

Editor's Note: This year's CEI survey of proposed environmental legislation being considered by the Legislature in 2008 is authored by Erin Sullivan of Oakland's Beyond Compliance. Ms. Sullivan provides Beyond Compliance's clients with advice in the areas of hazardous waste/materials, water quality, air quality and other EH&S regulatory requirements. She received her law degree from Lewis and Clark Law School and previously worked for the Oregon Department of Justice's Natural Resources Section.

Each year CEI does a survey of environmental bills that will be considered by the Legislature during this year's session. As was the case last year there have been an unusually large number of environmental bills introduced this year reflecting the current concern among both individual legislators and their constituents over environmental issues. Passage of the more controversial or costly bills will be complicated by the fact that this is an election year and by the lack of funds caused by the state's budget crisis.

This is the second year of the two-year 2007-2008 session. The vast majority of the bills included in this report were introduced this year prior to the February 22 bill introduction deadline. However, there are a number of bills left over from last year that have passed their house of origin by January 31 of this year ("two year bills"). These bills are still technically alive and we have included those that still appear viable. We caution readers that the authors of these bills may or may not push them this year.

All bills introduced this year must pass out of their house of origin by May 30, and all bills must pass both houses by the end of this year's session on August 31. Governor Schwarzenegger then has until September 30 to sign or veto any such bill. All bills ultimately signed into law by the Governor by September 30 will

go into effect on January 1, 2009, unless the bill is marked as "urgency" legislation in which case it goes into effect upon the Governor's signature. Urgency legislation requires a 2/3 vote of each house. As usual, a large number of the bills are "spot" bills. These consist of little more than language indicating what subject area the author is intending to cover and are submitted to meet the bill introduction deadline. Spot bills are fleshed out by the author through post-introduction amendments.

We will issue our annual report in October on legislation that has been signed into law. In the meantime, we will periodically update our readers on those bills that we feel are the most significant as they progress through the Legislature. We also invite readers to visit our website ceitoday.com where we will keep tabs on what we feel are the most important bills. While we have tried to include all proposed environmental legislation (except for some minor bills or those we believe cover subjects our readers have limited interest in) we undoubtedly have missed some.

AB refers to bills that originate in the Assembly and SB to those that originate in the Senate. The legislator carrying the bill (the author) is included in parentheses. Bills are divided into categories according to subject matter. There is inevitably some overlap. For example some bills in the category "Climate Change" could arguably be placed in the air pollution or energy categories. Finally, we note that our description of each piece of legislation is, by necessity, brief. We suggest that any of our readers interested in a particular bill call the author's office in Sacramento to get a copy. Copies of bills can also be ordered from the Legislative Bill Room at (916) 445- 2323,

or can be viewed or downloaded from the State Senate's website at <http://www.sen.ca.gov/>.

AIR QUALITY, TRANSPORTATION, AND FUELS

AB 2063 (Parra) Smog Biennial Inspection. Currently, vehicles in the more rural parts of the state are subject only to the state's Smog Check program upon change of ownership, while vehicles in urban areas are subject to biennial inspection irrespective of ownership change. This bill expands the Smog Check program by requiring all vehicles registered within the state to undergo a biennial inspection.

AB 2179 (Furutani) Renewable Diesel. This bill would require any diesel-fueled vehicle purchased or leased by the state on or after January 1, 2009 to use renewable diesel fuel. For diesel-fueled vehicles purchased or leased by the state before January 1, 2009, the conversion to renewable diesel fuel must be made by January 1, 2014.

AB 2240 (Tran) Biodiesel. This bill provides an exemption from the Use Fuel Tax Law's excise tax for biodiesel produced in the state with California feedstock

AB 2388 (Feuer) Vehicle License Fee. This spot bill declares the intent of the Legislature to enact legislation to revise the Vehicle License Fee Law to include fees on passenger vehicles based on weight and carbon dioxide emissions.

AB 2546 (De La Torre) Rail Yards. This bill would require the Air Resources Board (ARB) to adopt regulations designed to reduce health impacts from rail yards within the state. By July 1, 2009, the ARB must require owners or lessees of heavy-duty motor vehicles or off-road vehicles or engine servicing a rail yard to install retrofit controls or replace equipment.

