

Legislative Summary



2010 Legislative Year

California Environmental Protection Agency

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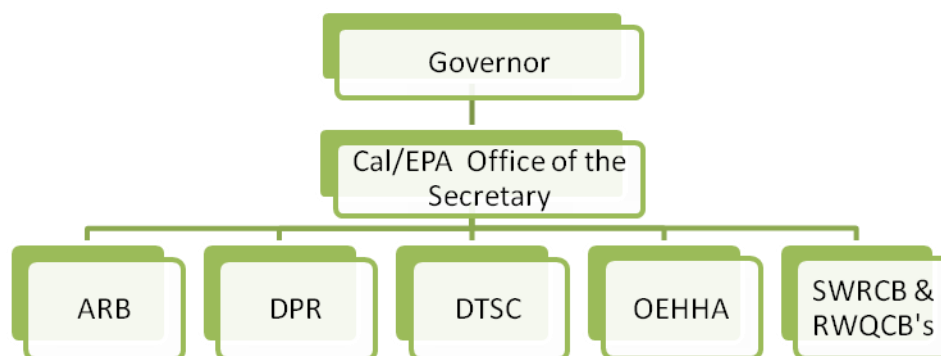
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About the California Environmental Protection Agency

About the California Environmental Protection Agency

In 1991, California's environmental authority was unified in a single Cabinet level agency--the California Environmental Protection Agency (Cal/EPA). This brought the Air Resources Board (ARB), State Water Resources Control Board (SWRCB), Regional Water Quality Control Boards (RWQCBs) and the Integrated Waste Management Board (IWMB) under an umbrella agency with the newly created Department of Toxic Substances Control (DTSC), Office of Environmental Health Hazard Assessment (OEHHA) and Department of Pesticide Regulation (DPR). In 2009, the IWMB was abolished and its duties were transferred to the newly created Department of Resources Recycling and Recovery in the Natural Resources Agency.

[Cal/EPA's Office of the Secretary](#) heads Cal/EPA and is responsible for overseeing and coordinating the activities of all five Boards, Departments, and Offices (BDOs) shown below.



The Secretary does not direct policies and decisions of the Boards, Departments and Office on a day-to-day basis. As an officer of the Governor's Cabinet with statutory responsibility (Gov. Code sections 12850-12856) to coordinate and supervise the overall performance of the Agency, the Secretary provides the vision and leadership that focuses the efforts of the Boards, Departments and Office of Cal/EPA on the goals of the Administration.

The specific functions to be performed within the Office of the Secretary of Cal/EPA include budget review, review of personnel management, enforcement coordination, information management coordination, strategic planning and pollution prevention.

In addition to these agency duties, the Legislature has given the Office of the Secretary several specific programmatic responsibilities, which are listed below with links to further information:

- [Unified Program](#)
- [Children's Environmental Health](#)
- [Enforcement](#)
- [Environmental Justice](#)
- [Environmental Management and Sustainability Project](#)
- [Environmental Protection Indicators for California \(EPIC\)](#)
- [Quality Improvement](#)



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Boards, Departments & Offices Information & Staff Contacts

Cal/EPA's Boards, Departments, and Office

Air Resources Board **Legislative Affairs Office: (916) 322-2896**

The Air Resources Board's (ARB) mission is to promote and protect public health, welfare and ecological resources through the effective and efficient reduction of air pollutants in recognition and consideration of the effects on the economy of the State.

Contact: Rob Oglesby
 Legislative Director
 roglesby@arb.ca.gov

Department of Pesticide Regulation **Legislative Affairs Office: (916) 445-3976**

The Department of Pesticide Regulation (DPR) has the primary responsibility for regulating all aspects of pesticide sales and use to protect the public health and the environment. DPR's mission is to evaluate and mitigate impacts of pesticide use, maintain the safety of the pesticide workplace, ensure product effectiveness, and encourage the development and use of reduced risk pest control practices while recognizing the need for pest management in a healthy economy.

Contact: Mitch Gorsen
 Deputy Director of Legislation and Policy
 mgorsen@cdpr.ca.gov

Department of Toxic Substances Control **Legislative Affairs Office: (916) 322-3900**

The mission of DTSC is to restore, protect and enhance the environment, to ensure public health, environmental quality and economic vitality, by regulating hazardous waste, conducting and overseeing cleanups, and developing and promoting pollution prevention.

Contact: Rick Brausch
 Legislative Director
 rbrausch@dtsc.ca.gov

Office of Environmental Health Hazard Assessment **Legislative Affairs Office: (916) 323-2395**

The mission of OEHHA is to protect and enhance public health and the environment by objective scientific evaluation of risks posed by hazardous substances.

Contact: Sam Delson
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 sdelson@oehha.ca.gov

State Water Resources Control Board **Legislative Affairs Office: (916) 341-5251**

The State Water Resources Control Board's mission is to preserve and enhance the quality of California's water resources, and ensure their proper allocation and efficient use for the benefit of present and future generations.

Contact: Rob Egel
 Legislative Director
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2010 Highlights

2010 Highlights

Significant Approved Legislation:

Air Resources Board:

AB 787 (Hill) Chapter 231, Stats. of 2010: Smog check: vehicle repair assistance and retirement program: Increases the income threshold for persons to qualify for repair assistance under the State's Consumer Assistance Program, requires payment of \$1,500 to a low-income owner or \$1,000 to all other owners who retire their high-polluting vehicle under the voluntary vehicle retirement program, and designates the same amount for vehicles retired under the Enhanced Fleet Modernization Program. Provides financial assistance to more low income owners to repair their vehicles to meet smog standards, increasing the payment to those who voluntarily retire higher emitting vehicles. Accelerates emission reduction and public health improvement, and stimulates the economy, through purchases of new or newer low polluting vehicles.

AB 1500 (Lieu) Chapter 37, Stats. of 2010: High-occupancy lanes: single occupancy vehicles: sunset date: Extends the single-occupant HOV lane access for zero emission and inherently low emission vehicles from January 1, 2011, to January 1, 2015. The bill allows the continued use of about 11,000 of the lowest emitting white sticker single-occupant vehicles in HOV lanes and serves as a valuable tool for building public awareness and increasing sales for these low-polluting alternatively fueled vehicles.

AB 2289 (Eng) Chapter 258, Stats. of 2010: Smog check program: testing: penalties: Authorizes Department of Consumer Affairs/Bureau of Automotive Repair (DCA/BAR) to utilize On-Board Diagnostics II to smog test model year 2000 and newer vehicles. Requires DCA/BAR to evaluate performance of smog test stations and direct likely polluters to high-performing smog stations. This bill will result in significant savings on the cost of smog check for vehicle owners. At the same time, air pollution will be reduced by up to 70 tons per day, which is equivalent to taking 800,000 vehicles off the road.

SB 535 (Yee) Chapter 215, Stats. of 2010: Vehicles: high-occupancy vehicle lanes: Allows a vehicle that meets the State's enhanced advanced technology partial zero-emission vehicle standard for exhaust emissions to access HOV lanes regardless of vehicle occupancy from January 1, 2012, until January 1, 2015. In addition, this bill extends the current January 1, 2011, sunset date for current HOV lane privileges for vehicles that meet specified emission criteria to July 2011. This bill promotes the development and consumer acceptance of new, ultra clean technology vehicles that reduce emissions and oil dependency. The bill also gives the State additional time to notify hybrid owners that their HOV lane access will be withdrawn.

Department of Pesticide Regulation:

AB 1963 (Nava) Chapter 369, Stats. of 2010: Pesticide poisoning test reporting: Requires clinical laboratories that perform cholinesterase (ChE) testing for the purpose of determining workers' pesticide exposure to electronically report test results to the Department of Pesticide Regulation. Additionally, by December 31, 2015, the Department of Pesticide Regulation and the OEHHA, in consultation with the State Department of Public Health, shall prepare a report on the effectiveness of the medical supervision

program and the utility of laboratory-based reporting of cholinesterase testing for illness surveillance and prevention. Without enactment of this bill, DPR would continue to lack the data necessary to evaluate the effectiveness of its pesticide poisoning test program and identify pesticide-related illness.

Department of Toxic Substances Control:

AB 1930 (De La Torre) Chapter 368, Stats of 2010: Hazardous waste: glass beads: The bill would prohibit until January 1, 2015, the manufacture, sale or offer for promotional purposes of glass beads that contain more than 75 parts per million (ppm) of arsenic or 100 ppm of lead. The bill would protect workers and the environment from the exposure of toxic chemicals.

SB 929 (Pavley) Chapter 313, Stats. of 2010: Hazardous Materials: Children's Jewelry: This measure restricts the use of cadmium in children's jewelry sold in California. Cadmium, a heavy metal, is a carcinogen, a reproductive toxicant, and is on the Proposition 65 list of toxic chemicals.

SB 346 (Kehoe) Chapter 307, Stats. of 2010: Hazardous materials: motor vehicle brake friction materials: The bill prohibits the use of specified heavy metals such as copper, lead and mercury in brake pads by specified dates. This bill helps protect and restore water quality in the State by reducing the presence of copper and other metals in brake friction materials that enter our state waters through storm water and adversely affect water quality. Furthermore, it helps local governments comply with regulatory requirements of the Regional Water Quality Control Boards to reduce storm water discharges of copper and other heavy metals.

Office of Environmental Health Hazard Assessment:

AB 1963 (Nava) Chapter 369, Stats. of 2010: Pesticide poisoning: Requires clinical laboratories that perform cholinesterase (ChE) testing for the purpose of determining workers' pesticide exposure to electronically report test results to the Department of Pesticide Regulation. Additionally, by December 31, 2015, the Department of Pesticide Regulation and the OEHHA, in consultation with the State Department of Public Health, shall prepare a report on the effectiveness of the medical supervision program and the utility of laboratory-based reporting of cholinesterase testing for illness surveillance and prevention. OEHHA views this bill as an important way to monitor and evaluate the state's ChE testing program.

State Water Resources Control Board:

SB 346 (Kehoe) Chapter 307, Stats. of 2010: Hazardous materials: motor vehicle brake friction materials: The bill prohibits the use of specified heavy metals, such as copper, lead and mercury in brake pads by specified dates. This bill helps protect and restore water quality in the State by reducing the presence of copper and other metals in brake friction materials that enter our state waters through storm water and adversely affect water quality. Furthermore, it helps local governments comply with regulatory requirements of the Regional Water Quality Control Boards to reduce storm water discharges of copper and other heavy metals.

SB 918 (Pavley) Chapter 700, Stats. of 2010: Potable Water: This bill requires the Department of Public Health (DPH) to: (1) to develop and adopt as regulations, uniform water recycling criteria for indirect potable water reuse for groundwater recharge by December 31, 2013, and for surface water

augmentation by December 31, 2016; (2) to investigate and report to the Legislature on the feasibility of developing water recycling criteria for direct potable reuse; and (3) in consultation with the State Water Resources Control Board, to report annually to the Legislature on progress toward adopting water recycling criteria.

SB 1284 (Ducheny) Chapter 645, Stats. of 2010: Mandatory Minimum Penalties: This bill would make several revisions to the Mandatory Minimum Penalties (MMPs) statute, including creating new exemptions to MMPs for the failure to file a discharge monitoring report if either: (1) no discharge occurred to surface water; (2) the discharges do not violate effluent limitations; or (3) the State Water Resources Control Board or a Regional Water Quality Control Board does not inform the discharger of an alleged violation within 90 days of the due date of the report. This bill also would extend the time schedule that a Regional Water Board may impose in a cease and desist order or a time schedule order, from a maximum of five years to a maximum of ten years, for a discharger to come into compliance.

Agency Sponsored Legislation

AB 2289 (Eng) Chapter 258, Stats. of 2010: Smog Check Program Modernization: The bill requires improved smog check testing, including testing 2000 model year and newer cars with on-board diagnostic systems. Without enactment of this Administration sponsored bill, the State would lose 70 tons per day of air pollution emission reductions and consumers would pay \$100 to \$200 million more per year associated with higher smog check testing costs.

SB 1169 (Lowenthal) Chapter 288, Stats. of 2010: Water Code Cleanup: This bill is the Administration's sponsored "code cleanup" which would make a variety of technical changes to provisions of the Water Code and Government Code related to the State Water Resources Control Board (State Water Board). This bill makes a variety of technical and clarifying changes to improve the efficiency in the implementation of State Water Board's water quality and water rights programs and reduce unnecessary litigation that can result from misinterpretations, errors, and inconsistencies in the codes.

