DATE: September 19, 2019
TO: Water Commission
FROM: Joshua Haggmark, Water Resources Manager
SUBJECT: Water and Wastewater Legislative Review

RECOMMENDATION:
That Water Commission receive a brief overview of the status of recently passed water and wastewater regulations. Summaries created by water and wastewater industry organizations of proposed legislation are included as Attachments 2, 3, 4, and 5.

DISCUSSION:

Enacted Water Legislation

Sustainable Groundwater Management Act (SGMA)
On September 16, 2014, Governor Jerry Brown signed into law a three-bill legislative package, composed of AB 1739 (Dickinson), SB 1168 (Pavley), and SB 1319 (Pavley), collectively known as the Sustainable Groundwater Management Act (SGMA). SGMA requires governments and water agencies to halt overdraft and bring groundwater basins into balanced levels of pumping and recharge. Under SGMA, these basins should reach sustainability within 20 years of mandated sustainability plan implementation. SGMA empowers local agencies to form Groundwater Sustainability Agencies (GSAs) to manage basins sustainably and requires those GSAs to adopt Groundwater Sustainability Plans (GSPs) for crucial groundwater basins in California. Under SGMA, only medium- and high-priority basins require action. The City’s two primary groundwater basins—Storage Unit 1 and Foothill—were designated very low priority by the California Department of Water Resources in 2014. That designation was reaffirmed in 2019. Therefore, no action is required. However, following a presentation on SGMA at its April 19, 2018 meeting, the City’s Water Commission directed staff to proceed with plans to form a GSA and develop a GSP for the City’s groundwater basins on a delayed timeline in order to take advantage of the legislation’s regulatory and financial framework for long-term sustainable management of the basins. By delaying implementation of SGMA until 2021, the City can benefit from lessons learned by other agencies currently mandated to implement SGMA, including Montecito Water District.

SB 555 – Urban Retail Water Suppliers: Water Loss Management
This legislation requires each urban retail water supplier on or before October 1 of each year to submit a water loss audit report for the previous calendar or fiscal year. Each water loss audit must be validated by a certified water loss validator. The legislation also
required the Department of Water Resources (DWR) to provide technical assistance to guide urban retail water suppliers through the water loss auditing process. The City took part in the Technical Assistance Program in 2016-2017.

The legislation requires the State Water Resources Control Board (State Board) to adopt rules by July 1, 2020 requiring urban retail water suppliers to meet volumetric water loss performance standards. In adopting these rules, the State Board is required to employ full life cycle cost accounting to evaluate the costs of meeting the performance standards. Although the State Board has not yet entered the official rule-making process, it has held multiple stakeholder workshops to involve water providers in the performance standards development process. The State Board is working with UC Davis to create an economic model that considers the benefit to cost ratios of water loss reduction efforts that would create a unique water loss performance target for each utility. UC Davis is currently conducting a pilot program to refine and test their model. The City is taking part in the pilot and will have the opportunity to provide feedback to the research team.

**America’s Water Infrastructure Act of 2018: Risk Assessments and Emergency Response Plans**

The president signed America’s Water Infrastructure Act (AWIA) into law on October 23, 2018. The law requires community drinking water systems serving more than 3,300 people to develop or update risk assessments and emergency response plans (ERPs). The law specifies the components that the risk assessments and ERPs must address and establishes deadlines by which water systems must certify to the Environmental Protection Agency (EPA) completion of the risk assessment and ERP.

The law specifies the topics that the risk and resilience assessments and emergency response plans must address. It also establishes deadlines by which community water systems must send certifications of completion of the risk and resilience assessments and emergency response plans to the EPA. Each community water system serving more than 3,300 persons shall also certify its completion of an emergency response plan as soon as reasonably possible, but no later than six months after certifying completion of its risk and resilience assessment.

The City must conduct and submit a risk and resilience assessment to the EPA Administrator by March 31, 2020. The City must also certify its completion of an emergency response plan by September 20, 2021.

**AB 1668/SB 606 – Water Use Efficiency and Conservation**

The laws add new long-term water conservation mandates and make numerous changes to water supply and drought planning requirements imposed on urban and agricultural water suppliers.

The bills require the State Board, in coordination with DWR, to establish long-term urban water use efficiency standards, including performance measures for commercial, industrial, and institutional water use.

- For indoor residential water use, the bills establish a 55 gallons per-person, per-day standard that will reduce incrementally to 50 gallons per-person, per-day.
• For outdoor residential use and commercial, industrial, and institutional use, DWR will conduct statewide landscaping and climate studies and will recommend standards and performance measures to the State Board.

Urban water suppliers must conduct annual drought risk assessments and submit an annual report to DWR. Overall, the full scope of these new laws will not be known for several years until the relevant state agencies develop the standards and regulations provided for in the legislation, required by June 2022. A more detailed summary of the legislation is provided as Attachment 1.

SB 998 – Water Shutoffs: Urban and Community Water Systems
SB 998 requires water service providers to adopt a detailed written policy concerning residential service shutoff for nonpayment and make the policy available on its website. It prohibits disconnection for nonpayment of any residential customer who has been delinquent for less than 60 days. It requires the provider give notice in writing or by telephone at least seven business days before disconnection and include an offer to discuss alternative payment methods or deferred payments and information about available appeals and extensions. If the occupant of the property is not the account holder, the provider must also notify the occupant of the impending disconnection.

The legislation prohibits disconnection of customers that meet all of the following parameters: (1) the customer provides certification from a primary care provider that disconnection would pose a health and safety threat; (2) the customer demonstrates they are financially unable to pay; and (3) the customer is willing to enter into an alternative payment arrangement. If all these conditions are met, the provider may only disconnect service if the customer fails to comply with the alternative payment arrangement for over 60 days.

The legislation sets limits on reconnection charges if a customer demonstrates a household income below 200 percent of the federal poverty line. The legislation also requires water service providers to report the number of disconnections of residential service for inability to pay on the provider’s website and to the State Board. The requirements set forth in SB 998 become effective April 1, 2020.

SB 1422 – California Safe Drinking Water Act: Microplastics
SB 1422 requires the State Board to: (1) by July 1, 2020, adopt a definition of microplastics in drinking water; and (2) by July 1, 2021, adopt regulations requiring four years of annual testing for microplastics in drinking water and reporting and public disclosure of the test results. The law requires the State Board to adopt a standard testing methodology and accredit qualified laboratories for the testing.

AB 1270 – Dams and Reservoirs: Inspection
AB 1270 requires the DWR to inspect dams, reservoirs, and other structures. The owner of a dam must operate critical outlet and spillway control features on an annual basis and must demonstrate the operability of these features in the presence of DWR every three years, or as directed by DWR.
The bill specifies that dam inspection reports are public records subject to disclosure under the California Public Records Act. DWR, in consultation with the dam owner and relevant public safety entities, may withhold from public release sensitive information that discloses a dam’s vulnerability or poses a security threat.

The bill requires the Division of Safety of Dams, in consultation with independent, national dam safety and dam safety risk management organizations to, on or before January 1, 2019, and every 10 years thereafter, propose amendments to its dam safety inspection and reevaluation protocols to incorporate updated best practices, including risk management, to ensure public safety.

**AB 2370 – Lead Exposure: Child Day Care Facilities: Family Day Care Homes**

Under pre-existing law (the California Child Day Care Facilities Act), certain health and safety training is required as a condition of obtaining a license to operate a facility. AB 2370 requires, as a condition of issuing a license under this Act on or after July 1, 2020, that this health and safety training include instruction in the prevention of lead exposure.

In addition, AB 2370 requires a licensed child day care center that is located in a building that was constructed before January 1, 2010 to have its drinking water tested for lead contamination levels on a specified schedule. The day care center must notify parents or legal guardians of enrolled children of the required testing and its results. If the testing shows that the child day care center has elevated lead levels, the center must immediately make inoperable and cease using affected water fountains and faucets, and must obtain a potable source for water for children and staff. The law does not impose any requirements on water service providers.

**AB 2371 – Water Use Efficiency: Landscape Irrigation**

AB 2371 enacts into law several recommendations from an independent technical panel report to the Legislature to increase efficiency and sustainability of landscape water use. The measures include: a requirement that the landscape contractors’ examination include questions concerning water use efficiency and sustainable practices; an addition to authorized subjects of a home inspection report to include information regarding the operation and observation of the home’s in-ground landscape irrigation system; and the creation of a working group relating to water use associated with landscape plants.