AB 2560 (Lieu) Medium & Heavy Duty Motor Vehicles. On or before December 31, 2009 the Department of General Services (DGS) must establish criteria to rank the environmental benefits and costs of passenger and light-duty vehicles for potential procurement by state and local governments. Under this bill, the environmental benefits and costs of medium-duty and heavy-duty vehicles must also be evaluated.

AB 2638 (Coto) Air Quality and Environmental Health Act. The bill would impose an as yet unidentified fee on the sale or lease of a new passenger vehicle that (1) has a gross vehicle weight rating of 10,000 pounds or less, (2) has a manufacturer's suggested retail price of more than \$80,000, and (3) has a federal fuel economy rating of 15 miles per gallon or less. These fees would be used to support projects and programs intended to mitigate or prevent the air pollution harm caused by such vehicles.

AB 2645 (Nunez) Fuel Cycle Assessments. This bill amends the Alternative and Renewable Fuel and Vehicle Technology Program by modifying the definition of "full fuel-cycle assessment" or "life cycle assessment" and providing program eligibility for projects related to life cycle and multimedia analyses and sustainability and environmental impact evaluations.

AB 2655 (DeSaulnier) Indoor Air Pollution. This spot bill declares the intent of the Legislature to direct the Air Resources Board (ARB) to develop a comprehensive program to protect and improve indoor air quality.

AB 2869 (De Leon) PUC Collaboration. This spot bill states the intent of the legislature to authorize the Public Utilities Commission (PUC) to assess opportunities to enhance air quality mitigation and improvement projects, particularly in areas of extreme nonattainment.

AB 2939 (Hancock) Urban Heat Island. "Urban heat island" is a term used to describe a metropolitan

area that is significantly warmer than its surroundings. Pavement, buildings, and other infrastructure absorb the sun's radiation and trap this heat, resulting in increased temperatures. To address the impacts of urban heat islands, this bill requires the Air Resources Board and the State Energy Resources Conservation and Development Commission (Energy Commission) to develop a coordinated plan to implement urban heat island mitigation measures. In developing this plan, the bill encourages the ARB and the Commission to reach out to the Lawrence Berkeley National Laboratory and any other interested state and local agencies.

AB 2991 (Nunez) Research Screening Committee. This bill requires the ARB's Research Screening Committee, which consults with Board staff on proposed state funded research projects, to consult on projects related to climate change. The bill also increases committee membership from 9 to 11 members; 2 of which must show demonstrated expertise in the field of climate change.

AB 3034 (Galgiani) High Speed Passenger Train. In November 2008, voters will decide whether a bond measure to fund a high speed rail project linking the Northern and Southern portions of the state. This bill, would make revisions to that bond act. The existing bond act dedicates initial funds to the network linking the San Francisco Bay Area and Los Angeles. Any remaining funds would be available for other route segments. AB 3034 eliminates this funding hierarchy and would allow the bonds to be used for all segments of the proposed 700-mile rail system. This bill would also impose a 10% limit on the amount of bond proceeds used for environmental studies, planning and engineering activities.

SB 240 (Florez) San Joaquin Valley Air District. This two-year bill allows the San Joaquin Valley Unified Air Pollution Control District to increase, from \$6 to \$36, the annual fee imposed on a motor vehicle reg-

istered within the district's jurisdiction to support programs designed to reduce motor vehicle emissions and to achieve and maintain state and federal air quality standards in the district.

SB 974 (Lowenthal) Ports. This two-year bill imposes a \$30 fee on each shipping container processed at the Ports of Los Angeles, Long Beach, and Oakland to fund congestion management and air quality improvement projects related to the ports. The ports would have to assess the fees beginning on January 1, 2009.

SB 1174 (Lowenthal) Clean Fuel Vehicles. This bill changes the definition of "clean fuel vehicle" in the Vehicle Code to mean a new passenger vehicle or light-duty truck certified by the ARB to run on a "clean alternative fuel." These vehicles include, but are not limited to, plug-in electric hybrid vehicles with a minimum of 20 miles all electric range, plug-in electric hybrid vehicles that meet minimum specifications established by the ARB, flexible fuel vehicles, compressed natural gas vehicles, liquid propane gas vehicles, battery electric vehicles that travel above 25 miles per hour and that meet federal motor vehicle safety standards, and hydrogen fuel cell vehicles.