Notable Bills that Failed Passage or were Vetoed

AB 1405 (De La Torre): Community Benefit Fund: This bill would have dedicated a percentage of Cap and Trade revenues to a Community Benefit Fund designed to benefit disadvantaged communities. Vetoed by the Governor.

AB 1998 (Brownley): Single-use plastic bags: This bill would have prohibited retailers from providing single-use plastic bags to customers and instead would have authorized retailers to provide reusable bags that meet specified standards to customers. The bill failed passage on the Senate Floor.

SB 722 (Simitian): Renewable Energy Resource: This bill would have increased California's Renewables Portfolio Standard (RPS) goal from 20 percent by 2010 to 33 percent by 2020, and revise specified provisions of the existing RPS statutes. The bill failed passage on the Senate Floor.

SB 797 (Pavley) Product safety: bisphenol A: This bill would have prohibited the sale, manufacture or distribution of a bottle or cup or a liquid, food or beverage in the can, jar or plastic bottle that contains bisphenol A if the item is primarily intended for children three years of age or younger; repealed this

prohibition if the Department of Toxic Substances Control adopts a regulatory response, pursuant to current "Green Chemistry" law, regarding the use of bisphenol A.

New Mandated Reports

AB 1659 (Huber) Chapter 666, Stats. of 2010: State government: agency repeals: Each eligible agency scheduled for repeal shall submit to the committee, on or before December 1 prior to the year it is set to be repealed (very limited impact to Cal/EPA), a complete agency report covering the entire period since last reviewed, including, but not limited to, the following:

- (1) The purpose and necessity of the agency.
- (2) A description of the budget, priorities, and job descriptions of employees of the agency.
- (3) Any programs and projects under the direction of the agency.
- (4) Measures of the successes or failures of the agency and justifications for the metrics used to evaluate successes and failures.
- (5) Any recommendations of the agency for changes or reorganization in order to better fulfill its purpose.

AB 1963 (Nava) Chapter 369, Stats. of 2010: Pesticide poisoning: By December 31, 2015, the Department of Pesticide Regulation and the OEHHA, in consultation with the State Department of Public Health, shall prepare a report on the effectiveness of the medical supervision program and the utility of laboratory-based reporting of cholinesterase testing for illness surveillance and prevention. The joint report may include recommendations to the Legislature that the Department of Pesticide Regulation and the OEHHA deem necessary. The Department of Pesticide Regulation and the OEHHA shall make the report publicly available on their Internet Web sites.

SB 51 (Ducheny) Chapter 303, Stats. of 2010: Salton Sea Restoration Council: The council shall report to the Governor and the Legislature by June 30, 2013, with a recommended Salton Sea restoration plan. In recommending a restoration plan, the council shall consider the impacts of the restoration plan on air quality, fish and wildlife habitat, water quality, and the technical and financial feasibility of the restoration plan.

SB 346 (Kehoe) Chapter 307, Stats. of 2010: Hazardous materials: motor vehicle brake friction materials: On or before January 1, 2023, the department (DTSC) and the board shall submit to the Governor and the Legislature a report on the implementation of vehicle brake copper reduction efforts and the progress of this article toward meeting the copper total maximum daily load (TMDL) allocations in the state. The report shall make recommendations on actions necessary to address any deficiencies in meeting these copper TMDL allocations, including, but not limited to:

- (1) Imposing additional restrictions on the extensions granted to manufacturers pursuant to Section 25250.54.
- (2) Imposing additional restrictions on the exemptions from this article provided by Section 25250.55.
- (3) Allowances for permitting a manufacturer to sell existing inventory, if the additional restrictions described in paragraphs (1) and (2) are implemented.

SB 855 (Committee on Budget and Fiscal Review) Chapter 718, Stats. of 2010: Resources: Analysis and report on the costs of regulating water quality at active landfills. Due March 1, 2011 – one time report.

The effectiveness of directly contracting with environmental consultants to prepare CEQA documents and the effectiveness of recovering the costs of preparing those documents from water rights applicants and petitioners. Report due to the Legislature on July 1, 2013. It is a one-time report.

SB 918 (Pavley) Chapter 700, Stats. of 2010: Water recycling: The department (DPH), in consultation with the state board (SWRCB), shall report to the Legislature as part of the annual budget process, in each year from 2011 to 2016, inclusive, on the progress towards developing and adopting uniform water recycling criteria for surface water augmentation and its investigation of the feasibility of developing uniform water recycling criteria for direct potable reuse.

New or Increased Fees Legislation

SB 346 (Kehoe, Simitian) Chapter 307 Stats. of 2010: Hazardous materials: motor vehicle brake friction materials: This fee would only impact brake pad manufactures that are applying for an extension of the brake pad deadlines. It will allow brake pad manufacturers to apply for an extension and will require DTSC to assess a fee for each application that would cover costs incurred to implement extension requests. The purpose of the fee is to cover the cost of convening an Advisory Committee for each request to make recommendations on approval or denial of applications for an extension or exemption of the brake friction material requirements.

The fee will be paid by manufacturers and the money will be deposited in DTSC's Brake Friction Materials Water Pollution Fund. As noted in section 25250.50 (a) (3) (A)(i) and (ii), different committee membership is required if the brake friction material is for motor vehicles and heavy-duty motor vehicles. Each extension process takes a minimum of 255 days from receipt of application to decision, so the committee formation has to occur within that time.

Legislation that Extends a Sunset

Department of Pesticide Regulation:

SB 294 (McLeod) Chapter 695, Stats. of 2010: Department of Consumer Affairs: regulatory boards: The Structural Pest Control Board sunset date was extended from July 1, 2011 until January 1, 2015. Without an extension, the Structural Pest Control Board will cease to exist. The Structural Pest Control Board protects consumers by regulating the structural pest control industry to promote the health, safety, and general welfare of the public.

AB 1736 (Ma) Chapter 238, Stats. of 2010: Structural Fumigation Enforcement Program: Without the sunset extension, the four counties with the most structural fumigations (Los Angeles, San Diego, Orange, and Santa Clara) would no longer have additional funding (\$5 for each fumigation) to perform increased structural fumigation, inspection, and enforcement activities that protect consumers.



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Chaptered Bills by Subject

Chaptered Bills by Subject

Air Quality

AB 2037 (Perez) Electricity: air pollution

Final Outcome: 9/28/10 Chaptered, Chapter Number 422, Statutes of 2010

Summary: Prohibits a load-serving entity or local publicly-owned electric utility from entering into, and the California Public Utilities Commission (PUC) from approving, a long-term financial commitment for a new electrical generating facility constructed in California or in a shared pollution area if that facility does not meet Best Available Control Technology (BACT) standards and air pollution emission requirements.

SB 1224 (Wright) Air discharges

Final Outcome: 9/28/10 Chaptered, Chapter Number 411, Statutes of 2010

Summary: Authorizes an air district to adopt a rule or regulation that ensures district staff and resources are not used to investigate complaints alleging a nuisance odor violation that are determined to be repeated and unsubstantiated.

SB 1402 (Dutton) State Air Resources Board: administrative and civil penalties

Final Outcome: 9/28/10 Chaptered, Chapter Number 413, Statutes of 2010

Summary: This bill requires the Air Resources Board to provide a specified written explanation prior to imposing an administrative or civil penalty for a violation of air pollution law, make these explanations available to the public, annually report specified administrative penalties imposed, and publish a penalty policy pertaining to vehicular air pollution control.

Alternative Fuel

AB 1106 (Fuentes) Alternative and renewable fuel and vehicle technology

Final Outcome: 9/27/10 Chaptered, Chapter Number 356, Statutes of 2010

Summary: Authorizes the California Energy Resources Conservation and Development Commission (CEC) to contract with small business financial development corporations (FDCs) to expend Alternative and Renewable Fuels and Vehicle Technology Program (ARF Program) funds.

SB 1340 (Kehoe) Energy

Final Outcome: 9/30/10 Chaptered, Chapter Number 649, Statutes of 2010

Summary: This bill expands the use of the voluntary contractual assessment to finance electric vehicle charging infrastructure affixed on real property and expands the Property Assessed Clean Energy Reserve program to assist local jurisdictions in financing the installation of electric vehicle charging infrastructure.

Budget

SB 855 (Committee on Budget & Fiscal Review) Resources

Final Outcome: 10/19/10 Chaptered, Chapter Number 718, Statutes of 2010

Summary: Enacts various changes in statute necessary to implement the 2010-11 State Budget for Resources and Environmental Protection.

CEQA and Land Use

AB 1846 (Perez, V.) Environment: expedited environmental review: climate change regulations

Final Outcome: 8/27/10 Chaptered, Chapter Number 195, Statutes of 2010

Summary: Amends the California Environmental Quality Act to expand the authorized use of a "focused" environmental impact report (EIR) for installation of mandated pollution control equipment also to include a pollution control project that reduces greenhouse gas (GHG) emissions to comply with the California Global Warming Solutions Act (AB 32). Additionally authorizes the use of a focused EIR for projects consisting solely of GHG pollution control equipment or component installation pursuant to AB 32.

Energy

AB 1863 (Gaines) Diesel generators: health facilities

Final Outcome: 8/23/10 Chaptered, Chapter Number 164, Statutes of 2010

Summary: This bill extends, until January 1, 2016, provisions of law related to resting diesel back-up generators in hospitals, and extends provisions according to national testing standards.

AB 1873 (Huffman) Property Assessed Clean Energy (PACE) bonds

Final Outcome: 9/30/10 Chaptered, Chapter Number 583, Statutes of 2010

Summary: Authorizes the State Treasurer, the California Public Employees Retirement System Board (CalPERS), and the State Compensation Insurance Fund (SCIF) to purchase bonds issued to finance the installation of distributed generation renewable energy sources or energy or water efficiency improvements through local property assessed clean energy (PACE) programs, and makes related findings. Adds a new provision to the Joint Exercise of Powers Act authorizing a joint powers authority (JPA) to purchase, and a local agency to sell, the right, title, and interest in an assessment contract pursuant to an agreement between the JPA and the local agency.

AB 2514 (Skinner) Energy storage systems

Final Outcome: 9/29/10 Chaptered, Chapter Number 469, Statutes of 2010

Summary: This bill requires the Public Utilities Commission (PUC) to determine appropriate targets, if any, for load serving entities to procure energy storage systems. This bill requires load serving entities to meet any targets adopted by the Commission by 2015 and 2020. This bill requires publicly owned utilities to set their own targets for the procurement of energy storage and then meet those targets by 2016 and 2021.

SB 1247 (Dutton) Renewables energy resources: hydroelectric generation facilities

Final Outcome: 9/29/10 Chaptered, Chapter Number 488, Statutes of 2010

Summary: This bill defines as Renewables Portfolio Standard eligible incremental increases gained from efficiency improvements at the Rock Creek Powerhouse as long as the efficiency improvements receive approval from the State Water Resources Control Board.

Flood Control

AB 2554 (Brownley) Los Angeles County Flood Control District: fees and charges

Final Outcome: 9/30/10 Chaptered, Chapter Number 602, Statutes of 2010

Summary: Authorizes the Los Angeles County Flood Control District to impose a fee, in Los Angeles County, to pay the cost and expenses of carrying out projects and providing services authorized under existing law.

General Government

AB 1585 (Committee on Accountability & Administrative Review) State government: reporting requirements: required repealer

Final Outcome: 2/26/10 Chaptered, Chapter Number 7, Statutes of 2010

Summary: Revises the procedure for mandatory and voluntary reporting requirements and deletes obsolete reports.

AB 1659 (Huber) State government: agency repeals

Final Outcome: 9/30/10 Chaptered, Chapter Number 666, Statutes of 2010

Summary: Recasts provisions of existing law governing the periodic review (known as "Sunset Review") of boards, bureaus and commissions under the Department of Consumer Affairs.

AB 2738 (Niello) Regulations: agency statement of reasons

Final Outcome: 9/27/10 Chaptered, Chapter Number 398, Statutes of 2010

Summary: Establishes new requirements for state agency adoption of regulations that require the use of specific technology, equipment, or procedures.