**AB 747 – State Water Resources Control Board: Administrative Hearings Office**

AB 747 creates an Administrative Hearings Office within the State Board to hear and adjudicate complex water rights matters. Under the new law, hearing officers similar to administrative law judges will preside over hearings to consider a complaint of unauthorized diversion or use, a notice of a proposed cease and desist order, or a notice of a revocation of a permit or license. The law also authorizes the State Board to request assistance from a hearing officer when conducting an adjudicative proceeding and to assign an adjudicative hearing in whole or part to the Administrative Hearings Office.
Enacted Wastewater Legislation

SB 1215 - Provision of Sewer Service: Disadvantaged Communities
SB 1215 authorizes regional water quality control boards to order a city or special district to provide sewer service to a disadvantaged community under certain circumstances. Before doing so, a regional board must follow certain procedures, which include holding at least one public meeting, encouraging voluntary provisions of sewer service, and considering alternative enforcement remedies. A regional board also must consult with other agencies including the respective Local Agency Formation Commission, the State Board, and other local public agencies with land use or public health authority. Affected residents in the disadvantaged community must receive notice and the opportunity to comment, and property owners with adequate onsite sewage treatment systems may opt out of receiving service under certain conditions.

ATTACHMENTS:
1. Staff Memorandum: New State Water Efficiency Legislation
2. Association of California Water Agencies (ACWA) Legislative Snapshot 2019
3. ACWA Water News: Governor and Legislative Leaders Collaborate on Safe Drinking Water Solution
4. California Association of Sanitation Agencies (CASA) Bill Positions
5. WateReuse California Bill Report
City of Santa Barbara  
Public Works Department

Memorandum

DATE: May 13, 2019
TO: Kelley Dyer, Water Supply Manager
FROM: Madeline Wood, Water Conservation Supervisor
SUBJECT: Summary of New State Water Efficiency Legislation

Summary

On May 31, 2018 former Governor Jerry Brown signed into law two new bills that will require urban retail water providers throughout California to set new permanent water use targets for their service areas by November 1, 2023. Senate Bill 606 (Hertzberg) and Assembly Bill 1668 (Friedman) provide a framework for setting water use targets, as well as implementing and enforcing the new water use requirements.

While many details for implementing the new water use requirements will be determined over the next several years, the overall framework includes:

- A standard for indoor residential water use of 55 gallons per person per day—dropping to 50 gallons beginning in 2030.
- A standard for outdoor residential water use based on the amount of irrigable landscaped area and the local climate.
- A standard for outdoor commercial, industrial, and institutional (CII) dedicated irrigation meters.
- A standard for water loss due to leaks in the water distribution system.

These four standards will be calculated and added together to represent an overall water use target for the water provider. Individual customers will not be required by the State to meet specific targets.

These recent laws outline a framework to guide urban water providers in setting water use targets. However, urban water providers will determine how they can best achieve their water use target. Many details for implementing the new laws will be determined over the next several years, and there are no immediate impacts to City water customers.

Calculating Urban Water Use Objectives

The Department of Water Resources (DWR) and the State Water Resources Control Board (SWRCB) must recommend guidelines and methodologies to SWRCB by
October 2021 that identify how urban water suppliers will be required to calculate water budgets for their service areas.

The guidelines and methodologies shall address all of the following:

• Determining the irrigable lands within the urban water supplier’s service area.
• Calculating the population in an urban water supplier's service area.
• Using landscape area data provided by the department or alternative data.
• Incorporating precipitation data and climate data into estimates of an urban water supplier’s outdoor irrigation budget.
• Estimating changes in outdoor landscape area and population, and calculating the urban water use objective for years when updated landscape imagery is not available from the department.
• Determining acceptable levels of accuracy for the supporting data, the urban water use objective, and compliance with the urban water use objective.

Once the methodology is established by SWRCB regulation, urban water suppliers must calculate their urban water use objectives by November 1, 2023. The budgets must be updated annually by November 1 thereafter.

The efficiency legislation also requires urban water suppliers to calculate their “actual water use” by November 1, 2023, and annually thereafter. Water suppliers will need to compare their water use objectives to their actual water use. That comparison will help determine whether the community is using water efficiently for purposes of the legislation.

Actual water use will consist of:

• Total residential water use
• Total outdoor residential water use
• Total metered CII outdoor irrigation water use
• Total water losses

**CII Performance Measures**

Separate from the water budget described above, urban water suppliers will also be required to implement performance measures for CII water users. The legislation establishes a process in which DWR and SWRCB will adopt a list of performance measures for CII water use. These measures will be developed in a public process including studies and investigations by DWR and SWRCB. Some of the industries that the measures will address include: commercial food service, fabric cleaning and washing, lodging, laboratories, prisons, retail grocery stores and food markets, educational facilities, and vehicle washing.

DWR must make its recommendations based on public input and necessary studies and investigations by October 1, 2021. SWRCB must then adopt performance measures for CII water use on or before June 30, 2022.
**Reporting**

The efficiency legislation includes some new reporting requirements for urban water suppliers. No later than November 1, 2023, and annually thereafter, urban water suppliers must report to DWR the following:

- The calculated urban water use objective along with relevant supporting data.
- The calculated actual urban water use along with relevant supporting data.
- Documentation of the implementation of the performance measures for CII water use.
- A narrative about the progress made towards meeting the water use objective, e.g., a comparison of the urban water supplier’s water use objective to its actual water use.

The efficiency legislation makes several changes and additions to the existing requirement that urban water suppliers develop and implement Urban Water Management Plans (UWMPs) and Water Shortage Contingency Plans which are developed by the City and submitted every five years. On an annual basis, water providers will conduct an Annual Water Shortage Assessment and submit this report to DWR each June. With the annual assessment, suppliers will determine whether there is an anticipated shortage for that year and whether the specific shortage response actions identified in the Shortage Contingency Plan are triggered.

**Enforcement**

The efficiency legislation contains four types of enforcement mechanisms:

- **Informational Orders:** Beginning in November 1, 2023, if a water provider’s actual water use is higher than its water budget, SWRCB may issue an informational order. This is a notice to providers that they did not meet their budget. An informational order cannot require any specific actions.
- **Written Notices:** Beginning November 1, 2024, SWRCB may issue written notices to suppliers that have not met their water budget. SWRCB may request the supplier address certain areas of concern in its next budget report.
- **Conservation Orders:** Beginning November 1, 2025, SWRCB may issue a conservation order, these can include specific measures to be implemented by the provider.
- **Fines:** Beginning November 1, 2027, SWRCB may begin issuing fines to urban water providers who have not met their water budget. These fines may be up to $1,000 per day or $10,000 per day during drought.

If you have any further questions on the new state water efficiency legislation please contact Madeline Wood, Water Conservation Supervisor, at (805) 897-2672 or MWood@SantaBarbaraCA.gov.
c: Joshua Haggmark, Water Resources Manager
    Dan Hentschke, Assistant City Attorney
    Dakota Corey, Water Supply Analyst
**AB 557 (Wood) Atmospheric Rivers: Research, Mitigation, and Climate Forecasting Program:** This bill would appropriate $9.25 million from the General Fund to the Department of Water Resources in the 2019-2020 fiscal year to operate the Atmospheric Rivers: Research, Mitigation, and Climate Forecasting Program. Since 2014, a large interagency group, consisting of experts from universities, federal, state and local agencies, has advanced coordination of climate science and monitoring efforts to assess the accuracy of Atmospheric River forecasting data, led by the Scripps Institution of Oceanography at UC San Diego. ACWA is a strong supporter of this program and will continue to advocate for the additional funding proposed by AB 557. The bill is currently in the Assembly Appropriations Committee.

**Legislative Advocate:** Julia Hall, JuliaH@acwa.com

**AB 658 (E. Garcia) Water rights: Water Management:** This bill seeks to create a 5-year permit that would allow groundwater recharge projects to divert water during high-flow events. ACWA has been working with the State Water Board, the California Legislature, and a number of ACWA members since early 2018 to draft this language. The intent of the bill is to increase groundwater recharge when specific conditions exist. Though the bill may not solve every basins issues, the policy would be a step forward in implementing the Sustainable Groundwater Management Act. ACWA has a support position on this bill. The bill is currently in the Assembly Appropriations Committee.

**Legislative Advocate:** Adam Quiñonez, AdamQ@acwa.com

**AB 756 (C. Garcia) Public Water Systems: Perfluoroalkyl Substances and Polyfluoroalkyl Substances:** This bill would grant the State Water Board the authority to require water agencies to monitor for all perfluoroalkyl and polyfluoroalkyl substances (PFAS). PFAS are a large group, thousands of variations, of man-made chemicals which are generally resistant to heat, water, and oil. The U.S. EPA notes that there are thousands of different PFAS formulations, and yet there are only 14 types for which testing can be reliably conducted. AB 756 could require the monitoring of all PFAS chemicals and does not distinguish between the thousands of different types that cannot be reliably tested and monitored. For this reason ACWA is opposed unless amended on AB 756. The bill is in the Assembly Appropriations Committee.