SB 1240 (Kehoe) Low-Carbon Fuel. Last year, Governor Schwarzenegger vetoed legislation [SB 210 (Kehoe)] that would have established a low-carbon fuel standard. Like the vetoed legislation, SB 1240 would require the ARB to adopt, implement, and enforce a low-carbon fuel standard to reduce the carbon intensity of transportation fuels in California by 10% by January 1, 2020.

SB 1374 (Battin) Carbon Neutral Drivers. This bill would expand the existing Clean Air Sticker program by removing the cap on the number of decals available and by allowing automobile owners who purchase carbon offsets for their vehicles to participate in the decal program. These carbon neutral drivers would,

therefore, be able to make full use of the state's high-occupancy vehicle (HOV) lanes.

SB 1573 (Florez) Smog Check Program. This bill transfers the authority to prescribe smog check inspection emission standards from the Department of Consumer Affairs to the ARB.

SB 1574 (Florez) Biodiesel Commission. As California's biodiesel industry continues to grow, this bill states the intent of the Legislature to establish a Biodiesel Commission. This entity would be tasked with administering promotional programs for biodiesel production within the state and would be responsible for assisting with the promotion, production, marketing, research, quality standards, and dissemination of production information regarding biodiesel fuel.

SB 1662 (Cox) Emission Reduction Offsets. Generally, air emissions from a stationary source in one air district may be offset by emission reductions credited to a stationary source located in another air district so long as both sources are located in the same air basin. This bill broadens the scope and allows the offset so long as both sources are located in the same air basin or the Sacramento Metro federal nonattainment area.

SB 1720 (Lowenthal) Clean Air Stickers. California law makes it a crime for anyone to forge or falsify certain documents issued under the Vehicle Code including, but not limited to, certificates of ownership, disabled person placards, registration cards, special license plates, etc. This bill would add "clean air stickers" to that list.

CALIFORNIA ENVIRONMENTAL QUALITY ACT

AB 2512 (Adams) Implementation. This spot bill declares the intent of the Legislature to enact legislation revising the implementation of the California Environmental Quality Act (CEQA) and the preparation of an environmental impact report (EIR).

AB 2760 (Leno) Apple Moth. Introduced as part of a legislative package to address the eradication of the light brown apple moth and other invasive species, this bill would require the California Department of Food and Agriculture (DFA) to prepare an EIR for the application of a pesticide in an urban area for the eradication of the light brown apple moth.

SB 1165 (Kuehl) EIRs. Sponsored by the Planning and Conservation League, this bill would require communications between project applicants and the public agency or the preparers of the EIR to be in writing. The public agency would be required to make draft EIRs and other documents publicly available prior to their official release for public comments. In the event that an EIR for a project is older than five years, SB 1165 would require a subsequent or supplemental EIR before the project can be approved. Finally, whenever feasible, CEQA judges would be required to hear CEQA cases.

SB 1618 (Hollingsworth) Defensible Space. This bill would allow property owners to clear up to 300 feet of defensible space at the discretion of a local fire official without being subjected to a finding of significance under CEQA or the take provisions of the California Endangered Species Act.

CLIMATE CHANGE

AB 1851 (Nava) Voluntary Offsets. This spot bill would create a process to ensure that voluntary greenhouse gas (GHG) emissions offsets sold within California meet clear and consistent state standards. The bill would also assist local governments and others in the state in the generation and marketing of qualifying projects for the voluntary offsets market.

AB 2093 (Jones) General Plan. For each of the mandatory elements in a general plan, this bill would require that consideration be given to policies designed to reduce the effects of land use activities and general plan actions on the emission of GHGs.

This bill would not apply to the general plan's noise element.

AB 2309 (DeSaulnier) Energy Systems. This spot bill declares the intent of the Legislature to enact legislation to encourage the assessment and reduction of the carbon footprint of existing homes by applying feasible, cost-effective measures in a manner beneficial to homeowners and the state

AB 2432 (Laird) Coastal Planning. To assist in coastal planning, this bill would require the Energy Commission to provide the best available climate change information to the Resources Agency and other state land use and resource protection agencies. This information must be updated periodically and must include sea level rise projections, changes in storm patterns, projected cliff erosion patterns, and potential mitigation and adaptation methods.