SB 1477 (Committee on Environmental Quality) California Pollution Control Financing Authority

Final Outcome: 9/28/10 Chaptered, Chapter Number 414, Statutes of 2010

Summary: This bill makes several technical changes to the California Pollution Control Financing Authority (CPCFA) Act. Most significantly, this bill clarifies that projects eligible to receive CPCFA financing may include environmental projects authorized by federal law for tax-exempt or tax-credit financing, as specified, in addition to those meeting certain requirements of state law.

Global Warming Solutions Act of 2006

AB 1504 (Skinner) Forest resources: carbon sequestration

Final Outcome: 9/29/10 Chaptered, Chapter Number 534, Statutes of 2010

Summary: Requires the California Department of Forestry and Fire Protection, in consultation with the Air Resources Board, by March 1, 2011, to assess the capacity of its forest and rangeland regulations to meet or exceed the state's greenhouse gas reduction goals, pursuant to the California Global Warming Solutions Act of 2006.

SB 1006 (Pavley) Natural resources: climate change: Strategic Growth Council

Final Outcome: 9/30/10 Chaptered, Chapter Number 632, Statutes of 2010

Summary: This bill expands the list of eligible applicants for urban greening project and planning monies available from the Strategic Growth Council.

SB 1328 (Lowenthal) Greenhouse gas emissions: motor vehicle cabin temperature

Final Outcome: 9/30/10 Chaptered, Chapter Number 648, Statutes of 2010

Summary: This bill requires the Air Resources Board to consider specified matters if adopting or amending regulations to reduce motor vehicle cabin temperature in order to reduce greenhouse gas emissions.

Green Chemistry / Hazardous Materials

AB 1674 (Saldana) Hazardous substances: storage tanks

Final Outcome: 9/29/10 Chaptered, Chapter Number 535, Statutes of 2010

Summary: Provides exemptions for specified underground petroleum storage tanks (UST) from current construction and monitoring requirements.

AB 1930 (De La Torre) Hazardous waste: glass beads

Final Outcome: 9/27/10 Chaptered, Chapter Number 368, Statutes of 2010

Summary: Prohibits the manufacture, sale, offering for sale or offering for promotional purposes of glass beads containing arsenic or lead above a specified level if those beads will be used with blasting equipment.

AB 2379 (Feuer) Environmental protection: hazardous waste source reduction

Final Outcome: 9/27/10 Chaptered, Chapter Number 386, Statutes of 2010

Summary: This bill expands the number of priority categories of hazardous waste generators that the Department of Toxic Substances Control must select for participation in the department's cooperative source reduction technical assistance and outreach program.

SB 346 (Kehoe) Hazardous materials: motor vehicle brake friction materials

Final Outcome: 9/27/10 Chaptered, Chapter Number 307, Statutes of 2010

Summary: This bill restricts the use of copper and other toxic chemicals in automobile brake pads.

SB 929 (Pavley) Hazardous materials: children's jewelry: heavy metals

Final Outcome: 9/27/10 Chaptered, Chapter Number 313, Statutes of 2010

Summary: This bill prohibits, commencing on January 1, 2012, a person from manufacturing, shipping, or selling children's jewelry that contains cadmium at any level above 300 parts per million.

SB 1365 (Corbett) Public safety: consumer products

Final Outcome: 9/27/10 Chaptered, Chapter Number 331, Statutes of 2010

Summary: This bill updates California's toy safety statutes to reference the most current versions of federal law and regulations.

Greenhouse Gases

AB 1507 (Lieu) Motor vehicle greenhouse gas emission reduction projects

Final Outcome: 9/30/10 Chaptered, Chapter Number 571, Statutes of 2010

Summary: Requires the California Air Resources Board (ARB) to revise project guidelines for the Carl Moyer Memorial Air Quality Standards Attainment (Carl Moyer) Program by July 1, 2011, for a project that reduces greenhouse gas (GHG) emissions, to allow certain federal and state funds to be used on a project without being factored into cost-effectiveness calculations.

Pests & Pesticides

AB 1736 (Ma) Department of Pesticide Regulation: Structural Pest Control Board: Structural Fumigation Enforcement Program

Final Outcome: 9/24/10 Chaptered, Chapter Number 238, Statutes of 2010

Summary: Extends the sunset date of the Structural Fumigation Enforcement Program (SFEP) to January 1, 2014.

AB 1891 (Committee on Higher Education) Sustainable agriculture research and education

Final Outcome: 8/27/10 Chaptered, Chapter Number 200, Statutes of 2010

Summary: Restores, in statute, the Sustainable Agriculture Research and Education Program (SAREP) operated by the University of California (UC), which was inadvertently deleted from statute in 2009, as part of an overall higher education technical cleanup measure.

AB 1963 (Nava) Pesticide poisoning

Final Outcome: 9/27/10 Chaptered, Chapter Number 369, Statutes of 2010

Summary: Requires clinical laboratories that perform cholinesterase (ChE) testing for the purpose of determining workers' pesticide exposure to electronically report test results to the Department of Pesticide Regulation (DPR).

AB 2122 (Mendoza) Pesticides: regulations: continuing education

Final Outcome: 9/27/10 Chaptered, Chapter Number 375, Statutes of 2010

Summary: Would have required any regulations, adopted or amended, dealing with continuing education (CE) for any pesticide application or license, to include specific minimum course requirements and requires the Director (Director) of the Department of Pesticide Regulation (DPR) to act within 15 business days to approve or reject CE courses.

Smog Check

AB 787 (Hill) Smog check: vehicle repair assistance and retirement program

Current Status: 9/24/10 Chaptered, Chapter Number 231, Statutes of 2010

Summary: Revises the income eligibility level for vehicle owners requesting assistance from the California Department of Consumer Affairs, Bureau of Automotive Repair (BAR) and the amount a person can receive to retire their vehicle.

AB 2289 (Eng) Smog check program: testing: penalties

Final Outcome: 9/24/10 Chaptered, Chapter Number 258, Statutes of 2010

Summary: Establishes new industry operating standards and technology upgrades to the current biennial inspections of vehicle emission control equipment and systems (smog check) program.

Vehicles

AB 2461 (Emmerson) Vehicles: vehicle registration amnesty program

Final Outcome: 9/27/10 Chaptered, Chapter Number 388, Statutes of 2010

Summary: Extends an amnesty program for improperly registered kit cars.

SB 435 (Pavley) Vehicles: pollution control devices

Final Outcome: 9/28/10 Chaptered, Chapter Number 407, Statutes of 2010

Summary: This bill makes it a crime for a person to park, use, or operate a motorcycle, registered in the State that is manufactured on and after January 1, 2013, that does not have a federal United States Environmental Protection Agency noise emission control label.

SB 535 (Yee) Vehicles: high-occupancy vehicle lanes

Final Outcome: 8/30/10 Chaptered, Chapter Number 215, Statutes of 2010

Summary: This bill allows a vehicle that meets the State's enhanced advanced technology partial zero-emission vehicle standard for exhaust emissions to access high-occupancy vehicle (HOV) lanes regardless of vehicle occupancy until January 1, 2015. In addition, this bill extends the current January 1, 2011 sunset date for current HOV lane privileges for vehicles that meet specified emission criteria.

SB 1455 (Kehoe) Plug-in hybrid and electric vehicles: Internet Web site

Final Outcome: 9/27/10 Chaptered, Chapter Number 337, Statutes of 2010

Summary: This bill requires the California Energy Commission, by July 1, 2011, in consultation with the Public Utilities Commission, to develop and maintain an Internet Web site containing specific links to electrical corporation and local publicly owned electric utility Internet Web sites or other Internet Web sites that contain information specific to plug-in hybrid or fully electric vehicles, including information on the following: (1) Resources to direct a consumer on how to find out if his/her residence will require a utility service upgrade, (2) basic charging circuit requirements, (3) utility rate options, and (4) load management techniques.

Water

SB 51 (Ducheny) Salton Sea Restoration Council

Final Outcome: 9/27/10 Chaptered, Chapter Number 303, Statutes of 2010

Summary: This bill establishes the Salton Sea Restoration Council (Council) as a state agency in the Natural Resources Agency to oversee restoration of the Salton Sea.

SB 918 (Pavley) Water recycling

Final Outcome: 9/30/10 Chaptered, Chapter Number 700, Statutes of 2010

Summary: This bill requires the Department of Public Health to establish standards for various types of water recycling.

SB 1169 (Lowenthal) Water

Final Outcome: 9/24/10 Chaptered, Chapter Number 288, Statutes of 2010

Summary: This bill makes numerous technical amendments to update and clarify the Water Code.

SB 1284 (Ducheny) Water quality: mandatory minimum civil penalties

Final Outcome: 9/30/10 Chaptered, Chapter Number 645, Statutes of 2010

Summary: This bill exempts certain Water Code violations of waste discharge reporting requirements from existing mandatory minimum penalties. This bill also extends the time limit under which dischargers must come into compliance with a permit requirement from five years to 10 years.



CALIFORNIA
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Vetoed & Failed Measures by Subject

Vetoed & Failed Bills by Subject

Air Quality

SB 1114 (Florez) Emission reduction credits: private and public moneys

Final Outcome: Dead

Summary: Would have authorized a district to create an emission reduction credit from a marine vessel or locomotive emission reduction project that is funded by both public and private moneys. An emission reduction credit created pursuant to this provision would be created only for the percentage of the emission reduction project that is paid for by private moneys. Would have provided that the state share of the credit would be 80%, and the Treasurer would be required to sell this ownership share, and deposit the proceeds into the Emission Reduction Credit Sales Fund, which the bill would create.

SB 1433 (Leno) Air pollution penalties: inflation adjustments

Final Outcome: 9/28/10: Vetoed by the Governor

Summary: Would have required the Air Resources Board, on March 1, 2011, and annually thereafter, to adjust the maximum civil and criminal penalties for inflation for non-vehicular pollution violations and to publish the inflation-adjusted maximum penalties on the Internet Web site.

Energy

SB 722 (Simitian) Utilities: renewable energy resources

Final Outcome: Dead

Summary: Would have increased California's Renewables Portfolio Standard (RPS) goal from 20 percent by 2010 to 33 percent by 2020, and revised specified provisions of the existing RPS statutes, as specified. Would have required the California Public Utilities Commission (CPUC) to monitor and enforce the investor owned utility (IOU) and energy service producers (ESP) compliance with the RPS targets, including directing each IOU to prepare and annually update a renewable energy procurement plan, to be reviewed and approved by the CPUC, and an annual RPS compliance report. Would have authorized CPUC to approve an IOU's application to construct, own and operate an eligible renewable energy resource in order to meet the RPS targets, so that such facilities represent no more than 8.25 percent of the IOU's retail sales by December 1, 2020. Would have required the Energy Commission to adopt regulations specifying procedures to ensure publicly owned utilities (POUs) meet RPS targets and to monitor their compliance, and assigned the ARB-not the Energy Commission-responsibility to enforce POU compliance with the RPS.

SB 1367 (Wyland) Renewable energy: 20% procurement attainment date

Final Outcome: Dead

Summary: Would have extended the target date for a retail seller to procure 20% of its retail sales from eligible renewable energy resources from December 31, 2010, to December 31, 2020.

Environmental Education

SB 675 (Steinberg) Partnership academies: Clean Technology and Renewable Energy Job Training, Career Technical Education, and Dropout Prevention Program

Final Outcome: 9/30/10: Vetoed by the Governor

Summary: Would have established the Clean Technology and Renewable Energy Job Training, Career Technical Education, and Dropout Prevention Program by creating a grant program for California Partnership Academies that focus on clean technology and renewable energy businesses, as specified.

General Government

AB 846 (Torrico) State agencies: civil and administrative penalties

Final Outcome: Dead

Summary: Would have required certain state entities that administer environmental, health, and workplace safety violations to update minimum and maximum civil and administrative penalties to account for annual inflation.

AB 1518 (Anderson) State government: boards, commissions, committees: report

Final Outcome: Dead

Summary: Would have required the Department of Finance (DOF) to submit a report to the Assembly Committee on Business and Professions and the Senate Committee on Business, Professions and Economic Development that identifies every state board, commission, and committee DOF determines to be inactive, as defined, on or before July 1, 2011.