**Legislative Advocate:** Adam Quiñonez, AdamQ@acwa.com

**AB 841 (Ting) Drinking Water: Contaminants: Perfluoroalkyl and Polyfluoroalkyl Substances:** AB 841 would also impact the regulation of PFAS chemicals. However, as compared to AB 756, this bill proposes an approach that relies on the existing regulatory framework for identifying and monitoring harmful contaminants. This bill would simply establish deadlines for the Office of Environmental Health Hazard Assessment to perform an assessment of PFAS risk to human health by January 1, 2022. This important, science based assessment, is critical to properly identifying and testing for new contaminants. For this reason ACWA is in support of AB 841. The bill is currently in the Assembly Appropriations Committee.

**Legislative Advocate:** Adam Quiñonez, AdamQ@acwa.com

**SB 1 (Atkins): California Environmental, Public Health, and Workers Defense Act of 2019:** SB 1 is intended to protect federal environmental and labor standards in existence at the end of the Obama administration from rollbacks by the Trump administration. This bill would apply to the Clean Air Act, Clean Water Act, Safe Drinking Water Act, and the Endangered Species Act. It would also create expansive new authority for state agencies to adopt federal standards by exempting these proposed regulations from the Administrative Procedure Act and the standard listing process mandated by the California Endangered Species Act. ACWA has a position of “Oppose Unless Amended.” Staff worked with ACWA’s Legal Affairs Committee to draft potential amendments and has been actively engaged in negotiations with interested stakeholders.

**Legislative Advocate:** Kristopher Anderson, KrisA@acwa.com

**SB 69 (Wiener): Ocean Resiliency Act of 2019:** SB 69 proposes a myriad of mandates intended to improve and protect the Pacific Ocean off the coastlines of California. The scope of the bill is so encompassing that the Senate Natural Resources and Water Committee described it as a “turducken bill,” with something for virtually everyone to support or oppose. And ACWA is among those with strong concerns. For instance, the bill would create the “California Endangered Rivers List” but does not specify the criteria necessary to achieve that designation. Additionally, the bill would create expensive and onerous new mandates related to denitrification for all publicly owned wastewater treatment facilities that discharge to specified waters. ACWA has a position of “Oppose Unless Amended” and is engaging in negotiations with interested parties.

**Legislative Advocate:** Kristopher Anderson, KrisA@acwa.com
SB 19 (Dodd): Water Resources: Stream Gages: This bill is an attempt to revitalize California’s deficient stream gage network. Specifically, SB 19 would require the California Department of Water Resources (DWR) and the State Water Board to develop a plan to deploy a network of stream gages, which would include a determination of funding needs and opportunities for reactivating existing gages. This bill could benefit ACWA members by improving water management actions, such as balancing water supply, flood management, water quality, and ecosystem management needs. ACWA currently has a “Support” position.

Legislative Advocate: Kristopher Anderson, KrisA@acwa.com

SB 332 (Hertzberg) Wastewater Treatment: Recycled Water: This bill would declare the discharge of treated wastewater from ocean outfalls a waste and unreasonable use of water. This bill would require each NPDES permit-holder and affiliated water supplier to reduce ocean discharges by 50% by 2030 and 95% by 2040. ACWA is supportive of increased recycled water, however, this bill would impose an unrealistic mandate on water and wastewater agencies that would cost billions of dollars to attempt to comply with. The bill does not consider regional differences, sets a timeline that is not achievable, and penalizes rather incentivizes. ACWA has joined a coalition of associations that are opposed to the bill.

Legislative Advocate: Adam Cuiñonez, AdamQ@acwa.com

SB 414 (Caballero): Small System Water Authority Act of 2019: This bill would establish a new category of public water agencies by merging formerly non-compliant drinking water systems into a Small System Water Authority (Authority). SB 414 would give the small water systems merged into the Authority the tools to provide sustainable, technical, managerial, and financial capabilities to ensure the delivery of safe and reliable drinking water. Additionally, the bill would address small water systems that lack the resources to address their infrastructure needs by creating economies of scale and combining resources into one larger Authority that can better meet the needs of the community. ACWA currently has a position of “Support and Amend.” The bill would task the State Water Board with valuing assets of small water systems seeking to consolidate with the newly formed Authority. ACWA is seeking an amendment to transfer that authority to another entity. Staff is currently engaged in negotiations with proponents of the bill and expects to resolve this issue soon.

Legislative Advocate: Kristopher Anderson, KrisA@acwa.com

SB 668 (Rubio) Fire Hydrants: Water Suppliers: Regulations: This bill responds to the recent surge in devastating wildfires by requiring water systems with more than 3,000 service connections to develop disaster preparedness plans in conjunction with local fire departments and the Office of Emergency Services. SB 668 would better ensure that public water systems in fire prone areas have disaster preparedness plans that are sufficient to address all possible disaster scenarios. ACWA’s State Legislative Committee will take a position on this bill at its May 17 meeting. ACWA is also actively engaged on other issues related to wildfires. These disasters have raised questions about the fairness of the current wildlife liability structure in California. For instance, wildfire victims have sued public water agencies under the theory of inverse condemnation after fires damaged water systems and interrupted the flow of water to fire hydrants. ACWA has actively communicated the potentially devastating financial consequences for public water agencies held to a strict liability standard following a devastating wildfire. ACWA recently joined a coalition letter that encourages the Commission on Catastrophic Wildfire Cost and Recovery to propose a standard that public drinking water systems would not subject to strict liability when their facilities are unable to provide sufficient amounts of water or water pressure to prevent the spread of a fire, so long as the fire was not started by the public drinking water system.

Legislative Advocate: Kristopher Anderson, KrisA@acwa.com
Governor and Legislative Leaders Collaborate on Safe Drinking Water Solution

BY HEATHER ENGEL
JUN 10, 2019
WATER NEWS
ACWA

On Sunday, the 2019 Conference Committee on the Budget voted for a safe drinking water funding solution for disadvantaged communities in California that do not have access to safe drinking water. The solution will be enacted through the 2019-'20 Budget and related trailer bill language. ACWA strongly supports this solution.

In the first year, Fiscal Year 2019-'20, the safe drinking water funding solution will be funded with $100 million from the Greenhouse Gas Reduction Fund (GGRF) and $30 million from the General Fund. This will be part of the 2019-'20 Fiscal Year State Budget.

After the first year, the funding will be 5% of the GGRF continuously appropriated – capped at $130 million per year. The agreement include General Fund funding as a backstop if 5% of the GGRF is less than $130 million in any year. The funding will sunset in 2030. The solution does not include a water tax.

Trailer bill language will create a safe drinking water fund and provide the framework for the funding program.

“ACWA appreciates the leadership of the Governor, the Senate President pro Tem and the Speaker and the work of the Conference Committee in solving a complex problem to ensure that all Californians have access to safe drinking water,” said ACWA Deputy Executive Director for Government Relations Cindy Tuck. “ACWA strongly supports this solution and looks forward to its enactment.”

Many Legislators on both sides of the aisle played key roles in making this agreement possible. To name just a few of those, Senator Bill Monning (D-Carmel) has championed this issue from the beginning. Assembly Water, Parks and Wildlife Committee Chair Eduardo Garcia (D-Coachella) encouraged stakeholders to come forward with ideas for how to solve the problem. Senator Anna Caballero (D-Salinas) authored the ACWA and California Municipal Utilities Association co-sponsored SB 669, which proposed a Safe Drinking Water Trust. Discussions on that bill helped inform the broader discussion regarding solutions.
CASA Bill Positions
3/18/2019

**AB 68** (Ting D)  **Land use: accessory dwelling units.**
Introduced: 12/3/2018
Status: 1/17/2019-Referred to Coms. on H. & C.D. and L. GOV.
Location: 1/17/2019-A. H. & C.D.
Summary: The Planning and Zoning Law authorizes a local agency to provide, by ordinance, for the creation of accessory dwelling units in single-family and multifamily residential zones and sets forth required ordinance standards, including, among others, maximum unit size, parking, and height standards. This bill would prohibit an ordinance from imposing requirements on minimum lot size, lot coverage, or floor area ratio, and would prohibit an ordinance from establishing size requirements for accessory dwelling units that do not permit at least an 800 square feet unit of at least 16 feet in height to be constructed.

**Position**
Work w/Author

**AB 129** (Bloom D)  **Waste management: plastic microfiber.**
Introduced: 12/4/2018
Status: 1/7/2019-Read first time.
Location: 12/4/2018-A. PRINT
Summary: Would declare the intent of the Legislature to, among other things, enact legislation to recognize the emerging threat that microfibers pose to the environment and water quality and would make related findings and declarations.

