ENVIRONMENTAL QUALITY POLICY COMMITTEE
Thursday, March 28, 2019
10:00 a.m. – 3:00 p.m.
Hilton Orange County/Costa Mesa, Pacific Ballroom 1, 3050 Bristol Street, Costa Mesa

AGENDA

SPECIAL ORDER: State Budget and Issues Briefing for all policy committee members
10:00 – 10:45 a.m., Catalina II Room
Upon adjournment, individual policy committee meetings will begin

I. Welcome and Introductions

II. Public Comment

III. Legislative Agenda (Attachment A) Action
1. SB 54 (Allen)/AB 1080 (Gonzalez Fletcher) California Circular Economy and Plastic Pollution Reduction Act

IV. California Refuse and Recycling Council Presentation Informational
Speakers: Kathryn Lynch, Regulatory Affairs and John Kelly Astor, Legislative Affairs for California Refuse Recycling Council, Southern District
Hear a presentation from the California Refuse Recycling Council (CRRC) on SB 1383 regulation implementation and the state recycling markets from an industry perspective. CRRC is an association representing the solid waste and recycling industry.

V. Legislative Update (Attachment B) Informational
Speaker: Derek Dolfie, Legislative Representative
League staff will update the committee on recently introduced bills pertaining to environmental quality.

Next Meeting: Thursday, June 13, Sacramento Convention Center, Sacramento

Brown Act Reminder: The League of California Cities’ Board of Directors has a policy of complying with the spirit of open meeting laws. Generally, off-agenda items may be taken up only if:
1) Two-thirds of the policy committee members find a need for immediate action exists and the need to take action came to the attention of the policy committee after the agenda was prepared (Note: If fewer than two-thirds of policy committee members are present, taking up an off-agenda item requires a unanimous vote); or
2) A majority of the policy committee finds an emergency (for example: work stoppage or disaster) exists.
A majority of a city council may not, consistent with the Brown Act, discuss specific substantive issues among themselves at League meetings. Any such discussion is subject to the Brown Act and must occur in a meeting that complies with its requirements.

NOTE: Policy committee members should be aware that lunch is usually served at these meetings. The state’s Fair Political Practices Commission takes the position that the value of the lunch should be reported on city officials’ statement of economic interests form. Because of the service you provide at these meetings, the League takes the position that the value of the lunch should be reported as income (in return for your service to the committee) as opposed to a gift (note that this is not income for state or federal income tax purposes—just Political Reform Act reporting purposes). The League has been persistent, but unsuccessful, in attempting to change the FPPC’s mind about this interpretation. As such, we feel we need to let you know about the issue so you can determine your course of action.
If you would prefer not to have to report the value of the lunches as income, we will let you know the amount so you may reimburse the League. The lunches tend to run in the $30 to $45 range. To review a copy of the FPPC’s most recent letter on this issue, please go to www.cacities.org/FPPCLetter on the League’s Website.
ENIRONMENTAL QUALITY POLICY COMMITTEE
Legislative Agenda
March 28, 2019

1. **SB 54 (Allen) & AB 1080 (Gonzalez Fletcher)** California Circular Economy and Plastic Pollution Reduction Act

**Bill Summary:**
This bill enacts the California Circular Economy and Plastic Pollution Reduction Act. It would require the Department of Resources Recycling and Recovery (CalRecycle), in consultation with the State Water Resources Control Board (SWRCB) and the Ocean Protection Council (OPC), to adopt regulations to source reduce and recycle at least 75% of single-use packaging and products sold or distributed in California by 2030, and requires CalRecycle to develop a scoping plan to achieve those requirements.

**Bill Description:**
Specifically, this bill authorizes CalRecycle to develop regulations that would, among other things, require businesses to source reduce at least 75% of single-use plastic packaging and products by 2030 and require all single-use packaging and products distributed or sold in the state be recyclable or compostable after 2030.

Requires CalRecycle to develop a scoping plan that determines which products and packaging are considered single-use for these purposes in accordance with certain criteria. CalRecycle is also directed to consult with all relevant state agencies with jurisdiction over sources of waste, and local jurisdictions and regional agencies charged with meeting waste diversion goals. The scoping plan must also establish accounting of the total quantity of single-use packaging and products disposed of, generated, used in the state, and set a baseline amount for CalRecycle’s regulations.