AB 1672 (Jeffries) State Air Resources Board: election of board members

Final Outcome: Dead

Summary: Would have required members of the Air Resources Board (ARB) to be elected by district.

AB 1787 (Swanson) Administrative procedure: regulations: narrative description

Final Outcome: Dead

Summary: Would have required any agency making changes to state regulations to provide those changes in narrative format and states the intent of the legislative intent to require state agencies to provide regulation amendments in a narrative format that can be accurately translated by reading software used for the visually impaired.

AB 1833 (Logue) Regulations: economic impact analysis

Final Outcome: Dead

Summary: Would have required the California Environmental Protection Agency (CalEPA), the Division of Occupational Safety and Health (DOSH) and the State Air Resources Board (ARB) to complete an economic impact analysis (analysis) prior to adopting, amending, or repealing an administrative regulation.

AB 1899 (Eng) State agencies: information: Internet Web site

Final Outcome: 9/27/10: Vetoed by the Governor

Summary: Would have required state agencies, the Department of General Services, and the office of the State Chief Information Officer (OCIO) to post specified audits and contracts to the state's Reporting Transparency in Government Internet Web site (Reporting Web site).

AB 1993 (Strickland) Reports: declarations

Final Outcome: Dead

Summary: Would have required written reports submitted to the Legislature, a member of the Legislature, or any state legislative or executive body to include a signed statement by the head of the entity declaring that the factual contents of the report are true.

AB 2328 (Niello) State Air Resources Board: membership: small business owner

Final Outcome: Dead

Summary: Would have required that at least one member of the Air Resources Board be a current or past owner of a small business.

AB 2466 (Smyth) Regulations: legislative validation: effective date

Final Outcome: Dead

Summary: Would have required the Office of Administrative Law (OAL) submit all regulations packages to the Legislature and require that the appropriate legislative policy committees review those regulations.

AB 2529 (Fuentes) State agencies: regulations: review

Final Outcome: Dead

Summary: Would have established, until January 1, 2016, a process for peer review of economic impacts analyses for a proposed regulation. Requires the Office of Administrative Law (OAL) to send specified regulations to the fiscal committees in both houses of the Legislature if they meet certain criteria.

AB 2537 (Silva) State agencies: adjudications: presiding officers

Final Outcome: Dead

Summary: Would have required agencies that conduct an adjudicative proceeding to provide by regulation for preemptory challenge of the presiding officer in cases where the presiding officer is an administrative law judge (ALJ), and authorized those agencies to provide by regulation for preemptory challenge of a presiding officer who is not an ALJ.

AB 2603 (Gaines) Administrative regulations: reductions

Final Outcome: Dead

Summary: Would have required every state agency to reduce its total number of regulations by 33% by December 31, 2012.

AB 2659 (Tran) Business licensing: Business Master License Center

Final Outcome: Dead

Summary: Would have created the Business Master License Center (BMLC) within the State and Consumer Services Agency.

SB 942 (Dutton) Regulations: review process

Final Outcome: Dead

Summary: Would have established an Economic Analysis Unit (EAU) within the Office of Administrative Law (OAL). Would have required agencies to make publicly available and submit to the unit specified cost estimates related to a proposed regulation and specified information used to develop the cost estimates. Required the unit to review final revised cost estimates for regulations that the agency determines to have a cost estimate of \$50 million or more and the unit may review cost estimates for regulations having a similar cost estimate. Authorized a stakeholder to petition OAL to direct the unit to review a regulation that does not meet the \$50 million cost estimate threshold. Required the unit to

approve or reject the cost estimates of regulations that it reviews, as specified. Required each agency to review each regulation adopted prior to January 1, 1990, and to develop a report to the Legislature by January 1, 2013. Required each agency, by January 1, 2018, and at least every five years thereafter, to conduct additional reviews of regulations that have been in effect for at least 20 years, as specified, and to submit a specified report.

SB 959 (Ducheny) Development: expedited permit review

Final Outcome: 9/29/10: Vetoed by the Governor

Summary: Would have recreated the Office of Permit Assistance under the Governor's Office of Planning and Research in order to help facilitate state and local level review of commercial and industrial development projects.

SB 980 (Hollingsworth) Business licensing: Business Master License Center

Final Outcome: Dead

Summary: Would have created the Business Master License Center (BMLC) within the State and Consumer Services Agency. Would have permitted the Governor to appoint a 3rd party facilitator from the business community to provide oversight over the creation of the center and the development of its master license system. Charged license applicants, in addition to any other fees or deposits required to obtain a particular license, a master license administrative fee in specified amounts, to be deposited into the Business Master License Fund, which this bill would have created. Required that the moneys in the fund, upon appropriation by the Legislature, be used only to administer the BMLC.

SB 1445 (DeSaulnier) Land use and planning: environmental quality

Final Outcome: Dead

Summary: Would have allowed a fee increase of up to \$4 annually on vehicle registration to fund regional planning activities by councils of governments (COGs), metropolitan planning organizations (MPOs) and other specified local planning entities subject to approval by voters, and added additional members to the Planning Advisory and Assistance Council (PAAC).

Global Warming Solutions Act of 2006

AB 1107 (Blakeslee) Environmental protection: California Environmental Protection Agency: rules: economic analysis

Final Outcome: Dead

Summary: Would have required an economic cost-benefit analysis (CBA) of regulations proposed by the departments, boards and offices of the California Environmental Protection Agency (Cal-EPA).

AB 1405 (de Leon) California Global Warming Solutions Act of 2006: California Climate Change Community Benefits Fund

Final Outcome: 9/30/10: Vetoed by the Governor

Summary: Would have directed a minimum of 10% of revenues generated pursuant to AB 32 (Nunez), Chapter 488, Statutes of 2006, to a Community Benefits Fund (CBF) to be awarded by the Secretary for Environmental Protection (Secretary) to benefit disadvantaged communities.

AB 2311 (Mendoza) California Global Warming Solutions Act of 2006: low-carbon fuel standard review

Final Outcome: Dead

Summary: Would have required the executive officer (EO) of the Air Resources Board to conduct three reviews of the Low Carbon Fuel Standard (LCFS) regulation.

SB 1033 (Wright) California Global Warming Solutions Act of 2006: allowances

Final Outcome: Dead

Summary: Would have required the Air Resources Board (ARB) to distribute greenhouse gas (GHG) emission allowances only to entities regulated under AB 32 and authorized those regulated entities to sell or trade allowances only to another regulated entity.

SB 1351 (Wright) California Global Warming Solutions Act of 2006: State Air Resources Board regulations

Final Outcome: Dead

Summary: Would have required the Air Resources Board to make available to the public certain materials related to an adopted "AB 32" regulation.

Green Chemistry

AB 1793 (Saldana) Common interest developments: artificial turf

Final Outcome: 9/30/10: Vetoed by the Governor

Summary: Would have prohibited a common interest development from enforcing any provision of its governing documents that prohibits or has the effect of prohibiting the use of artificial turf or any other synthetic surface that resembles grass.

SB 22 (Simitian) Hazardous materials: toxic substances

Final Outcome: Dead

Summary: Would have authorized the Office of Environmental Health Hazard Assessment (OEHHA) to recommend procedures for speeding the review and identification of hazard traits for substances to be included in the California Toxics Information Clearinghouse of chemicals contained in consumer products.

SB 797 (Pavley) Product safety: bisphenol A

Final Outcome: Dead

Summary: This bill would have prohibited, beginning in 2012, the sale, manufacture or distribution of a bottle or cup or a liquid, food or beverage in the can, jar or plastic bottle that contains bisphenol A if the item is primarily intended for children three years of age or younger; repealed this prohibition if the Department of Toxic Substances Control adopts a regulatory response, pursuant to current "Green Chemistry" law, regarding the use of bisphenol A.

SB 928 (Simitian) Consumer products: content information

Final Outcome: Dead

Summary: Would have required a manufacturer of a cleaning or a maintenance product to disclose the product's ingredients on the manufacturer's Web site.

Hazardous Materials

AB 25 (Committee on Environmental Safety & Toxic Material) Hazardous waste transportation: consolidated manifest

Final Outcome: 9/27/10: Vetoed by the Governor

Summary: Would have allowed, on a one-time basis, for a used oil transporter to receive a load of used oil from a generator whose identification (ID) number has been suspended due to non-submittal of their annual ID number fees.

AB 1824 (Monning) Hazardous materials: toxic chemicals: sewage systems

Final Outcome: 8/18/10: Vetoed by Governor

Summary: Would have prohibited a person from using or selling a chemical that is detrimental to a sewage disposal system, as specified.

AB 2224 (Ruskin) Hazardous substances: underground storage tanks

Final Outcome: Dead

Summary: Would have required the California Environmental Protection Agency (Cal EPA), by January 1, 2011, to develop a process by which local agencies can verify that the number identifying an underground storage tank is the number assigned to that tank by the Board of Equalization (BOE). Required the local agency responsible for annual inspection of an underground storage tank to use Cal EPA's process to verify the accuracy of the tank number.

SB 231 (Lowenthal) Hazardous waste: generator fees

Final Outcome: Dead

Summary: This bill would have authorized the Department of Toxic Substance Control to annually adjust the Hazardous Waste Generator Fee.

SB 1052 (Oropeza) Electronic waste: state agencies

Final Outcome: Dead

Summary: Would have required the Department of General Services to identify methods state agencies are required to use to properly handle and dispose of electronic waste. Would have required state agencies to include information on their management of electronic wastes in an existing report on waste management that they are required to provide to the Department of Resources Recycling and Recovery.

SB 1100 (Corbett) Product stewardship: household batteries

Final Outcome: Dead

Summary: Would have required producers of household batteries to institute programs to manage used household batteries by September 30, 2011. This bill required battery producers to set up and finance programs to take back used batteries and recycle or properly dispose of them. This bill set out target collection rates of 25 percent by 2014 and 45 percent by 2016. This bill required the Department of Resources Recycling and Recovery (DRRR) to review and approve the producers' plans. Producers are required to pay regulatory fees to DRRR.

SB 1291 (Leno) Chemicals of concern: flame retardants

Final Outcome: Dead

Summary: Would have required the Department of Toxic Substances Control to include, as a chemical under consideration, any chemical that is used, or is proposed to be used, as a flame retardant, in accordance with the review process under the current chemical of concern regulations.

Pests & Pesticides

AB 2595 (Huffman) Irrigated agriculture: pesticide use: operator identification number: water quality: waste discharge requirements

Final Outcome: Dead

Summary: Would have prohibited county agricultural commissioner's from issuing an operator identification number for the use of agricultural pesticides if the operator is in violation of specified water quality regulations.

SB 1157 (DeSaulnier) Education: Healthy Schools Act of 2010

Final Outcome: 9/27/10: Vetoed by the Governor

Summary: Would have required, commencing on January 1, 2014, all school sites to adopt an integrated pest management (IPM) program.

Solid Waste

AB 737 (Chesbro) Solid waste: diversion

Final Outcome: 9/28/10: Vetoed by the Governor

Summary: Would have established requirements for commercial recycling and requires the Department of Resources Recovery and Recycling (DRRR) to report to the Legislature, by January 1, 2013, on the current diversion rate in the state and potential strategies to increase the diversion rate to 75%, and report information on the costs of the strategies identified in the report.

AB 1998 (Brownley) Solid waste: single-use carryout bags

Final Outcome: Dead

Summary: Would have prohibited retailers from providing single-use plastic bags to customers. Would have authorized retailers to provide reusable bags that meet specified standards to customers. Would have required retailers to charge customers for any recycled paper bags the retailer provides. The bill would have generally preempted local regulation in this area.

SB 1326 (Oropeza) Solid waste: tires

Final Outcome: Dead

Summary: Would have required a public entity that applies for a grant from the Local Government Waste Tire Cleanup or the Amnesty Event Grant Program to ask a local community conservation corps (LCCs) if it wishes to participate in the cleanup and to include related information in its grant application.

Vehicles

AB 1740 (Jeffries) Vehicles: specially constructed vehicles

Final Outcome: Dead

Summary: Would have increased the number of specially constructed vehicles, from 500 to 750, that the Department of Motor Vehicles (DMV) may register using a process that may exempt the vehicle from the smog check program and clarified that an owner of a specially constructed vehicle may re-register his or her vehicle with a different model year in order to take advantage of the exemption.