**Position**
Spot Bill

**AB 144** (Aguiar-Curry D)  **Public resources management.**
Introduced: 12/13/2018
Last Amend: 3/5/2019
Status: 3/6/2019-ReREFERRED to Com. on NAT. RES.
Location: 1/24/2019-A. NAT. RES.
Summary: Current law establishes the Forest Health Task Force pursuant to a specified executive order issued by the Governor, and requires the task force or its successor entity, on or before July 1, 2020, in consultation with specified entities, to develop recommendations for the siting of additional wood product manufacturing facilities in the state. Current law specifies that it is the intent of the Legislature, in developing those recommendations, that the location and activities of the mass timber production facilities be, among other things, located in, or be proximate to, areas that are near the locations of large landscape fires, as described, and in areas identified as federal opportunity zones or in areas that have an average household income of 5% below the state’s median household income. This bill would add a definition of the task force for purposes of those provisions and recast the median household income threshold from 5% below to at or below 5% of the state’s median household income.

**Position**
Refer to ACE Committee

**AB 223** (Stone, Mark D)  **California Safe Drinking Water Act: microplastics.**
Current Text: Introduced: 1/16/2019  html  pdf
Introduced: 1/16/2019
Status: 2/25/2019-In committee: Set, first hearing. Hearing canceled at the request of author.
Location: 2/4/2019-A. E.S. & T.M.
Summary: The California Safe Drinking Water Act requires the State Water Resources Control Board to administer provisions relating to the regulation of drinking water to protect public health. Current law requires the state board, on or before July 1, 2020, to adopt a definition of microplastics in drinking water and, on or before July 1, 2021, to adopt a standard methodology to
be used in the testing of drinking water for microplastics and requirements for 4 years of testing and reporting of microplastics in drinking water, including public disclosure of those results. This bill would require the state board, to the extent possible, and where feasible and cost effective, to work with the State Department of Public Health in complying with those requirements.

**Position**
Spot Bill

**AB 231 (Mathis R) California Environmental Quality Act: exemption: recycled water.**
Introduced: 1/17/2019
Status: 2/7/2019-Referred to Com. on NAT. RES.
Location: 2/7/2019-A. NAT. RES.
Calendar: 3/25/2019  2:30 p.m. - State Capitol, Room 447  ASSEMBLY NATURAL RESOURCES, FRIEDMAN, Chair
Summary: Would exempt from CEQA a project to construct or expand a recycled water pipeline for the purpose of mitigating drought conditions for which a state of emergency was proclaimed by the Governor if the project meets specified criteria. Because a lead agency would be required to determine if a project qualifies for this exemption, this bill would impose a state-mandated local program. The bill would also exempt from CEQA the development and approval of building standards by state agencies for recycled water systems.

**Position**
Watch

**AB 292 (Quirk D) Recycled water: raw water and groundwater augmentation.**
Introduced: 1/28/2019
Last Amend: 3/6/2019
Location: 3/12/2019-A. W.,P. & W.
Calendar: 4/9/2019  9 a.m. - State Capitol, Room 444  ASSEMBLY WATER, PARKS AND WILDLIFE, GARCIA, EDUARDO, Chair
Summary: Current law requires the State Water Resources Control Board, on or before December 31, 2023, to adopt uniform water recycling criteria for direct potable reuse through raw water augmentation, as specified. Current law defines "direct potable reuse" and "indirect potable reuse for groundwater recharge" for these purposes. This bill would eliminate the definition of "direct potable reuse" and instead would substitute the term "groundwater augmentation" for "indirect potable reuse for groundwater recharge" in these definitions. The bill would revise the definition of "treated drinking water augmentation."

**Position**
Support

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

**Position**
Support

**AB 456 (Chiu D) Public contracts: claim resolution.**
Introduced: 2/11/2019
Status: 2/21/2019-Referred to Com. on A. & A.R.
Summary: Current law prescribes various requirements regarding the formation, content, and enforcement of state and local public contracts. Current law establishes, until January 1, 2020, for contracts entered into on or after January 1, 2017, a claim resolution process applicable to any claim by a contractor in connection with a public works project against a public entity, as defined. Current law defines a claim for these purposes as a separate demand by the contractor for one or more of the following: a time extension for relief from damages or penalties for delay, payment of money or damages arising from work done pursuant to the contract for a public work, or payment of an amount disputed by the public entity, as specified. This bill would remove the January 1, 2020, repeal date on these provisions, thereby making this claim resolution process operative indefinitely.

Position
Watch

AB 510  (Cooley D)  Local government records: destruction of records.
Introduced: 2/13/2019
Status: 2/21/2019-Referred to Com. on L. GOV.
Location: 2/21/2019-A. L. GOV.
Summary: Current law authorizes the head of a department of a county or city, or the head of a special district to destroy recordings of telephone and radio communications maintained by that county, city, or special district after 100 days if that person receives approval from the legislative body and the written consent of the agency attorney. This bill would exempt the head of a department of a county or city, or the head of a special district from these recording retention requirements if the county, city, or special district adopts a records retention policy governing recordings of routine video monitoring and recordings of telephone and radio communications.

Position
Support

AB 530  (Aguiar-Curry D)  The Fairfield-Suisun Sewer District.
Introduced: 2/13/2019
Status: 2/21/2019-Referred to Com. on L. GOV.
Location: 2/21/2019-A. L. GOV.
Summary: The Fairfield-Suisun Sewer District Act creates the Fairfield-Suisun Sewer District and grants to the district various powers relating to the treatment and disposal of sewage. The act provides for the election of a board of directors for the district and administrative procedures for the operation of the district. This bill would make various administrative changes to the act, including removing the requirement that the district appoint a clerk and changing the posting requirements for regulations.

Position
Watch

AB 587  (Friedman D)  Accessory dwelling units: sale or separate conveyance.
Current Text: Introduced: 2/14/2019  html  pdf
Introduced: 2/14/2019
Status: 2/25/2019-Referred to Coms. on H. & C.D. and L. GOV.
Location: 2/25/2019-A. H. & C.D.
Calendar: 3/27/2019  9:30 a.m. - State Capitol, Room 126  ASSEMBLY HOUSING AND COMMUNITY DEVELOPMENT, CHIU, Chair
Summary: Current property tax law establishes a welfare exemption under which property is exempt from taxation if the property is owned and operated by a nonprofit corporation that is organized and operated for the purpose of building and rehabilitating single-family or multifamily residences for sale, as provided, at cost to low-income families. This bill would authorize an accessory dwelling unit that was ministerially approved pursuant to the process described above to be sold or conveyed separately from the primary residence to a qualified buyer if certain conditions are met.

Position
Work w/Author
**AB 606 (Diep R) Local government zoning ordinances.**

**Current Text:** Introduced: 2/14/2019  
**Introduced:** 2/14/2019

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

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

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

**Position**

Spot Bill

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**AB 636 (Gray D) State Water Resources Control Board: water quality objectives.**

**Current Text:** Introduced: 2/15/2019  
**Introduced:** 2/15/2019

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

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

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

**Position**

Watch

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**AB 670 (Friedman D) Accessory dwelling units.**

**Current Text:** Introduced: 2/15/2019  
**Introduced:** 2/15/2019

**Status:** 2/19/2019-From printer. May be heard in committee March 21.

**Location:** 2/15/2019-A. PRINT

**Summary:** The Planning and Zoning Law authorizes a local agency to provide for the creation of accessory dwelling units in single-family and multifamily residential zones by ordinance, and sets forth standards the ordinance is required to impose with respect to matters, including, among others, maximum unit size, parking, and height standards. This bill would make nonsubstantive changes to these provisions.

**Position**

Spot Bill

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**AB 671 (Friedman D) Accessory dwelling units.**

**Current Text:** Introduced: 2/15/2019  
**Introduced:** 2/15/2019

**Status:** 2/19/2019-From printer. May be heard in committee March 21.

**Location:** 2/15/2019-A. PRINT

**Summary:** The Planning and Zoning Law authorizes a local agency to provide by ordinance for the creation of accessory dwelling units in single-family and multifamily residential zones and sets forth standards the ordinance is required to impose with respect to matters, including, among others, maximum unit size, parking, and height standards. This bill would make nonsubstantive changes to these provisions.

**Position**

Spot Bill

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**AB 834 (Quirk D) Freshwater and Estuarine Harmful Algal Bloom Program**

**Current Text:** Introduced: 2/20/2019  
**Introduced:** 2/20/2019

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

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

**Calendar:** 3/26/2019 9 a.m. - State Capitol, Room 444 ASSEMBLY WATER, PARKS AND WILDLIFE, GARCIA, EDUARDO, Chair

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

**Position**
Watch

**AB 835** *(Quirk D)*  Safe recreational water use: standards: harmful algal blooms.
Current Text: Introduced: 2/20/2019  [html](#)  [pdf](#)
Introduced: 2/20/2019
Status: 3/4/2019-Referred to Com. on W., P., & W.
Calendar: 4/9/2019  9 a.m. - State Capitol, Room 444  ASSEMBLY WATER, PARKS AND WILDLIFE, GARCIA, EDUARDO, Chair
Summary: Current law requires the State Department of Public Health, by regulation and in consultation with the State Water Resources Control Board, local health officers, and the public, to establish, maintain, and amend as necessary, minimum standards for the sanitation of public beaches. This bill would require the department, by regulation and in consultation with the board, local health officers, and the public, to establish, maintain, and amend as necessary, minimum standards for the safety of freshwater recreational bodies as related to harmful algal blooms, as it determines are reasonably necessary for the protection of the public health and safety.