Requires CalRecycle to develop criteria to determine which types of single-use packaging or products are recyclable or compostable. CalRecycle may consult local governments and representatives of the solid waste industry in their evaluation for determining criteria. However, local governments, solid waste facilities, recycling facilities, and composting facilities are required to provide information requested by CalRecycle to determine the recyclable and compostable criteria.

Requires CalRecycle to establish a process for businesses to annually report certain information to the department relating to the quantity and type of packaging materials sold by the business into the state and quantity and type of material source reduced by the business annually.

Requires, as a condition of sale of single-use plastic packaging or products in the state, a manufacturer of single-use plastic packaging or products sold or distributed in the state to demonstrate a recycling rate of not less than 20% on and after January 1, 2022, and not less than 40% on and after January 1, 2026.
Authorizes CalRecycle to adopt voluntary guidelines for manufacturers and retailers to reduce packaging waste, develop alternative compliance mechanisms for manufacturers and retailers, and establish minimum postconsumer recycled content requirements.

**Background:**
California is on the verge on a major problem with recycling markets and what to do with its recyclable materials. For many years, roughly one-third of the materials annually collected for recycling in California were exported overseas, primarily to China, for processing and manufacturing into new products. In 2017, China accounted for 55% of the recyclable exports California shipped overseas. China's recently adopted National Sword policy, which bans the importation of a number of recyclable commodities and imposes strict contamination limits, is dramatically effecting California’s solid waste and recycling systems.

Due to the National Sword and other international policies, local governments are struggling to find markets for the recyclable materials that are piling up in their communities. SB 54 helps to alleviate some market challenges by increasing the recyclability and compostability of single-use packaging and products, while also establishing aggressive targets for their source reduction and recycling.

According to the author, “Packaging products are typically designed to be used just once and then discarded and they account for 42 percent of all non-fiber plastic produced.” This is one rationale behind why in order to address the amount of waste in our communities is through addressing the production side of plastic materials.

Senator Ben Allen represents *Senate district 26*, Chair of the Senate Environmental Quality committee and is a member of the Senate Natural Resources and Water committee.

SB 54 passed out of the Senate Environmental Quality committee on 3/20/19 and is now in the Senate Appropriations committee, waiting scheduling for a hearing.

**Fiscal Impact:**
The major costs associated with this proposal are on the “businesses” who are required to source reduce single use plastic materials and make those materials recyclable or compostable. Exact costs to these businesses are unknown.

Additionally, there are associated costs with local governments being required to give information to CalRecycle to determine the recyclable and compostable material criteria.

**Existing League Policy:**
“The League supports legislation and other efforts to increase the markets for recycled materials, including advance disposal fees, minimum content laws, and recycling market development zones. The League opposes legislation that requires local governments to adopt refuse fees based upon variable can rates (Page 7).”
“The League supports efforts to strengthen curbside recycling programs and opposes efforts to weaken such programs. The League supports legislation to expand the container types included in the AB 2020-bottle bill program (Page 7).”

Staff Comments:
Discussions around SB 54 need to be held in context of our recent experience with the ongoing implementation of Senate Bill 1383. In addition to dealing with the lack of international recycling markets, California is also in the process of implementing the ambitious organic waste recycling goals contained in SB 1383 (Lara, Chapter 395, 2016), which requires the state to reduce landfill disposal of organic waste 50% below 2014 levels by 2020 and 75% below 2014 levels by 2025. CalRecycle’s far-reaching SB 1383 regulation could cost billions to implement and poses many challenges for local governments.

The League has advocated to CalRecycle the many infrastructure capacity, funding, and enforcement issues associated with implementing these regulations. The SB 54 effort is an important component of a broader response to achieving such ambitious single-use packaging and product reduction and recycling goals. Local governments are hard pressed to find a way to reduce the amount of waste in our waste streams.

Additionally, this bill has language that supports CalRecycle adopting as a part of their regulations increasing investments in infrastructure and associated recycling jobs in California. This could help give cities some relief from the challenges of finding markets for these recyclable materials in California, instead of relying on now volatile international markets.