AB 2488 (Houston) Tax Incentives. For taxable years beginning on or after January 1, 2008, and before January 1, 2013, this bill would offer taxpayers a deduction over a three year period for specified expenditures that reduce GHG emissions and for specified capital investments for renewable energy.

AB 2538 (Ruskin) Consumer Product Labeling. This bill enacts the Carbon Labeling Act of 2008. It would require the ARB to develop and implement a program for the voluntary assessment, verification, and standardized labeling of the carbon footprint of consumer products sold within California.

AB 2744 (Huffman), AB 2588 (Feuer), and SB 445 (Torlakson) Vehicle and Gasoline Fees. Each of these bills would authorize designated local transportation commissions to impose fees on vehicle registration, fuel use, or both with the proceeds used to mitigate greenhouse gas emissions through various transportation oriented projects, such as congestion management or public transit. Majority approval of the voters would be required in each instance.

AB 2744 would authorize the S.F. Bay Area Metropolitan Transportation Commission to seek approval for an up to a 10 cent/gallon assessment on fuels used in the Bay Area. AB 2588 would authorize the Los Angeles County Metropolitan Transportation Authority to seek approval to impose either: (1) a fee of up to 3% of the retail price of motor vehicle fuel, or (2) a vehicle registration surcharge that would vary depending on the vehicle's emissions. SB 445, a two-year bill, was recently amended by its author to authorize any state regional transportation agency to seek approval to impose a vehicle registration that could vary depending on the weight of and/or miles-per-gallon rating of the vehicle.

AB 2596 (Jones) Projected City & County Emissions. On or before January 1, 2011, this bill would require the ARB to quantify the projected annual GHG emissions generated by each city and county. This projection would be based on land use and transportation data from 2009 and would provide a baseline from which cities and counties would be allowed to sell, exchange, or auction any incremental emissions reduction.

AB 3001 (Hancock) Carbon Offset Commission. This spot bill states the intent of the Legislature that all businesses and industries and the general public have the opportunity to soften the impact of their carbon footprint. It would also create a Voluntary Carbon Offset Commission. This Commission would, among other things, receive donations to be invested in environmentally sound carbon offset projects.

SB 375 (Steinberg) Transportation. This ambitious two-year bill would establish regulatory and financial incentives aimed at getting local planning agencies to reduce vehicular greenhouse gas emissions through smart transportation planning (CEI July 16, 2007).

SB 1550 (Florez) Disclosure Standards. This bill requires the Secretary of State to work with the

investment community to develop an investor-based climate change disclosure standard. The standard would be used by listed companies doing business in the state. By providing guidance on disclosure of climate change risks and opportunities, the standard will help investors measure the environmental performance of California businesses before deciding where to invest their money. The standard must be available on the Secretary's website by December 1, 2008 and would be updated periodically.

SB 1724 (Maldonado) Agricultural Carbon Credits. This spot bill declares the intent of the Legislature to authorize the ARB to establish a system of carbon credits for agricultural activities.

SB 1759 (Perata) Renewable Energy. This bill would declare the intent of the Legislature that any construction of or procurement of power from new or proposed fossil-fueled generation resources should be justified in the context of achieving reductions in GHG emissions to 1990 levels by 2020 and 2050 targets of 80% reduction in GHG emissions below the 1990 levels.

SB 1760 (Perata) Climate Action Team. Introduced as an urgency statute, this bill would create the Climate Action Team (CAT). The CAT would be tasked with the tremendous job of coordinating the state's overall climate policy. On or before January 1, 2010, and annually thereafter, the CAT must adopt a unified plan that establishes priorities and identifies key expenditure categories for research, development, demonstration, and deployment funds to be expended by state agencies represented on the CAT.

COASTAL

AB 1338 (Huffman) Non-Point Pollution. This two-year bill would require that all new and updated Local Coastal Programs prepared pursuant to the Coastal Act include a non-point source pollution prevention element meeting specified standards.

ENDANGERED SPECIES AND WILDLIFE

AB 1806 (Wolk) Emergency Contingency Plans. This bill prohibits state or local land management entities from implementing actions or projects on land within their jurisdiction that will significantly and adversely affect identified fish and wildlife resources, unless the entity develops and implements an emergency contingency plan. Additionally, if such an entity identifies a unique or isolated population of fish and wildlife that is known to be at imminent risk in the event of a disaster, that entity must develop an emergency contingency plan to rescue or relocate the identified endangered populations.