**Position**
Watch

**AB 881** *(Bloom D)*  Accessory dwelling units.
Current Text: Introduced: 2/20/2019  [html](#)  [pdf](#)
Introduced: 2/20/2019
Summary: The Planning and Zoning Law provides for the creation of accessory dwelling units by local ordinance, or, if a local agency has not adopted an ordinance, by ministerial approval, in accordance with specified standards and conditions. Current law requires the ordinance to designate areas where accessory dwelling units may be permitted and authorizes the designated areas to be based on criteria that includes, but is not limited to, the adequacy of water and sewer services and the impact of accessory dwelling units on traffic flow and public safety. This bill would instead require a local agency to designate these areas based on the adequacy of water and sewer services and the impact of accessory dwelling units on traffic flow and public safety.

**Position**
Watch

**AB 955** *(Gipson D)*  Water quality.
Current Text: Introduced: 2/21/2019  [html](#)  [pdf](#)
Introduced: 2/21/2019
Location: 2/21/2019-A. PRINT
Summary: The Porter-Cologne Water Quality Control Act establishes a statewide program for the control of the quality of all the waters in the state and makes related legislative findings and declarations. This bill would make nonsubstantive changes to the legislative findings and declarations.

**Position**
Spot Bill

**AB 992** *(Mullin D)*  Open meetings: local agencies: social media.
Current Text: Introduced: 2/21/2019  [html](#)  [pdf](#)
Introduced: 2/21/2019
Status: 3/7/2019-Referred to Com. on L. GOV.
Location: 3/7/2019-A. L. GOV.
Summary: Would provide that the Ralph M. Brown Act does not apply to the posting, commenting, liking, interaction with, or participation in, internet-based social media platforms that are ephemeral, live, or static, by a majority of the members of a legislative body, provided that a
majority of the members do not discuss among themselves business of a specific nature that is within the subject matter jurisdiction of the legislative body of the local agency.

**Position**
Approve

**AB 1164** *(Gloria D)*  **Surplus property: written offers.**

*Current Text:* Introduced: 2/21/2019  [html](#)  [pdf](#)
*Introduced: 2/21/2019*
*Status:* 2/22/2019-From printer. May be heard in committee March 24.
*Location:* 2/21/2019- A. PRINT
*Summary:* Current law prescribes requirements for the disposal of surplus land by a local agency. Current law requires a local agency disposing of surplus land to send, prior to disposing of that property, a written offer to sell or lease the property to specified entities. This bill would make nonsubstantive changes to those provisions.

**Position**
Spot Bill

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

*Current Text:* Introduced: 2/21/2019  [html](#)  [pdf](#)
*Introduced: 2/21/2019*
*Status:* 3/11/2019-Referred to Com. on E.S. & T.M.
*Calendar:* 3/26/2019  1:30 p.m. - State Capitol, Room 444 ASSEMBLY ENVIRONMENTAL SAFETY AND TOXIC MATERIALS, QUIRK, Chair
*Summary:* The California Safe Drinking Water Act requires the State Water Resources Control Board to administer provisions relating to the regulation of drinking water to protect public health. Current law requires, on or before January 1, 2020, the state board to adopt standards for backflow protection and cross-connection control through the adoption of a policy handbook, as specified. This bill would require that handbook to include provisions for the use of a swivel or changeover device to supply potable water to a dual-plumbed system during an interruption in recycled water service.

**Position**
Support

**AB 1241** *(Quirk-Silva D)*  **Contracts between public agencies and private entities for hiring and training individuals: electronic databases.**

*Current Text:* Introduced: 2/21/2019  [html](#)  [pdf](#)
*Introduced: 2/21/2019*
*Status:* 3/11/2019-Referred to Com. on P. & C.P.
*Summary:* Would require an agency, as defined, that contracts with a person or private entity that owns or licenses an electronic database that contains the personal information of individuals for the purpose of hiring and training specified individuals, to do so only if the contract requires the person or private entity to comply with the requirements for disclosure and maintenance of personal information that are applicable to an agency pursuant to the Information Practices Act of 1977.

**Position**
Watch

**AB 1290** *(Gloria D)*  **Surplus land.**

*Current Text:* Introduced: 2/21/2019  [html](#)  [pdf](#)
*Introduced: 2/21/2019*
*Status:* 2/22/2019-From printer. May be heard in committee March 24.
*Location:* 2/21/2019- A. PRINT
*Summary:* Current law requires a local agency disposing of surplus land to send, prior to disposing of that property, a written offer to sell or lease the property for specified purposes including for developing low- and moderate-income housing, for park and recreational purposes or open-space purposes, for school facilities construction, for enterprise zone purposes, or for developing property located within an infill opportunity zone, unless the land is exempt surplus land, as defined. This bill would make nonsubstantive changes to those provisions.

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

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

*Introduced:* 2/22/2019

*Status:* 3/11/2019-Referred to Coms. on U. & E. and NAT. RES.


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

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

*Position*

Watch

**AB 1439**  (Melendez R)  **State policy for water quality control.**

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

*Introduced:* 2/22/2019

*Status:* 2/25/2019-Read first time.

*Location:* 2/22/2019-A. PRINT

*Summary:* Under current law, the Porter-Cologne Water Quality Control Act, the state policy for water quality control is required to consist of water quality principles and guidelines for long-range resource planning, water quality objectives, and other principles and guidelines deemed essential by the State Water Resources Control Board for water quality control. This bill would make nonsubstantive changes to that provision.

*Position*

Spot Bill

**AB 1486**  (Ting D)  **Local agencies: surplus land.**

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

*Introduced:* 2/22/2019

*Status:* 3/14/2019-Referred to Com. on L. GOV.

*Location:* 3/14/2019-A. L. GOV.

*Summary:* Current law prescribes requirements for the disposal of surplus land by a local agency. This bill would expand the definition of "local agency" to include sewer, water, utility, and local and regional park districts, joint powers authorities, successor agencies to former redevelopment agencies, housing authorities, and other political subdivisions of this state and any instrumentality thereof that is empowered to acquire and hold real property, thereby requiring these entities to comply with these requirements for the disposal of surplus land.

*Position*

Oppose, unless amended

**AB 1585**  (Boerner Horvath D)  **Accessory dwelling units.**

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

*Introduced:* 2/22/2019

*Status:* 2/25/2019-Read first time.

*Location:* 2/22/2019-A. PRINT

*Summary:* The Planning and Zoning Law authorizes a local agency to provide by ordinance for the creation of accessory dwelling units in single-family and multifamily residential zones and sets forth standards the ordinance is required to impose, including, among others, maximum unit size, parking, and height standards. This bill would make nonsubstantive changes to these provisions.

*Position*

Spot Bill

**AB 1588**  (Gloria D)  **Drinking water and wastewater operator certification programs.**

*Current Text:* Introduced: 2/22/2019  [html](#)  [pdf](#)
Would require for purposes of water treatment operator certification experience a treatment plant using advanced water treatment processes, as defined, that treats water of wastewater origin for purposes of water reuse to be considered to provide certain equivalent experience to working at a water treatment plant. The bill would require for purposes of water distribution operator certification experience operation of a recycled water distribution system to be considered to provide equivalent experience to operating a potable distribution system.

**Position**
Support

**AB 1672 (Bloom D) Product labeling: flushable products.**

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

*Introduced: 2/22/2019*

*Status: 2/25/2019-Read first time.*

*Location: 2/22/2019-A. PRINT*

**Summary:** Current law regulates the labeling requirements on various consumer products. This bill would express the intent of the Legislature to enact legislation to prohibit the sale or advertisement of any nonwoven disposable product labeled as “flushable” or “sewer and septic safe” if that product fails to meet specified performance standards.

**Position**
Support/Sponsor

**AB 1798 (Levine D) Ocean acidification.**

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

*Introduced: 2/22/2019*

*Status: 2/25/2019-Read first time.*

*Location: 2/22/2019-A. PRINT*

**Summary:** Would state the intent of the Legislature to enact legislation that would address ocean acidification.

**Position**
Spot Bill

**ACA 1 (Aguiar-Curry D) Local government financing: affordable housing and public infrastructure: voter approval.**

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

*Introduced: 12/3/2018*

*Status: 12/4/2018-From printer. May be heard in committee January 3.*

*Location: 12/3/2018-A. PRINT*

**Summary:** The California Constitution prohibits the ad valorem tax rate on real property from exceeding 1% of the full cash value of the property, subject to certain exceptions. This measure would create an additional exception to the 1% limit that would authorize a city, county, or city and county to levy an ad valorem tax to service bonded indebtedness incurred to fund the construction, reconstruction, rehabilitation, or replacement of public infrastructure or affordable housing, if the proposition proposing that tax is approved by 55% of the voters of the city, county, or city and county, as applicable, and the proposition includes specified accountability requirements.