Lastly, one potential concern for this bill would be the definition of who is considered a “business.” Clarification may be needed to determine is this definition includes local governments.

Support/Opposition: (as of 3/18/19)

Support
- Algalita Marine Research and Education
- Alvarado Street Brewery & Grill
- American Sustainable Business Council
- Audubon California
- Azul
- Breast Cancer Prevention Partners
- California Cannabis Coalition
- California Coastal Protection Network
- California Coastkeeper Alliance
- California Compost Coalition
- California Interfaith Power & Light
- California League of Conservation Voters
- Californians Against Waste
- California Product Stewardship Council
- California ReLEAF
- California Resource Recovery Association
- California State Association of Counties
- California State Parks Foundation
- California Teamsters Public Affairs Council
- CALPIRG
Center for Biological Diversity
Center for Oceanic Awareness, Research and Education
ChicoBag
Cigarette Butt Pollution Project
Clean Water Action
Coastodian
Colorado Medical Waste, Inc.
Communication Workers of America District 9, AFL-CIO
Communications4Good
Communitas Financial Planning
Community Environmental Council
Conscious Container
Council Member Paul Koretz, 5th District, City of Los Angeles
Council Member Mark West, City of Imperial Beach
Defenders of Wildlife
Distance Learning Consulting
Dr. Bronner’s
Eco Imprints
Ecology Center
Environment California
Environmental Defense Center
Environmental Justice Coalition for Water
Environmental Working Group
Friends Committee on Legislation of California
Full Circle Environmental, Inc.
GoodLight Natural Candles
Green Retirement, Inc.
Green Valley Community Farm
Greenpeace
Guitarfish Music Festival
Heal the Bay
Inland Ocean Coalition
Joshua Tree Music Festival
Kasperorganics
Kite Music Productions/Flying Kite
Motion Pictures
LA Hauler
Latinos in Action
Leadership & Strategy for Sustainable Systems
League of Women Voters of California
Long Beach Environmental Alliance
Long Beach Gray Panthers
Los Angeles Alliance for a New Economy (LAANE)
Los Angeles Waterkeeper
Lutheran Office of Public Policy - California
MD Global
Monterey Regional Waste Management District
Napa Recycling & Waste Services
National Parks Conservation Association
National Stewardship Action Council
Natural Resources Council of Maine
Natural Resources Defense Council
No Plastic Oceans
Northern California Recycling Association
Oceana
Owl Post Calligraphy
Pacific Forest Trust
Pacoima Beautiful
Pharmacists Planning Services, Inc.
Plastic Pollution Coalition
Ponce’s Mexican Restaurant
UPSTREAM R3 Consulting Group, Inc.
Recology
Refill Madness, LLC
Republic Services
Repurpose
ReThink Waste
San Francisco Baykeeper
San Francisco Department of the Environment
Save Our Shores
Sea Hugger
Service Employees International Union
Seventh Generation Advisors
S. Groner Associates, Inc.
Shafir Environmental
Shizen & Tataki Restaurants
Sierra Club California
Sierra Leadership
Smart Planet Technologies
St. Francis Center
Steelys Drinkware
StopWaste
Surfrider Foundation
Sustainable Environmental Management Co.
Sustain LA
TDC Environmental, LLC
Teamsters Local Union No. 396
The 5 Gyres Institute
The River Project
The Story of Stuff Project

The Watershed Project
Tonic Nightlife Group
TreePeople
Tri-CED Community Recycling
Trust for Public Lands
Wholly H2O
WILDCOAST
Wishtoyo Chumash Foundation
Zero Waste Sonoma
Zero Waste USA
350 Silicon Valley

Opposition
American Chemistry Council
AMERIPEN
California Chamber of Commerce
California Grocers Association
Grocery Manufacturers Association
Household and Commercial Products Association
Plastics Industry Association

Staff Recommendation:
League staff recommends a Support position.

