the use of low water-using plants as a group.

(2) Has the effect of prohibiting or restricting compliance with either of the following:

(A) A water-efficient landscape ordinance adopted or in effect pursuant to subdivision (c) of Section 65595 of the Government Code.

(B) Any regulation or restriction on the use of water adopted pursuant to Section 353 or 375 of the Water Code.

(b) This section shall not prohibit an association from applying landscaping rules established in the governing documents, to the extent the rules fully conform with subdivision (a).

(c) Notwithstanding any other provision of this part, an association, except an association that uses recycled water, as defined in Section 13050 of the Water Code, for landscaping irrigation, shall not impose a fine or assessment against an owner of a separate interest for reducing or eliminating the watering of vegetation or lawns during any period for which either of the following have occurred:

(1) The Governor has declared a state of emergency due to drought pursuant to subdivision (b) of Section 8558 of the Government Code.

(2) A local government has declared a local emergency due to drought pursuant to subdivision (c) of Section 8558 of the Government Code.

SEC. 1.5. Section 4735 of the Civil Code is amended to read:

4735. (a) Notwithstanding any other law, a provision of the governing documents or architectural or landscaping guidelines or policies shall be void and unenforceable if it does any of the following:

(1) Prohibits, or includes conditions that have the effect of prohibiting, the use of low water-using plants as a group or as a replacement of existing turf.

(2) Has the effect of prohibiting or restricting compliance with either of the following:

(A) A water-efficient landscape ordinance adopted or in effect pursuant to subdivision (c) of Section 65595 of the Government Code.

(B) Any regulation or restriction on the use of water adopted pursuant to Section 353 or 375 of the Water Code.

(b) This section shall not prohibit an association from applying landscaping rules established in the governing documents, to the extent the rules fully conform with subdivision (a).

(c) Notwithstanding any other provision of this part, an association, except an association that uses recycled water, as defined in Section 13050 of the Water Code, for landscaping irrigation, shall not impose a fine or assessment against an owner of a separate interest for reducing or eliminating

the watering of vegetation or lawns during any period for which either of the following have occurred:

(1) The Governor has declared a state of emergency due to drought pursuant to subdivision (b) of Section 8558 of the Government Code.

(2) A local government has declared a local emergency due to drought pursuant to subdivision (c) of Section 8558 of the Government Code.

SEC. 2. Section 4736 is added to the Civil Code, to read:

4736. (a) A provision of the governing documents shall be void and unenforceable if it requires pressure washing the exterior of a separate interest and any exclusive use common area appurtenant to the separate interest during a state or local government declared drought emergency.

(b) For purposes of this section, "pressure washing" means the use of a high-pressure sprayer or hose and potable water to remove loose paint, mold, grime, dust, mud, and dirt from surfaces and objects, including buildings, vehicles, and concrete surfaces.

SEC. 3. Section 1.5 of this bill incorporates amendments to Section 4735 of the Civil Code proposed by both this bill and Assembly Bill 2104. It shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2015, but this bill becomes operative first, (2) each bill amends Section 4735 of the Civil Code, and (3) this bill is enacted after Assembly Bill 2104, in which case Section 4735 of the Civil Code, as amended by Section 1 of this bill, shall remain operative only until the operative date of Assembly Bill 2104, at which time Section 1.5 of this bill shall become operative.

SEC. 4. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

The Governor has proclaimed a state of emergency to exist in California due to current drought conditions. In order to respond to these current drought conditions as quickly as possible, it is necessary for this act to take effect immediately.

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EXHIBIT "G"

AMENDED IN ASSEMBLY APRIL 22, 2015

AMENDED IN ASSEMBLY MARCH 26, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL **No. 1201**

Introduced by Assembly Member Salas

February 27, 2015

~~An act to add Section 85308.5 to the Water Code, relating to the Sacramento-San Joaquin Delta.~~ *An act to add Chapter 8.5 (commencing with Section 6940) to Part 1 of Division 6 of the Fish and Game Code, relating to fish and wildlife.*

LEGISLATIVE COUNSEL'S DIGEST

AB 1201, as amended, Salas. ~~Delta Stewardship Council.~~ *Fish and wildlife: Sacramento-San Joaquin Delta: predation by nonnative species.*

The California Endangered Species Act prohibits the taking of an endangered, threatened, or candidate species, except as specified. Under the act, the Department of Fish and Wildlife may authorize the take of listed species if the take is incidental to an otherwise lawful activity and the impacts are minimized and fully mitigated.