**Position**
Support

**SB 4 (McGuire D) Housing.**

*Current Text:* Amended: 2/28/2019  [html](#)  [pdf](#)

*Introduced: 12/3/2018*

*Last Amend: 2/28/2019*

*Status: 3/13/2019-Withdrawn from committee. Re-referred to Com. on RLS. Re-referred to Coms. on HOUSING, GOV. & F., and EQ.*

*Location: 3/7/2019-S. HOUSING*

**Summary:** Would authorize a development proponent of a neighborhood multifamily project or eligible TOD project located on an eligible parcel to submit an application for a streamlined, ministerial approval process that is not subject to a conditional use permit. The bill would define a
“neighborhood multifamily project” to mean a project to construct a multifamily unit of up to 2 residential dwelling units in a nonurban community, as defined, or up to 4 residential dwelling units in an urban community, as defined, that meets local height, setback, and lot coverage zoning requirements as they existed on July 1, 2019. The bill would define an “eligible TOD project” as a project located in an urban community, as defined, that meets specified height requirements, is located within 1/2 mile of an existing or planned transit station parcel or entrance, and meets other floor area ratio, density, parking, and zoning requirements.

**Position**

Watch

**SB 5**

*B.eall D*  **Local-State Sustainable Investment Incentive Program.**


Introduced: 12/3/2018
Location: 1/24/2019-S. GOV. & F.
Calendar: 3/20/2019 9:30 a.m. - Room 112  SENATE GOVERNANCE AND FINANCE, MCGUIRE, Chair

Summary: Would establish in state government the Local-State Sustainable Investment Incentive Program, which would be administered by the Sustainable Investment Incentive Committee. The bill would authorize a city, county, city and county, joint powers agency, enhanced infrastructure financing district, affordable housing authority, community revitalization and investment authority or transit village development district to apply to the Sustainable Investment Incentive Committee to participate in the program and would authorize the committee to approve or deny applications for projects meeting specific criteria.

**Position**

Watch

**SB 6**

*B.eall D*  **Residential development: available land.**

Current Text: Amended: 2/27/2019  [html](#) [pdf](#)

Introduced: 12/3/2018
Last Amend: 2/27/2019
Location: 3/7/2019-S. HOUSING
Calendar: 4/2/2019 1:30 p.m. - John L. Burton Hearing Room (4203)  SENATE HOUSING, WIENER, Chair

Summary: Would require the Department of Housing and Community Development to furnish the Department of General Services with a list of local lands suitable and available for residential development as identified by a local government as part of the housing element of its general plan. The bill would require the Department of General Services to create a database of that information and information regarding state lands determined or declared excess and to make this database available and searchable by the public by means of a link on its internet website.

**Position**

Watch

**SB 13**

*Wieckowski D*  **Accessory dwelling units.**


Introduced: 12/3/2018
Last Amend: 3/11/2019
Status: 3/11/2019-From committee with author's amendments. Read second time and amended. Re-referred to Com. on RLS.
Location: 12/3/2018-S. RLS.

Summary: Current law requires accessory dwelling units to comply with specified standards, including that the accessory dwelling unit is either attached to, or located within, the proposed or existing primary dwelling or detached if located within the same lot, and that it does not exceed a specified amount of total area of floor space. This bill would, instead, authorize the creation of accessory dwelling units in areas zoned to allow single-family or multifamily dwelling use.

**Position**

Work w/Author

**SB 45**

*Allen D*  **Wildfire, Drought, and Flood Protection Bond Act of 2020.**

Introduced: 12/3/2018
Last Amend: 3/5/2019
Location: 1/16/2019-S. N.R. & W.
Calendar: 3/26/2019 9:30 a.m. - Room 112  SENATE NATURAL RESOURCES AND WATER, STERN, Chair
Summary: Would enact the Wildfire, Drought, and Flood Protection Bond Act of 2020, which, if approved by the voters, would authorize the issuance of bonds in an amount of $4,300,000,000 pursuant to the State General Obligation Bond Law to finance projects to restore fire damaged areas, reduce wildfire risk, create healthy forest and watersheds, reduce climate impacts on urban areas and vulnerable populations, protect water supply and water quality, protect rivers, lakes, and streams, reduce flood risk, protect fish and wildlife from climate impacts, improve climate resilience of agricultural lands, and protect coastal lands and resources.

Position
Watch

SB 69
Introduced: 1/9/2019
Last Amend: 3/6/2019
Location: 3/13/2019-S. N.R. & W.
Calendar: 4/9/2019 9:30 a.m. - Room 112  SENATE NATURAL RESOURCES AND WATER, STERN, Chair
Summary: Current law requires the Fish and Game Commission to establish fish hatcheries for the purposes of stocking the waters of California with fish, and requires the Department of Fish and Wildlife to maintain and operate those hatcheries. This bill would require the department to undertake a pilot project to assess the effectiveness of parentage-based tagging, as defined, in improving the management of central valley Chinook salmon hatcheries and in rebuilding salmon runs and the California salmon fishing industry.

Position
Oppose, unless amended

SB 166
(Wiener D) Process water treatment systems: breweries and wineries: water quality criteria.
Introduced: 1/28/2019
Location: 2/6/2019-S. E.Q.
Calendar: 4/3/2019 9:30 a.m. - Room 3191  SENATE ENVIRONMENTAL QUALITY, ALLEN, Chair
Summary: Would require the State Water Resources Control Board, on or before December 1, 2025, in consultation with the State Department of Public Health – Food and Drug Branch, to adopt regulations for microbiological, chemical, and physical water quality and treatment requirements for the onsite treatment and reuse of process water in breweries and wineries. The bill would require a process water treatment system in a brewery or winery to comply with the regulations within 2 years of the effective date of the regulations. The bill would require an entity that implements a process water treatment system in a brewery and winery to submit a report containing specified information to the department, as provided, and to terminate the operation of, and modify to render inoperable, any process water treatment system in a brewery and winery at the direction of the state board.

Position
2-year bill

SB 210
(Leyva D) Heavy-Duty Vehicle Inspections and Maintenance Program.
Introduced: 2/4/2019
Location: 2/13/2019-S. E.Q.
Calendar: 3/20/2019 Upon adjournment of Environmental Quality Committee - Room 3191
SENATE ENVIRONMENTAL QUALITY, ALLEN, Chair

Summary: Would authorize the State Air Resources Board to develop and implement a Heavy-Duty Vehicle Inspection and Maintenance Program for nongasoline heavy-duty onroad motor vehicles, as specified. The bill would authorize the state board to assess a fee and penalties as part of the program. The bill would create the Truck Emission Check (TEC) Fund, with all the moneys deposited in the fund to be available upon appropriation.

Position
Refer to ACE Committee

**SB 330** (Skinner D) Housing Crisis Act of 2019.
**Current Text:** Introduced: 2/19/2019  html  pdf
**Introduced:** 2/19/2019
**Status:** 2/28/2019-Referred to Coms. on GOV. & F. and HOUSING.
**Location:** 2/28/2019-S. GOV. & F.
**Summary:** Would, notwithstanding specified prohibitions, allow a city or county to prohibit the commercial use of land zoned for residential use consistent with the authority of the city or county conferred by other law. The bill would state that these prohibitions would apply to any zoning ordinance adopted or amended on or after January 1, 2018, and that any zoning ordinance adopted, or amendment to an existing ordinance or to an adopted general plan, on or after that date that does not comply would be deemed void.

Position
Watch

**SB 332** (Hertzberg D) Wastewater treatment: recycled water.
**Current Text:** Introduced: 2/19/2019  html  pdf
**Introduced:** 2/19/2019
**Status:** 3/5/2019-Set for hearing April 3.
**Location:** 2/28/2019-S. E.Q.
**Calendar:** 4/3/2019  9:30 a.m. - Room 3191 SENATE ENVIRONMENTAL QUALITY, ALLEN, Chair
**Summary:** Would declare, except in compliance with the bill’s provisions, that the discharge of treated wastewater from ocean outfalls is a waste and unreasonable use of water. The bill would require each wastewater treatment facility that discharges through an ocean outfall and affiliated water suppliers to reduce the facility’s annual flow as compared to the average annual wastewater discharge baseline volume, as prescribed, by at least 50% on or before January 1, 2030, and by at least 95% on or before January 1, 2040. The bill would subject the owner or operator of a wastewater treatment facility, as well as the affiliated water suppliers, to a civil penalty of $2,000 per acre-foot of water above the required reduction in overall volume discharge for the failure to meet these deadlines.