AB 1970 (Emerson) Habitat Mitigation. This bill would require any entity that enters into a mitigation agreement with the Department of Fish and Game for purposes of preserving or restoring wildlife habitat to develop and submit a management plan for that land to the Department for approval.

AB 2065 (Hancock) Invasive Aquatic Species. This bill requires water districts that own or manage a waterway to develop and implement a monitoring and control program to prevent the introduction of non-native mussel species.

AB 2532 (Laird) Fishery Management Plans. Under the existing Marine Life Management Act, fishery management plans are the primary basis for managing the state's sport and commercial marine fisheries. These plans are based on the best scientific or other information that is available. In the event that sufficient scientific information is unavailable, or that immediate management changes are needed due to a severe decline in a fishery, this bill would allow DFG to develop an interim action plan.

AB 2712 (Plescia) Forage Species Management Plans. Forage species include many vertebrate and invertebrate species that provide food for fish species, birds, and marine life. Their health and viability is

important for the long-term health of the state's coastal and marine ecosystems. Accordingly, this bill would require DFG to prepare and submit a Forage Species Management Plan by January 1, 2010.

AB 2785 (Ruskin) Wildlife Corridors. This bill would require DFG to identify areas in the state that are most essential as wildlife corridors and habitat linkages and prioritize vegetative data development in those areas. Last year's AB 828 (Ruskin) on this subject was vetoed.

SB 562 (Wiggins) Coastal Salmon. This two-year bill appropriates \$5.293 million out of \$45 million made available under 2006's Proposition 84 to the Department of Fish and Game (DFG) for purposes of coastal salmon and steelhead fishery restoration projects.

SB 1262 (Cogdill) Mitigation Hatcheries. By July 2, 2001, DFG must ensure that 25% of the fish produced by state fish hatcheries are used for the purposes of initiating and managing the restoration of naturally indigenous stocks of trout to their original California source watersheds. This bill excludes fish produced in mitigation hatcheries from this restoration goal.

SB 1390 (Hollingsworth) Nonnative Species. This bill prevents the taking of multiple individuals of a nonnative species for the purpose of native ecosystem restoration unless the individuals taken are diseased, invasive, or the taking is pursuant to a court order or settlement entered into before January 1, 2009.

SB 1436 (Ducheny) Agricultural Accidental Takes. The California Endangered Species Act exempts the accidental take of listed species resulting from the acts that occur on a farm or ranch during otherwise lawful routine agricultural activities. This exemption is due to expire January 1, 2009. This bill would delete the repeal date.

ENERGY

AB 1065 (Lieber) Building Energy Efficiency. This two-year bill

requires the State Energy Resources Conservation and Development Commission (CEC) to revise its building energy efficiency standards to decrease energy usage from offsite sources on a per square foot basis as follows:

- A reduction of 20% by 2015.
- A reduction of 50% by 2020.
- A reduction of 80% by 2030.

AB 1776 (DeVore) Nuclear Power Plants. California law prohibits the certification of any new nuclear power plants in the state until the Energy Commission determines the existence of an approved and demonstrated technology or means for the permanent disposal of spent fuel from these facilities. This bill would repeal this prohibition and would instead, prohibit the Energy Commission from certifying a site for a nuclear fission thermal powerplant in seismically active areas or a nuclear fission thermal powerplant using a once-through nuclear reactor cooling system with a nuclear coolant outflow that is within 5 miles of a designated coastal area of biological significance or where its outflow is to a navigable water.

AB 1892 (Smyth) Solar Energy. Existing law provides that any land use restriction condition contained in any instrument affecting the transfer or sale of, or any interest in, real property that effectively prohibits or restricts the installation or use of a solar energy system is void and unenforceable, except as specified. This bill would extend that restriction to the governing documents of any common interest development (e.g. condominium association).

AB 1920 (Huffman) Net Metering. This bill is the result of Assemblymember Huffman's "There Oughta Be A Law... Or Not" Contest. The proposed legislation will enable "eligible customer-generators" who produce renewable energy for their homes, small businesses, schools, or farms to be compensated by their utility company for any net surplus electricity they generate.