Committee Recommendation:

Board Action:
Senate Bill 54/ Assembly Bill 1080:
Single-Use Packaging and Products

Senator Ben Allen and Assemblywoman Lorena Gonzalez
with Senator Skinner, Senator Wiener, Senator Stern, Assemblymember Friedman, and Assemblymember Ting

IN BRIEF

SB 54/AB 1080 will ensure California is on the forefront of reducing pollution from plastic packaging and products. The bills would set goals to reduce waste from single-use packaging and products and ensure the remaining items are effectively recycled.

BACKGROUND

Every day, single-use packaging and products in California generate tons of non-recyclable and non-compostable waste impacting our health, natural environment, and local governments.

Plastic pollution starts with fossil fuel extraction to create plastic and affects individuals, communities, and ecosystems all along the supply chain; from when the products are manufactured, transported, and used, to when they degrade and emit greenhouse gases or impact the environment as litter. Oil refineries, plastic manufacturers and incinerators tend to be located in disadvantaged communities, which then must bear the brunt of the associated health impacts from industry, such as higher asthma rates. With a planned 40-percent increase in plastic production over the next decade, plastic production will account for 20 percent of global fossil fuel consumption unless we make major policy changes to significantly counter this.

One way to reduce the production of plastics is to focus on its use in packaging. Packaging products are typically designed to be used just once and then discarded and they account for 42 percent of all non-fiber plastic produced.

Unlike natural materials that decompose, nearly every piece of plastic ever produced still exists in our landfills or in the environment. As these items fragment into smaller particles, known as microplastics, they concentrate toxic chemicals and contaminate our food and drinking water sources, ranging from bottled water to table salt to fish and agricultural soils. Exposure to these plastics and associated toxins has been linked to cancers, birth defects, impaired immunity, endocrine disruption and other serious health problems.

While the state and local communities in California have tried to reduce the burden from single-use packaging since the 1980s, taxpayers and local governments still spend over $420 million annually in ongoing efforts to clean up and prevent litter in streets, storm drains, parks and waterways. Not only is cleanup expensive, but it cannot keep pace with the production of single-use disposable items, which continues to grow exponentially.

Existing recycling infrastructure can’t keep pace either. Less than 9 percent of plastic is recycled, and that percentage is dropping since the implementation of China’s National Sword and policies in other countries, which severely restricted the amount of foreign waste these countries accept. These materials are now either piling up in recycling centers, being landfilled, or sent to illegal facilities in Southeast Asia where they are incinerated, or simply dumped in impoverished areas where it is never dealt with. California must reduce the amount of plastics as a result of these realities.

We can no longer afford to wait on this issue. This is why the European Union and other countries that are major purchasers of consumer goods are implementing comprehensive waste reduction frameworks which urge producers to share in the responsibility of reducing waste and designing products to be reusable, recyclable and/or compostable. As the world’s fifth-largest economy, California has a responsibility to lead on solutions to the growing plastic pollution crisis.

SOLUTION

Eliminating non-reusable, non-recyclable and non-compostable products and reducing packaging is by far the most effective, and least expensive way to protect the health of people, wildlife, and the environment. Many reliable and reusable alternatives already exist and the positive results of their use have been proven.
SB 54/AB 1080 establish a comprehensive framework to address the pollution and waste crisis.

- Specifically, single-use plastic packaging and products sold or distributed in California must be reduced, recycled or composted by 75 percent by 2030.
- All single-use packaging and products must be recyclable or compostable on and after 2030.
- As part of a shift towards a more circular economy, the bills also instructs CalRecycle to develop incentives and policies to encourage in-state manufacturing using recycled material generated in California.

CalRecycle will be given authority to adopt regulations to meet these goals, including developing criteria to determine which packaging material qualifies as recyclable or compostable.