AB 1772 (Mendoza) Vehicles: group axle weight exemption: idle reduction technology

Final Outcome: Dead

Summary: Would have allowed trucks equipped with idle reduction technology to exceed the group axle weight limit by up to 400 pounds or the actual weight of the idle reduction technology, whichever is less.

AB 1981 (Hill) Recycling: waste tires: fees

Final Outcome: Dead

Summary: Would have exempted new car dealers from collecting the California tire fee for each new tire sold with a new or used vehicle, and instead allowed dealers to collect a "vehicle tire fee" only on new vehicles sold.

SB 1299 (Lowenthal) Vehicles: vehicle miles traveled fee (VMT)

Final Outcome: Dead

Summary: Would have required the Department of Motor Vehicles (DMV) to develop and implement a pilot program by January 1, 2012 to assess specified issues related to implementing a vehicle miles traveled (VMT) fee in California. DMV would have reported its findings and recommendations to the Legislature June 30, 2012.

SB 1437 (Kehoe) Electricity: Independent System Operator: activities report

Final Outcome: 9/29/10: Vetoed by the Governor

Summary: Would have required a representative of the California Independent System Operator to annually appear before the appropriate policy committees of the Senate and Assembly.

Water

AB 2202 (Perez) Safe, Clean, and Reliable Drinking Water Supply Act of 2012: New River Improvement Project: strategic plan

Final Outcome: 9/30/10: Vetoed by the Governor

Summary: Would have required the Secretary for the Environmental Protection Agency (Secretary) to oversee the expenditure of bond funds that are appropriated for water quality and public health projects on the New River pursuant to the Safe, Clean, and Reliable Drinking Water Supply Act of 2012 (Act), should it be approved by the voters at the November 6, 2012 statewide general election. Provided that it is the intent of the Legislature that any funds appropriated pursuant to the Act shall be consistent with the strategic plan to guide the implementation of the New River Improvement Project (strategic plan).

AB 2407 (Harkey) California regional water quality control boards: boundaries

Final Outcome: Dead

Summary: This bill would have modified the boundaries of the San Diego and Santa Ana RWQCBs. Specifically; this bill would modify the boundaries of the Santa Ana and San Diego RWQCBs to move that portion of the San Diego RWQCB area that is in Orange County into the Santa Ana RWQCB jurisdiction.

Water Policy

AB 1594 (Huber) Sacramento-San Joaquin Delta: peripheral canal

Final Outcome: Dead

Summary: Would have prohibited the construction of a peripheral canal unless certain requirements are met.

AB 1834 (Solario) Rainwater Capture Act of 2010

Final Outcome: 9/30/10: Vetoed by the Governor

Summary: Would have allowed a landowner to install a rainwater recapture system to irrigate landscaping or recharge groundwater.

AB 2049 (Arambula) Transfers of water: agricultural use to municipal use

Final Outcome: Dead

Summary: Would have prohibited a transfer or assignment of surface water or water rights from an agricultural use to a municipal use, for a period of twenty years or more, without an economic, social, and environmental analysis of the effect of the transfer upon the service area losing the water supply. Prohibited the substitution of groundwater supplies for such transferred water unless the groundwater is monitored.

AB 2776 (Huffman) Transfers of water: agricultural use to municipal use

Final Outcome: Dead

Summary: Would have prohibited the State Water Resources Control Board or the Department of Water Resources from approving a transfer of water lasting more than twenty years from agricultural to urban use, unless the proponents of the transfer prepare an analysis of the economic, social, and environmental impacts of the transfer on the service area from which the water is to be transferred.

Water Quality

AB 2182 (Huffman) Contractual assessments: onsite sewer and septic improvements

Final Outcome: 9/30/10: Vetoed by the Governor

Summary: Would have expanded the authorization that allows public agencies to enter into contractual assessments to finance the installation of specified improvements to now include onsite sewer improvements.

SB 1107 (Kehoe) Water quality: interceptor and trap grease

Final Outcome: Dead

Summary: Would have required the State Water Resources Control Board (SWRCB) before January 1, 2012, to develop, adopt, and implement regulations, that include specified requirements, for a manifest system to track the transportation of interceptor and trap grease; required assessing fees to cover the cost of the program, created a new fund for those fees, and described use of those funds; defined interceptor and trap grease; added violations of new provisions or regulations adopted to carry out those provision as suspension or revocation of registration.

Water Recycling

AB 1774 (Saldana) Recycled water: state agency landscape irrigation

Final Outcome: Dead

Summary: This bill would have expanded the application of Article X, Section 2 to non-residential landscapes. Authorized a public agency to require a state agency, whose property is located within the

jurisdiction of the public agency, to use recycled water for landscape irrigation of its property, if specific requirements are met.

SB 1173 (Wolk) Recycled water

Final Outcome: 9/29/10: Vetoed by the Governor

Summary: This bill would have prohibited, conditionally, the use of raw water for non-potable use if recycled water is available.

Water Supply

AB 2304 (Huffman) Groundwater management plans: components

Final Outcome: 9/30/10: Vetoed by the Governor

Summary: Would have required a local agency to include in its groundwater management plan (GMP), commencing January 1, 2012, a map identifying areas that substantially contribute to the replenishment of the groundwater basin and explaining how those recharge areas contribute. Required a local agency proposing to adopt a GMP to provide specific information to DWR and interested persons as well as public notice of the intention to adopt the GMP.

SB 565 (Pavley) Water resources

Final Outcome: Dead

Summary: Would have provided increased consequences for failing to report water diversions and uses and provided the State Water Resources Control Board (SWRCB) with new authorities and resources to investigate and prosecute unauthorized diversions and uses.



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Veto Messages

Veto Messages

BILL NUMBER: AB 25

VETOED DATE: 09/25/2010

To the Members of the California State Assembly:

I am returning Assembly Bill 25 without my signature.

This bill allows a hazardous waste transporter, under certain circumstances, to receive one shipment of used oil from a generator whose identification number has been suspended.

The Department of Toxic Substances Control (DTSC) already allows a conditional reactivation of a suspended identification number for 30 days for generators and transporters. Given this existing process, this bill would simply create additional bureaucracy and reporting requirements for a subset of transporters and generators and do nothing to reduce the number of suspended identification numbers or streamline the reactivation process.

Instead, I am directing DTSC to evaluate its current system, identify inefficiencies and implement changes, where appropriate, to ensure the safe and legal collection and transportation of hazardous waste.

Sincerely,

Arnold Schwarzenegger

BILL NUMBER: AB 737
VETOED DATE: 09/28/2010

To the Members of the California State Assembly:

I am returning Assembly Bill 737 without my signature.

This bill mandates commercial recycling on private businesses producing more than four cubic yards of waste a week; modifies existing local permitting requirements; and requires the Department of Resource Recycling and Recovery (CalRecycle) to provide the Legislature with a report on the progress being made by the state towards a 75 percent diversion goal.

This bill is unnecessary and duplicative of actions already being undertaken by state agencies. Under the authority of AB 32 and the AB 32 Scoping Plan, CalRecycle is currently in the process of developing mandatory commercial recycling regulations through an open process of workshops and hearings that rely upon stakeholder input and participation. Furthermore, CalRecycle's regulations will apply to both the public and private sectors. Consequently, I believe CalRecycle's more inclusive approach towards meeting the state's ambitious waste diversion goals will better serve California economically and environmentally.

For this reason, I am unable sign this bill.

Sincerely,

Arnold Schwarzenegger

BILL NUMBER: AB 1405
VETOED DATE: 09/30/2010

To the Members of the California State Assembly:

I am returning Assembly Bill 1405 without my signature.

This bill creates the California Climate Change Community Benefits fund by requiring a minimum of 10% of revenues from the sale of compliance instruments for market-based compliance mechanisms under AB 32 to be deposited into the fund.

When the Legislature passed and I signed AB 32, we made a commitment to California's disadvantaged communities that we would ensure that the impacts of climate change and the impacts of reducing climate change would not fall disproportionately on their communities. Throughout the California Air Resources Board's (ARB) process, they have kept this commitment in mind and have fashioned every aspect of this program in a manner that attempts to lessen any disproportionate impact on these communities.

I am confident ARB will keep on this path as they continue the important work of fashioning market-based mechanisms that will reduce the burden on California's business community while still achieving our climate change reduction goals.

To that end, this bill is premature. Unfortunately, the bill proposes to spend money that does not currently exist and might not ever exist in a fund controlled by the state of California.

Important work continues at ARB to determine the most effective and least costly manner to implement AB 32. I encourage the supporters of this bill to work in earnest with ARB as they build this program. There will be a time to have this discussion. Unfortunately, now is not that time.

For these reasons, I am unable to sign this bill.

Sincerely,

Arnold Schwarzenegger

BILL NUMBER: AB 1793
VETOED DATE: 09/30/2010

To the Members of the California State Assembly:

I am returning Assembly Bill 1793 without my signature.

This bill would void a provision in the governing documents of a common interest development (CID) if it prohibits the use of artificial turf or any other synthetic surface that resembles grass in its landscaping rules and regulations.

CIDs provide a system of self-governance through a community association, responsible for managing, maintaining, and repairing the common areas, and have the authority to enforce special rules. Decisions such as these regarding the use of artificial turf can be made by the homeowners and amended into their governing documents.

For this reason I cannot sign this bill.

Sincerely,

Arnold Schwarzenegger

BILL NUMBER: AB 1824
VETOED DATE: 08/18/2010

To the Members of the California State Assembly:

I am returning Assembly Bill 1824 without my signature.

This bill prohibits the sale and use of a specified list of chemicals in chemical toilets and waste facilities of recreational vehicles.

Current law already gives the Department of Toxic Substances Control (DTSC) the ability to address the issue of chemical toilet products in recreational vehicles. Additionally, DTSC has the ability to address this issue through the Green Chemistry process.

This bill presents a scenario that is ripe for a Green Chemistry approach: competing science on each side of the issue; concern about the effectiveness of alternative products for the consumer's intended use; consumer reaction in the wake of an ineffective alternative; and questions as to whether banning particular chemicals will actually address the underlying problem.

Neither I, nor members of the legislature, are best equipped to answer these questions. We need science and scientists to undertake this challenge and develop a solution that both addresses the chemical problem and provides the consumer with a product that is both economical and effective for its intended purpose.

Under the leadership of my Secretary for Environmental Protection, the Green Chemistry process is well underway at DTSC. We will have regulations adopted by January 1, 2011 and DTSC should address the issue raised in this bill either in that process or under their existing authority.

Sincerely,

Arnold Schwarzenegger

BILL NUMBER: AB 1834
VETOED DATE: 09/30/2010

To the Members of the California State Assembly:

I am returning Assembly Bill 1834 without my signature.

This bill establishes the Rainwater Capture Act of 2010 to allow landowners to install and operate "rainwater capture systems" for saving water, for landscaping or infiltrating into the aquifer beneath their property. The bill would also include rainwater recapture systems for eligibility under the Property Assessed Clean Energy (PACE) Program.

The PACE programs authorized under current law provide property owners with a cost-effective and easily accessible financing option in which to increase their property's renewable energy generation, as well as reduce their energy use and green house gas emissions.

While I believe other parts of this bill have some merit, I do not support expanding the PACE Program to make it a financing option for rainwater capture systems. Furthermore, as this bill's own legislative findings suggest, further work needs to be done to explore relevant legal, policy, and technical issues pertaining to rainwater and storm water capture before state policymakers consider the appropriateness of pursuing state-sanctioned creative financing options aimed at making rainwater recapture systems more affordable and accessible to property owners on a wide scale.

For these reasons, I am unable sign this bill.

Sincerely,

Arnold Schwarzenegger

BILL NUMBER: AB 1899
VETOED DATE: 09/25/2010

To the Members of the California State Assembly:

I am returning Assembly Bill 1899 without my signature.

I strongly support the goal of transparency in government and believe that posting information online is a simple method of achieving this goal and allowing citizens information about how their tax dollars are spent. For that reason I have issued executive orders directing posting of this type of material to the Reporting Transparency in Government Web site. As such, this bill is not necessary.

For this reason I cannot sign this bill.

Sincerely,

Arnold Schwarzenegger

BILL NUMBER: AB 2182
VETOED DATE: 09/30/2010

To the Members of the California State Assembly:

I am returning Assembly Bill 2182 without my signature.