Position
Oppose

**SB 457** (Hueso D) Biomethane: gas corporations.
**Current Text:** Introduced: 2/21/2019  html  pdf
**Introduced:** 2/21/2019
**Status:** 3/15/2019-Set for hearing March 27.
**Location:** 3/7/2019-S. E. U., & C.
**Calendar:** 3/27/2019  9 a.m. - Room 3191 SENATE ENERGY, UTILITIES AND COMMUNICATIONS, HUESO, Chair
**Summary:** Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including gas corporations. Existing law authorizes the commission to fix the rates and charges for every public utility and requires that those rates and charges be just and reasonable. Existing law requires the commission to adopt policies and programs that promote the in-state production and distribution of biomethane, as defined, and that facilitate the development of a variety of sources of in-state biomethane. This bill would require the Public Utilities Commission to extend the program until December 31, 2026. This bill contains other related provisions and other existing laws.

Position
Refer to ACE Committee
**SB 623**  (Jackson D)  **Housing: surplus land.**

**Current Text:** Introduced: 2/22/2019  
Integrated: 2/22/2019

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

**Location:** 2/22/2019-S. RLS.

**Summary:** Current law requires an entity proposing to use surplus land for developing low- and moderate-income housing to agree to make available not less than 25% of the total number of units developed on the parcels at affordable housing cost or affordable rent to lower income households. Current law requires these and other specified requirements to be contained in a covenant or restriction recorded against the surplus land at the time of sale, to run with the land, and be enforceable, against any owner who violates the covenant or restriction and each successor in interest who continues the violation, by various specified parties. This bill would make nonsubstantive changes to that provision.

**Position**

Spot Bill

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**SB 667**  (Hueso D)  **Greenhouse gases: recycling infrastructure and facilities.**

**Current Text:** Introduced: 2/22/2019  
Integrated: 2/22/2019

**Status:** 3/15/2019-Set for hearing April 24.

**Location:** 3/14/2019-S. E.Q.

**Calendar:** 4/24/2019 9 a.m. to 12 noon - Room 113  SENATE ENVIRONMENTAL QUALITY, ALLEN, Chair

**Summary:** Would require the Department of Resources Recycling and Recovery to develop, on or before January 1, 2021, and would authorize the department to amend, a 5-year investment strategy to drive innovation and support technological development and infrastructure, in order to meet specified organic waste reduction and recycling targets, as provided. The bill would require, on or before June 1, 2021, the department, in coordination with the Treasurer, to develop financial incentive mechanisms, including, but not limited to, loans and incentive payments, to fund organic waste recycling infrastructure, in accordance with the investment strategy.

**Position**

Support

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**SB 690**  (Hueso D)  **California regional water quality control boards: membership: disqualifying financial interest.**

**Current Text:** Introduced: 2/22/2019  
Integrated: 2/22/2019

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

**Location:** 2/22/2019-S. RLS.

**Summary:** The State Water Resources Control Board and the 9 California regional water quality control boards 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. Current law requires regional boards to consist of 7 members appointed by the Governor and prohibits a member of a regional board from participating in specified board actions in which the member has a disqualifying financial interest within the meaning of the Political Reform Act of 1974. This bill would make a nonsubstantive change within these provisions.

**Position**

Spot Bill

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Total Measures: 46
Total Tracking Forms: 46
**AB 292**  (Quirk D)  Recycled water: raw water and groundwater augmentation.

**Last Amend:** 6/20/2019

**Status:** 8/13/2019-Read second time. Ordered to third reading.

**Location:** 8/13/2019-S. THIRD READING

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

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

**Last Amend:** 6/18/2019

**Status:** 6/24/2019-In committee: Referred to APPR. suspense file.

**Location:** 6/24/2019-S. APPR. SUSPENSE FILE

**Summary:** The California Safe Drinking Water Act requires the State Water Resources Control Board to administer provisions relating to the regulation of drinking water to protect public health. Current law requires, on or before January 1, 2020, the state board to adopt standards for backflow protection and cross-connection control through the adoption of a policy handbook, as specified. This bill would require that handbook to include provisions for the use of a swivel or changeover device to supply potable water to a dual-plumbed system during an interruption in recycled water service.
**AB 1588**  (Gloria D)  **Drinking water and wastewater operator certification programs.**

**Last Amend:** 6/25/2019  
**Status:** 8/15/2019-From Consent Calendar. Ordered to third reading.  
**Location:** 8/15/2019-S. THIRD READING  

**Summary:** Current law requires the State Water Resources Control Board to issue a water treatment operator certificate and water distribution operator certificate by reciprocity to any person holding a valid, unexpired, comparable certification issued by another state, the United States, prescribed territories or tribal governments, or a unit of any of these. Current law requires the board to classify types of wastewater treatment plants for the purpose of determining the levels of competence necessary to operate them. This bill would require the board to evaluate opportunities to issue a water treatment operator certificate or water distribution operator certificate by reciprocity, or a wastewater certificate by examination waiver, to persons who performed duties comparable to those duties while serving in the United States military, as specified.

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**Watch**

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**SB 166**  (Wiener D)  **Process water treatment systems: breweries.**  

**Last Amend:** 7/5/2019  
**Status:** 7/5/2019-Read second time and amended. Re-referred to Com. on APPR.  
**Location:** 7/5/2019-A. APPR.  

**Summary:** Current law requires, on or before December 1, 2022, the State Water Resources Control Board, in consultation with specified state agencies, to adopt regulations for risk-based water quality standards for the onsite treatment and reuse of nonpotable water, as provided. Current law requires that a local jurisdiction establish a program for onsite treated nonpotable water systems before any such systems are installed. This bill would require the state board, on or before December 1, 2025, in consultation with the State Department of Public Health, Food and Drug Branch, to adopt regulations for microbiological, chemical, and physical water quality and treatment requirements for voluntary onsite treatment and reuse of process water in breweries, as specified.

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**AB 1752**  (Petrie-Norris D)  **South Coast Water District.**
Last Amend: 8/12/2019

Status: 8/12/2019-Read second time and amended. Ordered to third reading.

Location: 8/12/2019-S. THIRD READING

Summary: Would specifically authorize the South Coast Water District to contract for the Doheny Ocean Desalination Project until January 1, 2025. The bill would authorize the district to use the method described above relating to agreements with private entities for this project. The bill would also require the district to utilize a skilled and trained workforce for this project in accordance with existing procedures.

Other Bills of Interest


Last Amend: 8/14/2019

Status: 8/14/2019-From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on EQ.

Location: 8/14/2019-S. E.Q.

Summary: Would enact the Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2020, which, if approved by the voters, would authorize the issuance of bonds in the amount of $3,920,000,000 pursuant to the State General Obligation Bond Law to finance a wildlife prevention, safe drinking water, drought preparation, and flood protection program. The bill would provide for the submission of these provisions to the voters at the November 3, 2020, statewide general election. The bill would provide that its provisions are severable.

**AB 405** (Rubio, Blanca D)  Sales and use taxes: exemption: water treatment.

Last Amend: 4/25/2019


Location: 5/15/2019-A. APPR. SUSPENSE FILE

Summary: Would, on and after January 1, 2020, and before January 1, 2025, exempt from that Sales and Use Tax the gross receipts from the sale in this state of, and the storage, use, or other consumption in this state of, chemicals used by a city, county, public utility, and sanitation district to treat water, recycled water, or wastewater regardless of whether those chemicals or other agents become a component part thereof and regardless of whether the treatment takes place before or after the delivery to consumers.
**AB 638 (Gray D)  Department of Water Resources: water storage: climate change impacts.**

**Last Amend:** 7/11/2019

**Status:** 8/12/2019-In committee: Referred to APPR. suspense file.

**Location:** 8/12/2019-S. APPR. SUSPENSE FILE

**Summary:** Current law requires the Department of Water Resources to gather and correlate information and data pertinent to an annual forecast of seasonal water crop, as specified. Current law also requires the department to update every 5 years the plan for the orderly and coordinated control, protection, conservation, development, and use of the water resources of the state, which is known as The California Water Plan. This bill would require the department, as part of the update to the California Water Plan every 5 years, to identify water storage facilities vulnerable to climate change impacts and the mitigation strategies for anticipated adverse impacts, as provided.