SUPPORT

Algalita Marine Research and Education
Alvarado Street Brewery & Grill
American Sustainable Business Council
Audubon California
Azul
Breast Cancer Prevention Partners
California Cannabis Coalition
California Coastal Protection Network
California Coastkeeper Alliance
California Compost Coalition
California Interfaith Power & Light
California League of Conservation Voters
Californians Against Waste
California Product Stewardship Council
California ReLEAF
California Resource Recovery Association
California State Association of Counties
California State Parks Foundation
California Teamsters Public Affairs Council
CALPIRG
Center for Biological Diversity
Center for Oceanic Awareness, Research and Education
ChicoBag
Cigarette Butt Pollution Project
Clean Water Action
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Communications4Good
Communitas Financial Planning
Community Environmental Council
Conscious Container
Council Member Paul Koretz, 5th District, City of Los Angeles
Council Member Mark West, City of Imperial Beach
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Dr. Bronner’s
Eco Imprints
Ecology Center
Environment California
Environmental Defense Center
Environmental Justice Coalition for Water
Environmental Working Group
Friends Committee on Legislation of California
Full Circle Environmental, Inc.
GoodLight Natural Candles
Green Retirement, Inc.
Green Valley Community Farm
Greenpeace
Guitarfish Music Festival
Heal the Bay
Inland Ocean Coalition
Joshua Tree Music Festival
Kasperorganics
Kite Music Productions/Flying Kite Motion Pictures
LA Hauler
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Pacoima Beautiful
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R3 Consulting Group, Inc.
Recology
Refill Madness, LLC
Republic Services
Repurpose
ReThink Waste
San Francisco Baykeeper
San Francisco Department of the Environment
Save Our Shores
Sea Hugger
Service Employees International Union
Seventh Generation Advisors
S. Groner Associates, Inc.
Shafir Environmental
Shizen & Tataki Restaurants
Sierra Club California
Sierra Leadership
Smart Planet Technologies
St. Francis Center
Steelys Drinkware
StopWaste
Surfrider Foundation
Sustainable Environmental Management Co.
Sustain LA
TDC Environmental, LLC
Teamsters Local Union No. 396
The 5 Gyres Institute
The River Project
The Story of Stuff Project
The Watershed Project
Tonic Nightlife Group
TreePeople
Tri-CED Community Recycling
Trust for Public Lands
Wholly H2O
WILDCOAST
Wishtoyo Chumash Foundation
Zero Waste Sonoma
Zero Waste USA
350 Silicon Valley

FOR MORE INFORMATION
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AB 56 (E Garcia) California Clean Electricity Authority

Bill Summary:
This bill would authorize the Public Utilities Commission (PUC) and the State Energy Resources Conservation and Development Commission (Energy Commission) to jointly establish the California Clean Electricity Authority (CCEA), a nonprofit, public benefit corporation. Both commissions must first make certain findings in order to establish the CCEA.

If authorized, the CCEA would have the authority to undertake procurement of electricity on behalf of retail end-use customers of electrical corporations, community choice aggregators (CCAs), and electric service providers, and local publicly owned electric utilities, in support of certain statewide climate related goals.

Bill Description:
Specifically, this bill would require the CCEA to submit to the Energy Commission for approval, annual procurement plans proposing procurement commitments on behalf of customers of local publicly owned electric utilities.

The CCEA would be required to submit to the PUC for approval annual procurement plans proposing procurement commitments on behalf of load-serving entities. Upon the approval of the procurement plan, the CCEA would be authorized to solicit and negotiate for procurement contracts.

Requires the CCEA to develop and submit for review, to either the PUC or the Energy Commission, annual revenue requirements for costs incurred on behalf of customers of load-serving entities or local publicly owned electric utilities.

Specifies that approved revenue requirements are direct obligations of the customers of load-serving entities or local publicly owned electric utilities and would require load-serving entities and local publicly owned electric utilities to remit payments to the authority, as provided, thus imposing a state-mandated local program.

The CCEA would be governed by a Board of Directors made up of 7 members appointed by the Governor, Speaker of the Assembly, and President Pro-Tempore of the Senate.

Lastly, the Legislature would appropriate $5 million dollars in the annual Budget Act to serve as a startup fund for the establishment of the CCEA, which the bill would require the authority to repay.

Background:
With the impending PG&E bankruptcy, the Legislature is developing ways to ensure that there are entities and procedures in place to ensure there is enough electricity procurement for all Californians. Assembly Member E. Garcia is attempting to set up a non-profit authority to help the state meet its energy procurement and statewide environmental goals.
The establishment of the CCEA is attempting to assist in addressing shortfalls or gaps identified in the integrated resource planning of load-serving entities and local publicly owned electric utilities.