This bill would authorize public agency officials and property owners to enter into voluntary contractual assessments to finance installation and replacement of onsite sewer and septic improvements on private property. These improvements may consist of converting an existing property from a septic system to a public sewer collection system, replacement of sewer lateral lines, or replacement or upgrade of septic tanks.

Under current law, voluntary contractual assessments provide property owners with a cost-effective and easily accessible financing option in which to increase their property's water and energy efficiency.

While parts of this bill have merit, I do not support expanding contractual assessment programs to these types of property improvements.

For this reason I cannot sign this bill.

Sincerely,

Arnold Schwarzenegger

BILL NUMBER: AB 2202
VETOED DATE: 09/30/2010

To the Members of the California State Assembly:

I am returning Assembly Bill 2202 without my signature.

This bill states the intent of the Legislature that funds appropriated from the Safe, Clean, and Reliable Drinking Water Supply Act of 2012 be consistent with the strategic plan for the New River Improvement Project (Project) as developed by the California-Mexico Border Relations Council.

This bill is premature. After the bond passes in November 2012, the author can do more than just state the Legislature's intent, he can actively fight to ensure the bond funds are spent consistent with the Project's strategic plan. And I encourage him to do so at the appropriate time.

Sincerely,

Arnold Schwarzenegger

BILL NUMBER: AB 2304
VETOED DATE: 09/30/2010

To the Members of the California State Assembly:

I am returning Assembly Bill 2304 without my signature.

This bill requires local water agencies to map the recharge areas that substantially contribute to the replenishment of a groundwater basin. The bill also requires the agencies to submit these maps to local planning agencies and expand public notification when preparing and approving groundwater plans.

I am concerned about the impact this bill could have on privately-owned properties, both those currently used as recharge areas and those that might be used in the future. Once mapped and those maps are provided to local governments, the bill intends that these lands will be rezoned to restrict their use to being a groundwater recharge area.

Property law in California already allows landowners and water districts to work outside of the watchful eye of government and come to a private agreement about how they can manage both their land and water resources.

Although not perfect, maintaining this current system allows them to work together to develop solutions. An area that serves as a recharge basin today probably isn't the only place that can be used to recharge a groundwater basin. And areas that are currently used for this purpose might be better put to some other use in the future.

Unfortunately, this bill would eliminate this type of flexibility and negotiation between a landowner and a water district.

For this reason, I am unable sign this bill.

Sincerely,

Arnold Schwarzenegger

BILL NUMBER: SB 675
VETOED DATE: 09/30/2010

To the Members of the California State Senate:

I am returning Senate Bill 675 without my signature.

SB 675 would allocate funds from the California Energy Commission's (Commission) Energy Resource Programs Account (ERPA) to the California Department of Education (CDE) for developing and maintaining programs that focus on employment and training for energy or water conservation, renewable energy, pollution reduction, or similar technologies.

Throughout my tenure as Governor, I have been a staunch supporter of increasing career-tech education opportunities for our young men and women. I continue to believe that career-tech education has a vital role to play in helping to develop and sustain California's students and our emerging green economy.

Nonetheless, given the current uses of the ERPA account at the Commission and the precariously low balance in that fund, this bill would require the Commission to increase the surcharge on electricity users throughout California to pay for its provisions. And even after doing so, the Commission would still be required in the future to cut its core programs to pay for this bill, including those related to power plant licensing, renewable energy facility licensing, and energy efficiency.

More importantly, I will not support increasing the surcharge on electricity users to fund a K-12 Education program. To do so would start a dangerous precedent for finding unrelated revenue sources to fund, expand, or create K-12 programs outside of the Proposition 98 guarantee.

Additionally, the bill only gives a minor role to the Commission in developing the guidelines for the program. Just as the Commission is not an expert in navigating our state's complex education system, neither are CDE employees proficient in the emerging technologies and future of our green economy. As such, the Commission should be CDE's partner in putting together this program so as to provide our students with the right skills to enter our green economy.

If the program included in this bill was wholly funded using Proposition 98 dollars and a greater role was given to the Commission to develop guidelines in cooperation with the Department of Education, I would sign it.

Sincerely,

Arnold Schwarzenegger

BILL NUMBER: SB 959
VETOED DATE: 09/29/2010

To the Members of the California State Senate:

I am returning Senate Bill 959 without my signature.

This bill would establish the Office of Permit Assistance in the Governor's Office of Planning and Research (OPR).

I applaud efforts to assist businesses navigate the state's chaotic permitting process. It was for this reason that I established the Governor's Office of Economic Development (GOED) and charged that entity with providing the same kind of assistance outlined in this bill.

In addition to several technical issues that need to be resolved in this bill, I cannot support it because it gives OPR a duty that I have already delegated to GOED.

However, I have also vetoed AB 2734 (Perez), a bill that attempts to codify GOED. Both AB 2734 and this bill should be re-crafted to address the issues I have raised and create a more coherent state policy for economic assistance housed in one location, the Governor's Office of Economic Development.

For these reasons, I am unable to sign this bill.

Sincerely,

Arnold Schwarzenegger

BILL NUMBER: SB 1157
VETOED DATE: 09/25/2010

To the Members of the California State Senate:

I am returning Senate Bill 1157 without my signature.

This bill requires all school sites in California to adopt an integrated pest management (IPM) program and requires the Department of Pesticide Regulation (DPR) to reimburse all local agencies and school districts for the costs of this program.

While currently voluntary in state law, I support the policy of implementing integrated pest management programs at schools to the greatest extent possible. Unfortunately, I cannot support paying for this school program out of an alternative fund at DPR. To do so would start a dangerous precedent for finding unrelated revenue sources to fund, expand, or create K-12 programs outside of the Proposition 98 guarantee.

For these reasons, I am unable to sign this bill.

Sincerely,

Arnold Schwarzenegger

BILL NUMBER: SB 1173
VETOED DATE: 09/29/2010

To the Members of the California State Senate:

I am returning Senate Bill 1173 without my signature.

This bill would define "raw" water, and would require that recycled water be used for non-potable municipal or industrial purposes in lieu of raw or potable water, if recycled water is available that meets certain conditions, as determined by the State Water Resources Control Board (SWRCB).

I strongly support the use of recycled water to improve the efficient use of the State's limited water resources, and I encourage businesses and local governments to move to recycled water for their operations as quickly as feasible.

It was for this reason that I signed SB 918 (Pavley), which provides funding for the Department of Public Health to finish the recycled water regulations they have been working on for the last 15 years. Until those regulations are finished, I think it would not be feasible for California businesses and local governments to be able to comply with the provisions of this bill.

In addition, there will certainly be substantial costs associated with a significant movement to the use of recycled water. It was for this very reason that the "Safe, Clean, and Reliable Drinking Water Supply Act of 2012" includes \$1.25 billion for water recycling and water use efficiency measures like this. As such, this bill is premature until such funds are available.

For these reasons, I am unable to sign this bill.

Sincerely,

Arnold Schwarzenegger

BILL NUMBER: SB 1433
VETOED DATE: 09/28/2010

To the Members of the California State Senate:

I am returning Senate Bill 1433 without my signature.

This bill requires the California Air Resources Board (CARB) to annually adjust maximum civil and criminal penalties for violations of air pollution control laws to reflect changes in the California Consumer Price Index.

This bill is unnecessary. It is not clear that current penalties for violating air pollution control laws are failing to achieve the deterrent effect for which they were originally designed.

California has the most aggressive air pollution control laws in the nation. That distinction comes with a responsibility to balance our environmental goals with our economic goals.

Current law gives CARB and the local air districts broad authority to assess and negotiate fine amounts with those who violate our air pollution control laws. Anecdotal evidence suggests that when issuing citations, the local air districts do not generally issue them at the maximum penalty amount. And when they do, they normally negotiate those fines lower based on a variety of factors, including the egregiousness of the violation and the violator's ability to pay the fines. Until more evidence is shown to the contrary, current law seems to strike the correct balance.

For these reasons, I am unable to sign this bill.

Sincerely,

Arnold Schwarzenegger

BILL NUMBER: SB 1437
VETOED DATE: 09/29/2010

To the Members of the California State Senate:

I am returning Senate Bill 1437 without my signature.

This bill requires a representative from the California Independent System Operator (ISO) to appear before the appropriate policy committee of the Senate and Assembly to report on the previous year's ISO activities.

Similar to SB 1467 (Padilla), this bill is unnecessary. Having dealt with the ISO throughout the duration of my Administration, I have always found them to be accessible and accommodating. Whenever I have called and asked to meet, they have responded quickly. I am certain they would do the same for the Legislature.

Additionally, as an independent not-for-profit entity established under the rules of the Federal Energy Regulatory Commission, it is questionable whether state law can compel them to appear before the Legislature anyway.

For these reasons, I am unable to sign this bill.

Sincerely,

Arnold Schwarzenegger

Final Outcome Summary By Bill Number

<u>Bill Number, Author, Title</u>	<u>Final Outcome</u>	<u>Page Number</u>
<u>AB 25</u> (Committee on Environmental Safety & Toxic Material) Hazardous waste transportation: consolidated manifest.	Vetoed	23
<u>AB 737</u> (Chesbro) Solid waste: diversion.	Vetoed	25
<u>AB 787</u> (Hill) Smog check: vehicle repair assistance and retirement program.	Chaptered	17
<u>AB 846</u> (Torrico) State agencies: civil and administrative penalties.	Dead	19
<u>AB 1106</u> (Fuentes) Alternative and renewable fuel and vehicle technology.	Chaptered	12
<u>AB 1107</u> (Blakeslee) Environmental protection: California Environmental Protection Agency: rules: economic analysis.	Dead	22
<u>AB 1405</u> (de Leon) California Global Warming Solutions Act of 2006: California Climate Change Community Benefits Fund.	Vetoed	22
<u>AB 1504</u> (Skinner) Forest resources: carbon sequestration.	Chaptered	15
<u>AB 1507</u> (Lieu) Motor vehicle greenhouse gas emission reduction projects.	Chaptered	16
<u>AB 1518</u> (Anderson) State government: boards, commissions, committees: report.	Dead	19
<u>AB 1585</u> (Committee on Accountability & Administrative Review) State government: reporting requirements: required repealer.	Chaptered	14
<u>AB 1594</u> (Huber) Sacramento-San Joaquin Delta: peripheral canal.	Dead	26
<u>AB 1659</u> (Huber) State government: agency repeals.	Chaptered	14
<u>AB 1672</u> (Jeffries) State Air Resources Board: election of board members.	Dead	20
<u>AB 1674</u> (Saldana) Hazardous substances: storage tanks.	Chaptered	15
<u>AB 1736</u> (Ma) Department of Pesticide Regulation: Structural Pest Control Board: Structural Fumigation Enforcement Program.	Chaptered	16
<u>AB 1740</u> (Jeffries) Vehicles: specially constructed vehicles.	Dead	25
<u>AB 1772</u> (Mendoza) Vehicles: group axle weight exemption: idle reduction technology.	Dead	25

Final Outcome Summary By Bill Number

<u>Bill Number, Author, Title</u>	<u>Final Outcome</u>	<u>Page Number</u>
<u>AB 1774</u> (Saldana) Recycled water: state agency landscape irrigation.	Dead	27
<u>AB 1787</u> (Swanson) Administrative procedure: regulations: narrative description.	Dead	20
<u>AB 1793</u> (Saldana) Common interest developments: artificial turf.	Vetoed	23
<u>AB 1824</u> (Monning) Hazardous materials: toxic chemicals: sewage systems.	Vetoed	23
<u>AB 1833</u> (Logue) Regulations: economic impact analysis.	Dead	20
<u>AB 1834</u> (Solorio) Rainwater Capture Act of 2010.	Vetoed	26
<u>AB 1846</u> (Perez, V.) Environment: expedited environmental review: climate change regulations.	Chaptered	13
<u>AB 1863</u> (Gaines) Diesel generators: health facilities.	Chaptered	13
<u>AB 1873</u> (Huffman) Property Assessed Clean Energy (PACE) bonds.	Chaptered	13
<u>AB 1891</u> (Committee on Higher Education) Sustainable agriculture research and education.	Chaptered	16
<u>AB 1899</u> (Eng) State agencies: information: Internet Web site.	Vetoed	20
<u>AB 1930</u> (De La Torre) Hazardous waste: glass beads.	Chaptered	15
<u>AB 1963</u> (Nava) Pesticide poisoning.	Chaptered	16
<u>AB 1981</u> (Hill) Recycling: waste tires: fees.	Dead	25
<u>AB 1993</u> (Strickland) Reports: declarations.	Dead	20
<u>AB 1998</u> (Brownley) Solid waste: single-use carryout bags.	Dead	25
<u>AB 2037</u> (Perez) Electricity: air pollution.	Chaptered	12
<u>AB 2049</u> (Arambula) Transfers of water: agricultural use to municipal use.	Dead	27
<u>AB 2122</u> (Mendoza) Pesticides: regulations: continuing education.	Chaptered	16