This bill would require the department, by June 30, 2016, to develop and initiate a science-based approach that addresses predation by nonnative species upon species of fish listed pursuant to the act that reside all or a portion of their lives in the Sacramento-San Joaquin Delta.

~~The Sacramento-San Joaquin Delta Reform Act of 2009 establishes the Delta Stewardship Council as an independent agency of the state, and requires the council to develop, adopt, and commence implementation of a comprehensive management plan for the~~

~~Sacramento-San Joaquin Delta (Delta Plan), meeting specified requirements. The act also establishes the Delta Independent Science Board to provide oversight of the scientific research, monitoring, and assessment programs that support adaptive management of the Delta through periodic reviews.~~

~~This bill would require the council, in the course of implementing the Delta Plan, to direct the board to conduct an assessment of stressors, in addition to the operations of the State Water Resources Development System and the federal Central Valley Project, on populations of native fish species in the Delta, the Sacramento and San Joaquin rivers, and the tributaries to those rivers below the rim dams of the central valley, containing specified information, and to recommend changes in statute and actions that may be taken by state agencies to remedy the situation at the earliest possible time.~~

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

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

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

(a) Promoting the long-term ecological health of the Sacramento-San Joaquin Delta and its native species is critical to ensuring a reliable and sustainable water supply for all Californians.

(b) Salmon are an iconic native California fish that are important to California's economic, recreational, and environmental welfare. California's $1.5 billion commercial and recreational salmon fishing industries employ tens of thousands of people, provide endless recreational opportunities, and remain an important part of the cultural heritage of California's Native American tribes. Winter-run Chinook salmon were listed as endangered under the federal Endangered Species Act in 1994.

(c) Despite efforts to protect the species, the latest spring Kodiak trawl survey by the Department of Fish and Wildlife recorded the lowest number ever for the species.

(d) Ongoing drought conditions have significant impacts on California's environment, fish and wildlife, residents, farms, and businesses, and have worsened conditions for endangered Chinook salmon and delta smelt and further threatened of their extinction.

(e) State and federal regulators must take concerted efforts to protect the environment, fish and wildlife, the economy, and residents of this state from the ongoing implications of drought and future water scarcity.

(f) Predation by nonnative species can cause mortality among endangered Chinook salmon and delta smelt and, as these populations continue to decline, ongoing predation may further negatively impact their potential recovery and hasten their extinction.

(h) It is the policy of the State of California to protect native species, particularly those at risk of extinction. Consistent with that policy, it is important to evaluate whether populations of nonnative species that pose a risk to such native species can be managed in a way that enhances the potential for native species' survival.

SEC. 2. Chapter 8.5 (commencing with Section 6940) is added to Part 1 of Division 6 of the Fish and Game Code, to read:

CHAPTER 8.5. PREDATION BY NONNATIVE SPECIES

6940. The department shall, by June 30, 2106, develop and initiate a science-based approach that helps address predation by nonnative species upon species listed pursuant to Chapter 1.5 (commencing with Section 2050) of Division 3 that reside all or a portion of their lives in the Sacramento-San Joaquin Delta, as defined in Section 12220 of the Water Code.

~~SECTION 1. In order to protect and preserve the existing populations of native fish species that live and migrate through the San Francisco Bay and the Sacramento-San Joaquin River Delta, it is the intent of the Legislature that the Delta Stewardship Council consider, in addition to measures addressing the impact of the State Water Resources Development System (State Water Project) and federal Central Valley Project operations, the identification of effective and scientifically justified measures to reduce or eliminate the impact of other significant stressors on California's native fish populations.~~

~~SEC. 2. Section 85308.5 is added to the Water Code, to read:~~

~~85308.5. The council, in the course of implementing the Delta Plan, shall direct the Delta Independent Science Board to conduct an assessment of stressors, in addition to the operation of the State~~

~~Water Resources Development System and the federal Central Valley Project, on populations of native fish species in the Delta, the Sacramento and San Joaquin rivers, and the tributaries to those rivers below the rim dams of the central valley, and shall recommend changes in statute and actions that may be taken by state agencies to remedy the situation at the earliest possible time. The assessment shall include, at a minimum, a description of those stressors identified in the Delta Vision Strategic Plan, including the impacts of invasive species and nonnative species, water quality impairments, and predation on native species.~~

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