Assembly Member E. Garcia represents the 56th Assembly district, is the Chair of the Assembly Water, Parks, and Wildlife committee and serves on the Assembly Energy and Utilities Committee.

**Fiscal Impact:**
The fiscal impact of this bill is unclear. There could be unknown major cost implications for energy suppliers, such as municipal utilities and CCA’s. By taking over jurisdiction of energy procurement, this bill could change the way California procures it’s energy.

**Existing League Policy:**
“Utilities: The League supports the constitutional right of municipal utilities to operate outside the jurisdiction of the California Public Utilities Commission (PUC) and opposes any legislation that would erode the ability of municipal utilities to operate, or place them under PUC control (Page 8)."

“The League opposes any legislation that interferes with local utility rate setting authority and opposes any legislation that restricts the ability of a city to transfer revenue from a utility (or other enterprise activity) to the city’s general fund (Page 9).”

**Comments:**
This bill is attempting to establish a statewide energy procurement entity that will be able to help meet the state’s energy and climate goals. This is be a large fight with the utilities over who is able to procure energy. This bill could indirectly impact CCA’s who directly procure their own energy.

Is currently set for hearing on 4/3/19 in the Assembly Utilities and Energy Committee.

**Support/Opposition: (as of 3/20/19)**
Support
Unknown

Opposition
Unknown

**Questions for the Committee’s Consideration:**
- How does this bill affect local municipal utilities?
- Will this bill take authority away from local municipal utilities?
- What, if any, amendments would be helpful to this bill?
**Environmental Quality Interest Bills**

**AB 56 (Garcia, Eduardo D)  California Clean Electricity Authority**

*Last Amended:* 3/18/2019  
*Status:* 3/19/2019-Re-referred to Com. on U. & E.  
*Is Urgency:* N  
*Location:* 1/17/2019-A. U. & E.  
*Summary:*  
Would authorize the Public Utilities Commission (PUC) and the State Energy Resources Conservation and Development Commission (Energy Commission) to jointly establish the California Clean Electricity Authority, a nonprofit, public benefit corporation, if both commissions make certain findings. The bill would authorize the authority to undertake procurement of electricity on behalf of retail end-use customers of electrical corporations, community choice aggregators, and electric service providers, collectively referred to as load-serving entities, and local publicly owned electric utilities, in support of certain energy, environmental, economic, public health, and public safety policy objectives.

League Position:  Watch

**AB 134 (Bloom D)  Safe, clean, affordable, and accessible drinking water.**

*Status:* 3/21/2019-Assembly Rule 56 suspended. (pending referral to Com. on E.S. & T.M.)  
*Is Urgency:* N  
*Location:* 3/21/2019-A. E.S. & T.M.  
*Summary:*  
Would state findings and declarations relating to the intent of the Legislature to adopt policies to ensure that every Californian has the right to safe, clean, affordable, and accessible drinking water.

League Position:  Watch

**AB 161 (Ting D)  Solid waste: paper waste: electronic proofs of purchase.**

*Last Amended:* 3/19/2019  
*Status:* 3/20/2019-Re-referred to Com. on NAT. RES.  
*Is Urgency:* N  
*Location:* 1/24/2019-A. NAT. RES.  
*Summary:*  
Would require, on and after January 1, 2022, a point-of-sale proof of purchase for the retail sale of food, alcohol, or other tangible personal property, or for the provision of services, provided to a consumer, as defined, by a business, as defined, to be provided only in electronic form, except as provided. The bill would specify that the first and 2nd violations of these provisions would result in a notice of violation and any subsequent violation would be punishable by a civil penalty of $25 for each day the business is in violation, but not to exceed an annual total of $300.

League Position:  Watch

**AB 217 (Garcia, Eduardo D)  Safe Drinking Water for All Act.**

*Last Amended:* 3/19/2019  
*Status:* 3/20/2019-Re-referred to Com. on E.S. & T.M.  
*Is Urgency:* N  
*Summary:*  
The California Safe Drinking Water Act requires the State Water Resources Control Board to administer provisions relating to the regulation of drinking water to protect public health. Existing law declares it to be the established policy of the state that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes. This bill would enact the Safe Drinking Water for All Act and would establish the Safe and Affordable Drinking Water Fund in the State Treasury and would provide that moneys in the fund are continuously appropriated to the board to provide a source of funding to secure access to safe drinking water for all Californians, while also ensuring the long-term sustainability of drinking water service and infrastructure.