Final Outcome Summary By Bill Number

<u>Bill Number, Author, Title</u>	<u>Final Outcome</u>	<u>Page Number</u>
<u>AB 2182</u> (Huffman) Contractual assessments: onsite sewer and septic improvements.	Vetoed	27
<u>AB 2202</u> (Perez) Safe, Clean, and Reliable Drinking Water Supply Act of 2012: New River Improvement Project: strategic plan.	Vetoed	26
<u>AB 2224</u> (Ruskin) Hazardous substances: underground storage tanks.	Dead	24
<u>AB 2289</u> (Eng) Smog check program: testing: penalties.	Chaptered	17
<u>AB 2304</u> (Huffman) Groundwater management plans: components.	Vetoed	28
<u>AB 2311</u> (Mendoza) California Global Warming Solutions Act of 2006: low-carbon fuel standard review.	Dead	22
<u>AB 2328</u> (Niello) State Air Resources Board: membership: small business owner.	Dead	20
<u>AB 2379</u> (Feuer) Environmental protection: hazardous waste source reduction.	Chaptered	15
<u>AB 2407</u> (Harkey) California regional water quality control boards: boundaries.	Dead	26
<u>AB 2461</u> (Emmerson) Vehicles: vehicle registration amnesty program.	Chaptered	17
<u>AB 2466</u> (Smyth) Regulations: legislative validation: effective date.	Dead	20
<u>AB 2514</u> (Skinner) Energy storage systems.	Chaptered	13
<u>AB 2529</u> (Fuentes) State agencies: regulations: review.	Dead	20
<u>AB 2537</u> (Silva) State agencies: adjudications: presiding officers.	Dead	21
<u>AB 2554</u> (Brownley) Los Angeles County Flood Control District: fees and charges.	Chaptered	14
<u>AB 2595</u> (Huffman) Irrigated agriculture: pesticide use: operator identification number: water quality: waste discharge requirements.	Dead	24
<u>AB 2603</u> (Gaines) Administrative regulations: reductions.	Dead	21

Final Outcome Summary By Bill Number

<u>Bill Number, Author, Title</u>	<u>Final Outcome</u>	<u>Page Number</u>
<u>AB 2659</u> (Tran) Business licensing: Business Master License Center.	Dead	21
<u>AB 2738</u> (Niello) Regulations: agency statement of reasons.	Chaptered	14
<u>AB 2776</u> (Huffman) Transfers of water: agricultural use to municipal use.	Dead	27
<u>SB 22</u> (Simitian) Hazardous materials: toxic substances.	Dead	23
<u>SB 51</u> (Ducheny) Salton Sea Restoration Council.	Chaptered	18
<u>SB 231</u> (Lowenthal) Hazardous waste: generator fees.	Dead	24
<u>SB 346</u> (Kehoe) Hazardous materials: motor vehicle brake friction materials.	Chaptered	15
<u>SB 435</u> (Pavley) Vehicles: pollution control devices.	Chaptered	17
<u>SB 535</u> (Yee) Vehicles: high-occupancy vehicle lanes.	Chaptered	17
<u>SB 565</u> (Pavley) Water resources.	Dead	28
<u>SB 675</u> (Steinberg) Partnership academies: Clean Technology and Renewable Energy Job Training, Career Technical Education, and Dropout Prevention Program.	Vetoed	19
<u>SB 722</u> (Simitian) Utilities: renewable energy resources.	Dead	19
<u>SB 797</u> (Pavley) Product safety: bisphenol A.	Dead	23
<u>SB 918</u> (Pavley) Water recycling.	Chaptered	18
<u>SB 928</u> (Simitian) Consumer products: content information.	Dead	23
<u>SB 929</u> (Pavley) Hazardous materials: children's jewelry: heavy metals.	Chaptered	16
<u>SB 942</u> (Dutton) Regulations: review process.	Dead	21
<u>SB 959</u> (Ducheny) Development: expedited permit review.	Vetoed	21
<u>SB 980</u> (Hollingsworth) Business licensing: Business Master License Center.	Dead	22
<u>SB 1006</u> (Pavley) Natural resources: climate change: Strategic Growth Council.	Chaptered	15

Final Outcome Summary By Bill Number

<u>Bill Number, Author, Title</u>	<u>Final Outcome</u>	<u>Page Number</u>
<u>SB 1033</u> (Wright) California Global Warming Solutions Act of 2006: allowances.	Dead	22
<u>SB 1052</u> (Oropeza) Electronic waste: state agencies.	Dead	24
<u>SB 1100</u> (Corbett) Product stewardship: household batteries.	Dead	24
<u>SB 1107</u> (Kehoe) Water quality: interceptor and trap grease.	Dead	27
<u>SB 1114</u> (Florez) Emission reduction credits: private and public moneys.	Dead	18
<u>SB 1157</u> (DeSaulnier) Education: Healthy Schools Act of 2010.	Vetoed	25
<u>SB 1169</u> (Lowenthal) Water.	Chaptered	18
<u>SB 1173</u> (Wolk) Recycled water.	Vetoed	27
<u>SB 1224</u> (Wright) Air discharges.	Chaptered	12
<u>SB 1247</u> (Dutton) Renewable energy resources: hydroelectric generation facilities.	Chaptered	14
<u>SB 1284</u> (Ducheny) Water quality: mandatory minimum civil penalties.	Chaptered	18
<u>SB 1291</u> (Leno) Chemicals of concern: flame retardants.	Dead	24
<u>SB 1299</u> (Lowenthal) Vehicles: vehicle miles traveled fee (VMT).	Dead	26
<u>SB 1326</u> (Oropeza) Solid waste: tires.	Dead	25
<u>SB 1328</u> (Lowenthal) Greenhouse gas emissions: motor vehicle cabin temperature.	Chaptered	15
<u>SB 1340</u> (Kehoe) Energy.	Chaptered	12
<u>SB 1351</u> (Wright) California Global Warming Solutions Act of 2006: State Air Resources Board regulations.	Dead	23
<u>SB 1365</u> (Corbett) Public safety: consumer products.	Chaptered	16
<u>SB 1367</u> (Wyland) Renewable energy: 20% procurement attainment date.	Dead	19

Final Outcome Summary By Bill Number

<u>Bill Number, Author, Title</u>	<u>Final Outcome</u>	<u>Page Number</u>
<u>SB 1402</u> (Dutton) State Air Resources Board: administrative and civil penalties.	Chaptered	12
<u>SB 1433</u> (Leno) Air pollution penalties: inflation adjustments.	Vetoed	18
<u>SB 1437</u> (Kehoe) Electricity: Independent System Operator: activities report.	Vetoed	26
<u>SB 1445</u> (DeSaulnier) Land use and planning: environmental quality.	Dead	22
<u>SB 1455</u> (Kehoe) Plug-in hybrid and electric vehicles: Internet Web site.	Chaptered	17
<u>SB 1477</u> (Committee on Environmental Quality) California Pollution Control Financing Authority.	Chaptered	14



CALIFORNIA
ENVIRONMENTAL
PROTECTION
AGENCY

Environmental Executive Orders

Cal/EPA Related Executive Orders



Office of the Governor

ARNOLD SCHWARZENEGGER
THE PEOPLE'S GOVERNOR

EXECUTIVE ORDER S-04-10

02/23/2010

WHEREAS the Strategic Growth Council (SGC) was established to enhance collaboration between state agencies in their work to improve air and water quality, protect natural resources and agricultural lands, increase the availability of affordable housing, improve infrastructure systems, promote public health, encourage sustainable land use planning, and meet the state's climate change goals; and

WHEREAS the SGC is the state entity charged with identifying, reviewing, and funding programs that may be coordinated to meet SCG's goals; recommending policies and investment strategies and priorities to the Governor, Legislature, and appropriate state agencies; providing, funding, and distributing data and information to local governments and regional agencies to help develop sustainable communities; and managing and awarding grants and loans to assist to help develop sustainable communities; and

WHEREAS the SGC has taken significant steps to improve inter-agency collaboration and planning in California, through efforts related to land use, transportation, and other planning factors; and

WHEREAS policies related to air and water quality, natural resources and agricultural land, affordable housing, infrastructure systems, public health, sustainable communities, and climate change all significantly influence the physical, economic, and social environments in which people live, shop, work, study, and play; and

WHEREAS these environments, in turn, influence the adoption of healthy lifestyles, by making it more or less difficult for individuals to choose behaviors that promote or diminish health; and

WHEREAS the health and well-being of all people is critical for a prosperous and sustainable California; and

WHEREAS largely avoidable chronic illnesses such as heart disease, stroke, and diabetes are a growing burden for the State and its people, and they negatively affect Californians' productivity, quality of life, life expectancy, and health care costs; and

WHEREAS by considering health when formulating policy, public officials recognize the influence of policies related to air and water quality, natural resources and agricultural land, affordable housing, infrastructure systems, public health, sustainable communities, and climate change on health outcomes; and

WHEREAS to improve health outcomes, agencies should collaborate with each other to ensure that health is considered when policies are developed.

NOW, THEREFORE, I, ARNOLD SCHWARZENEGGER, Governor of the State of California, by virtue of the power vested in me by the Constitution and statutes of the State of California, do hereby order effective immediately:

1. The SGC shall establish a Health in All Policies (HiAP) Task Force to collaborate with existing SGC working groups to identify priority programs, policies, and strategies to improve the health of Californians while advancing the SGC's goals of improving air and water quality, protecting natural resources and agricultural lands, increasing the availability of affordable housing, improving infrastructure systems, promoting public health, planning sustainable communities, and meeting the state's climate change goals. The SGC shall appoint the members of the Task Force, and shall determine their tenure and conditions of their service.

2. The Task Force shall be facilitated and staffed by the California Department of Public Health working with representatives from the agencies and departments represented on the SGC, in addition to representatives from other agencies or departments whose input may be necessary to achieve the Task Force's goals.

3. By December 8, 2010, SGC staff shall submit a report to the SGC outlining recommended programs, policies, and strategies for consideration, and the report shall also describe the benefits for health, climate change, equity, and economic well-being that may result if the recommendations are implemented. This report shall be based on recommendations from the HiAP Task Force. In developing these recommendations, the Task Force may review existing state efforts, consider best/promising practices used by other jurisdictions and agencies, identify barriers to and opportunities for inter-agency/inter-sector collaboration, and propose action plans for recommended programs, policies, and strategies. The HiAP Task Force shall convene regular public workshops to present its work plan, and shall solicit input from stakeholders in developing its report.

IT IS FURTHER ORDERED that the agencies and departments under my direct executive authority shall cooperate in the implementation of this Order.

This Order is not intended to, and does not, create any rights or benefits, substantive or procedural, enforceable at law or in equity, against the State of California, its agencies, departments, entities, officers, employees, or any other person.

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



IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 23rd day of February 2010.