**AB 658 (Arambula D)  Water rights: water management.**

**Last Amend:** 7/11/2019

**Status:** 8/12/2019-In committee: Referred to APPR. suspense file.

**Location:** 8/12/2019-S. APPR. SUSPENSE FILE

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

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

**Last Amend:** 7/11/2019

**Status:** 8/12/2019-In committee: Referred to APPR. suspense file.

**Location:** 8/12/2019-S. APPR. SUSPENSE FILE

**Summary:** Would authorize a water replenishment district, pursuant to an agreement with the State Water Resources Control Board, to offer to conduct a needs assessment program for water systems serving disadvantaged communities within the district, as specified. The bill would make a water system's participation in the program voluntary. The bill would authorize the district, upon completion of the needs assessment, to develop and evaluate options to address the findings and recommendations in the needs assessment and prepare an implementation plan for recommendation to the water system.
**SB 1**  
*(Atkins D)*  
**California Environmental, Public Health, and Workers Defense Act of 2019.**

**Last Amend:** 7/1/2019

**Status:** 7/9/2019-From committee: Do pass and re-refer to Com. on APPR. (Ayes 8. Noes 2.) (July 9). Re-referred to Com. on APPR.

**Location:** 7/9/2019-A. APPR.

**Summary:** Current state law regulates the discharge of air pollutants into the atmosphere. The Porter-Cologne Water Quality Control Act regulates the discharge of pollutants into the waters of the state. The California Safe Drinking Water Act establishes standards for drinking water and regulates drinking water systems. The California Endangered Species Act requires the Fish and Game Commission to establish a list of endangered species and a list of threatened species, and generally prohibits the taking of those species. This bill would require specified agencies to take prescribed actions regarding certain federal requirements and standards pertaining to air, water, and protected species, as specified.

**SB 45**  
*(Allen D)*  
**Wildfire, Drought, and Flood Protection Bond Act of 2020.**

**Last Amend:** 4/4/2019

**Status:** 5/1/2019-May 6 set for first hearing canceled at the request of author.

**Location:** 4/25/2019-S. APPR.

**Summary:** Would enact the Wildfire, Drought, and Flood Protection Bond Act of 2020, which, if approved by the voters, would authorize the issuance of bonds in the amount of $4,300,000,000 pursuant to the State General Obligation Bond Law to finance projects to restore fire damaged areas, reduce wildfire risk, create healthy forest and watersheds, reduce climate impacts on urban areas and vulnerable populations, protect water supply and water quality, protect rivers, lakes, and streams, reduce flood risk, protect fish and wildlife from climate impacts, improve climate resilience of agricultural lands, and protect coastal lands and resources.

**SB 690**  
*(Hueso D)*  
**Coastal resources: Tijuana River Valley: funding prioritization.**

**Last Amend:** 8/12/2019

**Status:** 8/12/2019-From committee with author's amendments. Read second time and amended. Re-referred to Com. on APPR.

**Location:** 7/2/2019-A. APPR.

**Summary:** Current law authorizes the State Coastal Conservancy to fund and undertake plans and feasibility studies, and award grants to public agencies and nonprofit organizations, as provided. Current law provides that certain appropriated moneys available to the County of San Diego for the development, improvement, rehabilitation, protection, and restoration of natural and park lands in the Tijuana River Valley be available to the county to update or conduct certain studies relating to the Tijuana River Valley. This bill would require the conservancy, when expending any
funds for the purposes of addressing transboundary flows and pollution in the Tijuana River Valley, to prioritize those projects identified in the studies described above, to the extent feasible.

<table>
<thead>
<tr>
<th>SB 762</th>
<th>(Jones R)</th>
<th>Groundwater storage: beneficial use.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Status:</strong></td>
<td>3/14/2019-Referred to Com. on RLS.</td>
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<tr>
<td><strong>Location:</strong></td>
<td>2/22/2019-S. RLS.</td>
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<tr>
<td><strong>Summary:</strong></td>
<td>Current law specifies that the storing of water underground, including the diversion of streams and the flowing of water on lands necessary to the accomplishment of that storage, constitutes a beneficial use of water if the water so stored is thereafter applied to the beneficial purposes for which the appropriation for storage was made. This bill would make a nonsubstantive change in those provisions.</td>
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</tbody>
</table>
Outline

• Introduction
• Review of major initiatives anticipated to impact Water Resources workload
  - SB 555 – Water Loss Management
  - SB 998 – Water Shutoffs
  - America’s Water Infrastructure Act of 2018
  - AB1668/SB606 – Water Use Efficiency and Conservation
• Opportunity to discuss additional initiatives at the request of the Water Commission
Introduction

• Regulatory activity at the State and Federal level
• City adopts an Annual Legislative Platform
• Industry Advocacy Groups:
  - Drinking Water Issues - Association of California Water Agencies (ACWA)
  - Wastewater Issues - California Association of Sanitary Agencies (CASA)
  - Recycled Water Issues – WateReuse
  - CalDesal
SB 555
WATER LOSS MANAGEMENT
SB 555 - Water Loss Management

• Submit validated water loss audit annually by October 1st
• State Water Resources Control Board (Board) to adopt water loss performance standards for real losses by July 1, 2020
  - Real loss – water lost through leaks and breaks
  - Full life cycle cost vs. benefit economic analysis
  - Individualized for each agency
SB 555 - Water Loss Management

• The Board has yet to enter official rulemaking process
  - 5 stakeholder workshops, 1 upcoming
• Board has presented draft regulations, but final framework is still unclear
  - Will likely include multiple milestones over several years
  - Gallons/connection/day
• Board contracted with UC Davis to develop an economic model
  - City participated in the pilot program to develop model
SB 555 - Water Loss Management Next Steps

• September 16 – Board released first draft of the model
• September 23 – Public stakeholder meeting presenting draft model
• October 14 – Written comments to Board due
• Late 2019/Early 2020? – Board to initiate rulemaking process
• July 1, 2020 – Legislative deadline to create standards
SB 998
WATER SHUTOFFS
SB 998 – Water Shutoffs

• Effective February 1, 2020
• Restricts the ability to disconnect residential water service due to non-payment
• Requires detailed written disconnect policy
• Prohibits disconnection of residential accounts delinquent for less than 60 days
SB 998 – Water Shutoffs

- Restricts water disconnection when:
  - Customer is not able to pay, AND
  - Shutoff poses a health and safety threat, AND
  - Customer is willing to enter an alternative arrangement

- Limits reconnection fees for those below 200% of the federal poverty line

- City must report residential disconnections for nonpayment to the Board and on the City’s website
SB 998 – Water Shutoffs

• Written policy and notices must be provided in English and any language spoken by 10% of customers
• $1,000 fine for each day the City is out of compliance
• Attorney General may bring action in state court to restrain by permanent or temporary injunction any practice made unlawful by SB 998
SB 998 – Water Shutoffs

• Next Steps:
  - Working group with staff from Water Supply, Meter Services, and Utility Billing to create new disconnect policy and procedures.
  - New policy and procedures will come back to Water Commission
AMERICA’S WATER INFRASTRUCTURE ACT
America’s Water Infrastructure Act of 2018

• President signed into law on October 23, 2018
• Applies to drinking water agencies serving more than 3,300 customers
• Perform a Risk and Resilience Assessment and create an Emergency Response Plan for the water system
  - Risk and Resilience Assessment – Due December 2020
  - Emergency Response Plan – Due June 2021
  - Both documents must be updated every five years
Risk and Resilience Assessment

• Risk to the system from malevolent acts and natural hazards
• Resiliency of water system assets
• Monitoring Practices and Financial Infrastructure
• Use and storage of chemicals
• O&M of the system
Emergency Response Plan

• Strategies and resources to improve system resiliency
• Plans and procedures that can be implemented
• Actions, procedures and equipment which can significantly lessen the impact of a malevolent act or natural hazards
• Strategies that can be used to aid in the detection of a threat to the security or resiliency of the system
Next Steps

• Seek out more training
  - Webinars and Seminars
• Create and distribute an RFP to consulting firms
• Goals is to have a firm under contract by January
AB 1668/SB 606
WATER USE EFFICIENCY AND CONSERVATION
AB 1668/SB 606 – Water Use Efficiency

• Based on Governor Brown’s EO B-37-16
• Interrelated bills that amend existing law and focus on long term water efficiency and reporting.
• Create, adopt, report, and enforce a water budget method for quantifying water supplier water use targets.
• Correlates to SB 555 – water loss management.
AB 1668/SB 606 – Water Use Efficiency

• To create each water supplier’s unique target, the standards will be calculated and added together:
AB 1668/SB 606 – Water Use Efficiency

• Reporting:
  - Monthly reports on water production, use, and conservation will be required.
  - Annual reports of water use compared to water use objective due each November, beginning in 2023.
  - Changes and additions to Urban Water Management Plan reporting and a new Annual Water Shortage Assessment.

• Compliance:
  - Progressive enforcement approach. If target is not met by 2027, or thereafter, water supplier can be fined $1,000/day or $10,000/day during drought.
AB 1668/SB 606 – Water Use Efficiency

- Next steps:
  - Most of the standards are still being developed. Staff is involved in frequent DWR Listening Sessions and SWRCB Stakeholder Workgroup Meetings.
  - Participating in “Early Adopter” pilot project with Eagle Aerial for outdoor water use software and aerial mapping.
Questions?