League Position:  Watch

**AB 755 (Holden D)  California tire fee: Stormwater Permit Compliance Fund.**

*Status:* 2/28/2019-Referred to Coms. on NAT. RES. and E.S. & T.M.
**AB 1171** (Chen R) Recycling: grocery store food packaging: sustainability standards.

**Status:** 2/22/2019-From printer. May be heard in committee March 24.

**Is Urgency:** N

**Location:** 2/21/2019-A. PRINT

**Summary:**
Current law, the California Integrated Waste Management Act of 1989, administered by the Department of Resources Recycling and Recovery, establishes an integrated waste management program. The act requires each city to submit to the county in which the city is located a source reduction and recycling element containing specified components, including a composting component. This bill would state the intent of the Legislature to enact legislation to encourage municipalities to adopt more effective sustainability standards for the recycling and composting of grocery store food packaging.

**League Position:** Watch

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**AB 1731** (Boerner Horvath D) Short-term rentals: coastal zone.

**Status:** 3/18/2019-Referred to Coms. on JUD. and NAT. RES.

**Is Urgency:** N

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

**Summary:**
Would authorize a housing platform to make available a residentially zoned or residentially used unit within a residential property that is located within the coastal zone as a short-term rental 365 days per year if the primary resident lives onsite of the residential property full time. The bill would prohibit a housing platform from making available residential property that is located within the coastal zone in which the primary resident does not live onsite full time as a short-term rental for more than 30 days per year, unless the primary resident makes the residential property available as a short-term rental in accordance with the Lower Cost Coastal Accommodations Program administered by the State Coastal Conservancy.

**League Position:** Watch

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**AB 1788** (Bloom D) Pesticides: use of anticoagulants.

**Last Amended:** 3/19/2019

**Status:** 3/20/2019-Re-referred to Com. on E.S. & T.M.

**Is Urgency:** N

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

**Summary:**
Current law regulates the use of pesticides and authorizes the Director of Pesticide Regulation to adopt regulations to govern the possession, sale, or use of any pesticide, as prescribed. Current law prohibits the use of any pesticide that contains one or more of specified anticoagulants in wildlife habitat areas, as defined. Existing law exempts from this prohibition the use of these pesticides for agricultural activities, as defined. Current law requires the director, and each county agricultural commissioner under the direction and supervision of the director, to enforce the provisions regulating the use of pesticides. A violation of these provisions is a misdemeanor. This bill would create the California Ecosystems Protection Act of 2019 and expand this prohibition to the entire state.

**League Position:** Watch

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**Status:** 3/20/2019-From committee: Do pass and re-refer to Com. on N.R. & W. (Ayes 5. Noes 2.) (March 20). Re-referred to Com. on N.R. & W.
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.

League Position: Watch

**SB 19** (Dodd D) Water resources: stream gages.
Last Amended: 2/28/2019
Status: 3/12/2019-From committee: Do pass and re-refer to Com. on APPR. (Ayes 8. Noes 0.) (March 12). Re-referred to Com. on APPR.
Is Urgency: N
Location: 3/12/2019-S. APPR.
Summary: Would require the Department of Water Resources and the State Water Resources Control Board, upon an appropriation of funds by the Legislature, to develop a plan to deploy a network of stream gages that includes a determination of funding needs and opportunities for modernizing and reactivating existing gages and deploying new gages, as specified. The bill would require the department and the board, in consultation with the Department of Fish and Wildlife, the Department of Conservation, the Central Valley Flood Protection Board, interested stakeholders, and, to the extent they wish to consult, local agencies, to develop the plan to address significant gaps in information necessary for water management and the conservation of freshwater species.