ARNOLD SCHWARZENEGGER
Governor of California

ATTEST:

DEBRA BOWEN
Secretary of State



EXECUTIVE ORDER S-07-10

05/03/2010

WHEREAS climate change has impacted California's weather patterns and fuel conditions, resulting in an increased risk of wildfire; and

WHEREAS California is only beginning to recover from three years of below-normal precipitation; and

WHEREAS dead, dying and diseased trees resulting from the extended drought have contributed to heavy loads of combustible fuel; and

WHEREAS recent winter snowfall accompanied by low temperatures and high winds has caused significant damage to vegetation, further increasing dead fuel loads; and

WHEREAS these fuel loads create an imminent threat of catastrophic fires resulting in peril to lives and property; and

WHEREAS availability of federal fire-fighting aircraft continues to be limited; and

WHEREAS coordinated fire prevention, aggressive fuel reduction programs and strong initial attack resources are essential to protect lives, property and the environment in California; and

WHEREAS catastrophic wildfires cause harmful, secondary environmental effects, including increased emissions of air pollutants; impacted hillside slope and soil stability; and compromised populations and habitats of sensitive and endangered fish and wildlife species; and

WHEREAS, severe wildfire impacts how watersheds provide clean and reliable water supplies that are critical to California's environment and economy; and

WHEREAS, the United States Department of Health and Human Services and Centers for Disease Control and Prevention report that smoke from wildfires poses a number of health risks, including serious respiratory ailments, reaching far beyond the wildfire boundaries, which can irritate human respiratory systems and worsen chronic heart and lung diseases; and

WHEREAS the increased risk of catastrophic wildfires could significantly impact state efforts to reduce greenhouse gases due to significant uncontrolled emissions of greenhouse gases caused by wildfire; and

WHEREAS wildfire suppression costs only represent a very small portion of the overall fiscal impact of wildfires and do not reflect the true cost of wildfires; and

WHEREAS indirect costs and losses, and post fire-costs and losses can total 10 to 50 times the suppression costs; and

WHEREAS the State Employment Development Department estimates that thousands of workers have been unemployed as a result of past wildfire disasters in California, prompting the need for immediate financial assistance; and

WHEREAS immediate action is needed to respond to these conditions.

NOW, THEREFORE, I, Arnold Schwarzenegger, Governor of the State of California, in accordance with the authority vested in me by the Constitution and statutes of the State of California, do hereby issue the following orders to become effective immediately:

IT IS HEREBY ORDERED that the California Department of Forestry and Fire Protection (CAL FIRE) shall secure and deploy additional resources that are necessary, as determined by the Director, to protect the safety of persons and property from wildfires during periods of elevated fire risk as follows:

- (a) Staff additional fire crews, fire engines, helitack crews, fire bulldozers, equipment and aviation resources as warranted based on fire threat conditions.
- (b) Assign a crew of four firefighters to selected CAL FIRE fire engines as warranted based on fire threat conditions.
- (c) Assign additional resources in the CAL FIRE Contract Counties as warranted based on fire threat conditions.
- (d) Coordinate with the California Emergency Management Agency (Cal EMA) and the California National Guard for those military resources that may be available for assistance during emergencies in California.
- (e) Assign additional fire safe inspectors where and when beneficial to assist with fire hazard reduction, conduct defensible space inspections, promote fire safe practices and increase public education and prevention programs.
- (f) Provide for supplemental detection, including staffing for fire lookouts, during peak fire conditions.
- (g) Increase staffing for command and control functions at CAL FIRE Unit Emergency Command Centers, Northern and Southern Operations Centers and the CAL FIRE Sacramento Coordination Center when necessary to respond to significant fire events.
- (h) Assign additional staff as necessary to provide emergency incident support and burn area emergency assessment and response activities.

IT IS FURTHER ORDERED that CAL FIRE utilize staff as necessary to support a heightened level of fire prevention public awareness and education utilizing CAL FIRE Volunteers in Prevention, Fire Safe Councils and the Office of the State Fire Marshal.

IT IS FURTHER ORDERED that CAL FIRE continue, within its authority, to expedite the processing of contracts and grants of federal funds to communities, and continue to support local and regional wildfire hazard mitigation and community emergency planning efforts.

IT IS FURTHER ORDERED that Cal EMA shall, in consultation and coordination with CAL FIRE, and as fire threat conditions warrant, (a) deploy Cal EMA fire engine strike teams to ensure a substantial

response capability to any wildland fire situation in California, with the costs of the deployment to be reimbursed consistent with the California Fire Service and Rescue Emergency Mutual Aid Plan and the California Fire Assistance Agreement; and (b) augment personnel at Cal EMA operations centers and emergency incident support teams as necessary to respond to significant fire events.

IT IS FURTHER ORDERED that the California National Guard prepare to provide its aviation assets and hand crews and pre-position ground support equipment as appropriate for response to major wildfires, and report to Cal EMA on the status of all aircraft on a weekly basis.

IT IS FURTHER ORDERED that the California Department of Corrections and Rehabilitation, including the Division of Juvenile Justice, establish the highest priority for assignment of minimum custody or camp-approved inmates and wards to Conservation Camp Fire Crews.

IT IS FURTHER ORDERED that the California Conservation Corps (CCC) report to CAL FIRE daily on the readiness of all CCC support crews for response to wildfires.

IT IS FURTHER ORDERED that Cal EMA review the preparedness of State agencies and departments to assure readiness for response to wildfires.

IT IS FURTHER ORDERED that CAL FIRE and Cal EMA work closely with federal, state and local government agencies, bordering states, and the Mexico Border States to maximize California's fire prevention and firefighting capabilities and to provide appropriate reciprocal assistance when requested.

IT IS FURTHER ORDERED that, to the extent authorized by applicable law, the purchasing authority of CAL FIRE and Cal EMA (and other State agencies and departments as deemed necessary by the Secretary of Cal EMA) shall be raised to \$100,000 to expedite the contracts necessary to prepare and respond to emergencies during this fire season.

IT IS FURTHER ORDERED that the Department of General Services, in coordination with Cal EMA, shall establish short and long-term procurement mechanisms to secure the unique goods and services that may be required to support communities in an emergency.

IT IS FURTHER ORDERED that Cal EMA, in consultation and coordination with the California Natural Resources Agency and the California Environmental Protection Agency, initiate necessary preparedness and training efforts for local governments to ensure that post-fire watershed assessments, emergency protective measures, effective debris removal efforts, post-fire burn area assessments and mitigation efforts to evaluate potential hazards, are implemented to address needed remediation.

IT IS FURTHER ORDERED that CAL FIRE shall provide educational information to homeowners on defensible space and California Building and Fire Codes ignition-resistant building materials, and shall develop training for defensible space inspection and building ignitability in consultation with the Department of Insurance, Cal EMA, and the Federal Emergency Management Agency.

IT IS FURTHER ORDERED that CAL FIRE shall conduct vigorous defensible space inspections pursuant to applicable authority.

IT IS FURTHER ORDERED that to assist landowners to meet their 100-foot defensible space requirements to reduce hazardous vegetation and landscaping, CAL FIRE, in consultation with the California Biomass/Biofuel Collaborative, may enter into contracts, agreements, and arrangements for the chipping, hauling, burning, or other methods of disposal of hazardous vegetation removed by landowners as required by Public Resources Code section 4291 and Government Code section 51182.

IT IS FURTHER ORDERED that Cal EMA, in coordination with CAL FIRE, shall continue to support the development of fire hazard information and shall continue to make it available to the public.

IT IS FURTHER ORDERED that Cal EMA shall assist local communities to help ensure that federal hazard mitigation grants are focused on the areas of greatest vulnerability in the wildland urban interface in California.

This Order is not intended to, and does not, create any rights or benefits, substantive or procedural, enforceable at law or in equity, against the State of California, its agencies, departments, entities, officers, employees, or any other person.

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



IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 3rd day of May 2010.

ARNOLD SCHWARZENEGGER
Governor of California

ATTEST:

DEBRA BOWEN
Secretary of State



EXECUTIVE ORDER S-16-10

10/12/2010

WHEREAS 11 workers were tragically killed when the Deepwater Horizon oil rig exploded in the Gulf of Mexico on April 20, 2010; and

WHEREAS 206 million gallons of toxic crude oil were spewed into the Gulf of Mexico for 120 days following the explosion, forcing the federal government to use 1.84 million gallons of chemical dispersants in an attempt to eradicate the oil in Gulf waters; and

WHEREAS the oil and the dispersants have caused as yet unknown detrimental harm to ocean-based industries, people, and property; forced the closure of hundreds of miles of tourist-friendly coastlines; and threatened fragile marine and marshland ecosystems; and

WHEREAS the U.S. Department of Interior's Bureau of Ocean Energy Management Regulation and Enforcement, the federal agency tasked with overseeing the federal offshore oil drilling leases, has acknowledged that lax regulatory oversight played a role in the oil spill; and

WHEREAS the State of California should align its offshore oil drilling standards and procedures with the "Increased Safety Measures for Energy Development on the Outer Continental Shelf" (Safety Measures Report), dated May 27, 2010, a report ordered by United States President Barack Obama and conducted by the United States Department of the Interior; and

WHEREAS California's 1,100 miles of coastline are precious resources that must be preserved and protected; and

WHEREAS existing law authorizes the Office of Spill Prevention and Response (OSPR) to mandate that Oil Spill Contingency Plans be filed with its office by companies leasing oil production sites from the State; and

WHEREAS in August 2010, the Lieutenant Governor, who is a member of the State Lands Commission, issued a policy memorandum to his fellow commissioners recommending requiring third-party certification of the compatibility for blowout preventers from the operators of all wells; and

WHEREAS it is necessary to take additional measures to strengthen California's oversight of oil spill prevention and response for offshore oil production leases in state waters.

NOW, THEREFORE, I, ABEL MALDONADO, Acting Governor of the State of California, in accordance with the authority vested in me by the Constitution and statutes of the State of California, do hereby issue this Executive Order, effective immediately, to strengthen California's oversight of oil spill prevention and response:

IT IS ORDERED that the OSPR mandate that all entities that own or operate offshore marine facilities update their Oil Spill Contingency Plans to accommodate longer uncontrolled oil releases that could result from any natural or man-made incident.

Specifically, it is ordered that entities that own or operate offshore marine facilities off the coast of California file revised response coordination plans for worst case discharge scenarios that must accommodate a 30-day uncontrolled oil spill by July 1, 2011.

IT IS ALSO ORDERED, that, pursuant to the policy memo issued by the California Lt. Governor Abel Maldonado, the State Lands Commission require third-party certification of the compatibility for blowout preventers from the operators of all wells. Further, a description of the qualifications of the independent third party should be attached to the certification. The third-party certification must be conducted and submitted to Division of Oil, Gas, and Geothermal Resources within the California Department of Conservation no later than January 31, 2011. Specifically, the certification must verify the following:

1. The blowout preventer stack is designed for the specific equipment on the correct rig.
2. The blowout preventer stack is compatible with the specific well location, well design and well execution plan.
3. The blowout preventer stack will operate in the conditions in which it will be used.

This Executive Order is not intended to, and does not, create any rights or benefits, substantive or procedural, enforceable at law or in equity, against the State of California, its agencies, departments, entities, officers, employees, or any other person.



IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 12th day of October 2010.

ABEL MALDONADO
Acting Governor of California

ATTEST:

DEBRA BOWEN
Secretary of State



CALIFORNIA
ENVIRONMENTAL
PROTECTION
AGENCY

Acronyms

ACRONYMS COMMONLY USED

AB	Assembly Bill
AJR	Assembly Joint Resolution
ACR	Assembly Concurrent Resolution
ARB	Air Resources Board
ARRA	American Recovery and Reinvestment Act of 2009
BT&H	Business, Transportation, and Housing Agency
Cal/EPA	California Environmental Protection Agency
CBSC	California Building Standards Commission
CEC	California Energy Commission
CEQA	California Environmental Quality Act
CIWMB	California Integrated Waste Management Board
CPUC	California Public Utilities Commission
CUPA	Certified Unified Program Agency
DFA	Department of Food and Agriculture
DMV	Department of Motor Vehicles
DPR	Department of Pesticide Regulation
DTSC	Department of Toxic Substances Control
DWR	Department of Water Resources
EEl	Education and the Environment Initiative
EIR	Environmental Impact Report
ERC	Emission Reduction Credit
EVR	Enhanced Vapor Recovery
FY	Fiscal Year
GHG	Greenhouse Gas
GMERP	Goods Movement Emission Reduction Program
MMP	Mandatory Minimum Penalty
OEHHA	Office of Environmental Health Hazard Assessment
RPS	Renewable Portfolio Standard
RUST	Replacing, Removing, or Upgrading Underground Storage Tanks
SB	Senate Bill
SCAQMD	South Coast Air Quality Management District
SCR	Senate Concurrent Resolution
SJR	Senate Joint Resolution
SWRCB	State Water Resources Control Board
U.S. EPA	United States Environmental Protection Agency
UST	Underground Storage Tank