League Position: Watch

**SB 33** (Skinner D) Solid waste: reduction and recycling.
Status: 1/16/2019-Referred to Com. on RLS.
Is Urgency: N
Location: 12/3/2018-S. RLS.
Summary: The California Integrated Waste Management Act of 1989, administered by the Department of Resources Recycling and Recovery, generally regulates the disposal, management, and recycling of solid waste. This bill would state the intent of the Legislature to enact legislation that would address the collapse of foreign recycling markets by reducing solid waste generation, encouraging transition to compostable or recyclable materials, and fostering domestic recycling markets.

League Position: Watch

Last Amended: 3/5/2019
Is Urgency: Y
Location: 1/16/2019-S. N.R. & W.
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.

League Position: Watch

**SB 167** (Dodd D) Electrical corporations: wildfire mitigation plans.
Status: 3/15/2019-Set for hearing March 27.
Current law requires wildfire mitigation plans to include specified information, including protocols for disabling reclosers and deenergizing portions of the electrical distribution system that consider the associated impacts on public safety, as well as protocols related to mitigating the public safety impacts of those protocols, including impacts on critical first responders and on health and communication infrastructure. This bill would require those protocols to additionally include impacts on customers enrolled in the California Alternative Rates for Energy (CARE) program, receiving medical baseline allowances of electricity or gas, and who the electrical corporation has identified as critical care customers relying on life-support equipment.

League Position: Watch

**SB 200** (Monning D) Safe and Affordable Drinking Water Fund.
Last Amended: 3/11/2019
Is Urgency: N
Location: 3/20/2019-S. N.R. & W.
Summary: Would establish the Safe and Affordable Drinking Water Fund in the State Treasury and would provide that moneys in the fund are continuously appropriated to the State Water Resources Control Board. The bill would require the board to administer the fund to provide a stable source of funding to secure access to safe drinking water for all Californians, while also ensuring the long-term sustainability of drinking water service and infrastructure. The bill would authorize the board to provide for the deposit into the fund of federal contributions, voluntary contributions, gifts, grants, and bequests. The bill would require the board to expend moneys in the fund for grants, loans, contracts, or services to assist eligible applicants with projects relating to the provision of safe and affordable drinking water.

League Position: Watch

**SB 205** (Hertzberg D) Business licenses: stormwater discharge compliance.
Last Amended: 3/21/2019
Status: 3/20/2019-Read second time and amended. Re-referred to Com. on EQ.
Is Urgency: N
Location: 3/20/2019-S. E.Q.
Summary: Would require, when applying to a city or a county for an initial business license or business license renewal, a person who conducts a business operation that is a regulated industry to demonstrate compliance with the National Pollutant Discharge Elimination System (NPDES) permit program by providing specified information, under penalty of perjury, on the application, including, among other things, the Standard Industrial Classification code for the business. The bill would apply to all applications for initial business licenses and business license renewals submitted on and after January 1, 2020.

League Position: Concerns

**SB 332** (Hertzberg D) Wastewater treatment: recycled water.
Is Urgency: N
Location: 2/28/2019-S. E.Q.
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.

League Position: Watch
Summary:
Current law makes it unlawful to dump waste matter in certain locations, such as upon a public or private highway or road, upon private property without the consent of the owner, or in or upon a public park or other public property, as specified. Existing law also makes it unlawful to place, deposit, or dump rocks, concrete, asphalt, or dirt in certain locations, as specified. A person who violates these provisions is guilty of an infraction punishable by specified fines. Existing law also makes it a misdemeanor to place, deposit, or dump waste matter in commercial quantities, as defined, in certain locations. This bill would make it a crime to transport waste matter, rocks, concrete, asphalt, or dirt for the purpose of dumping it in the locations described above.

League Position: Watch
Is Urgency: N
Location: 3/14/2019-S. E.Q.
Summary:
Would establish the Safe Drinking Water Fund in the State Treasury and would provide that moneys in the fund are continuously appropriated to the State Water Resources Control Board. The bill would require the state board to administer the fund to assist community water systems in disadvantaged communities that are chronically noncompliant relative to the federal and state drinking water standards and do not have the financial capacity to pay for operation and maintenance costs to comply with those standards, as specified.

League Position: Watch

Total Measures: 21
Total Tracking Forms: 21