AB 2003 (Saldana) Climate Protection & Energy Efficiency Bond Act. Subject to voter approval at the November 2008 election, this bill would create the Climate Protection and Energy Efficiency Bond Act of 2008. The proposed legislation seeks to expand the development and use of solar, wind, and geothermal energy, fuel cells, and other energy generating technologies that would help the state meet AB 32's GHG emission targets - especially in low income communities and state buildings and facilities.

AB 2224 (De La Torre) Solar & Clean Energy Jobs Initiative. This bill would require the PUC to develop and implement the California Solar and Clean Energy Jobs Initiative to (1) create a standardized curriculum and training program for installers of solar energy systems, and (2) provide information, guidance, and assistance to educational institutions and non-profit organizations.

AB 2267 (Fuentes) Job Opportunities. This bill would require the ARB, the Energy Commission, and the PUC to provide additional consideration, priority, or preference to energy efficiency projects that result in job opportunities and other economic benefits.

AB 2269 (Fuentes) Solar Incentive Programs. Existing law requires that solar energy systems receiving monetary incentives from a local utility be located on the same premises where the consumer's own electricity demand is located and that they be intended primarily to offset part or all of the owner's own utility bill. This bill provides that the electricity generated by the solar energy system may be sold to the local utility, and that the solar energy system will not actually have to be owned by the consumer.

AB 2479 (Hancock) Energy Efficiency Measures. This bill makes unlicensed contractors who fail to comply with building energy efficiency standards subject to a civil penalty of not less than \$2,000. The Contractor's State License Board

must compile this data and annually report contractor non-compliance instances to the Legislature.

AB 2768 (Levine) Solar Energy Pricing. This bill requires that a ratepayer who installs a solar energy system be given the option to take service under flat rate or time-variant pricing, if there is a flat rate pricing schedule for which the ratepayer would have qualified if the ratepayer had not installed the system.

AB 2788 (DeVore) Nuclear Plant Certification. Existing law requires a person proposing to construct a thermal power plant to obtain a certification from the Energy Commission. This bill would carve out an exemption from certification for an applicant for a nuclear fission thermal power plant capable of producing up to 2,000 megawatts of energy, which is the first California entity to obtain an early site permit from the US Nuclear Regulatory Commission.

AB 2789 (Blakeslee) Small Wind Energy Systems. This bill would allow a local agency to provide (by ordinance) for the installation of small wind energy systems and to issue a conditional use permit for this purpose. This bill would be effective only through July 1, 2009.

AB 2791 (Blakeslee) Waste Heat & Carbon Emissions Reduction Act. Last year's AB 1613 (Blakeslee) authorized the PUC to require an electrical corporation to purchase excess electricity from any customer delivered by a combined heat and power system that complies with the sizing, energy efficiency, and air pollution control requirements of the Act. This bill would require eligible customers to use a combined heat and power system with a generating capacity of not more than 20 megawatts. Additionally, the bill extends eligibility to both nonprofit organizations as well as federal, state and local government facilities.

SB 1438 (Padilla) Smart Grid Systems. This bill defines a "smart grid system" as a two-way communication system that utilizes

the electrical delivery system to provide real-time monitoring, diagnostic, and control information and services. Smart grid systems are designed to improve the efficiency and reliability of the electrical distribution system and facilitate energy conservation. This bill would require each electric utility with more than 10,000 service connections to develop and adopt a smart grid system deployment plan by June 30, 2009. Three months later, these utilities must issue a smart grid system request for proposals.

SB 1447 (Yee) Net Metering. This spot bill states the intent of the Legislature to enact legislation to authorize net metering aggregation for installed solar energy systems to allow city governments to install solar panels in one location and use that collected energy to offset the energy costs of their other facilities.

SB 1506 (Alquist) Self-Generation. This bill states the Legislature's intent to ensure that the beneficiaries of grants received pursuant to the self-generation incentive program install eligible technologies that are manufactured in California by companies that maintain their principal place of business in California.

SB 1670 (Kehoe) Energy Efficiency and Carbon Reduction. Subject to voter approval in November, this bill would enact the Energy Efficiency and Carbon Reduction State Building Trust Fund of 2008. The measure would authorize \$2 billion of state general obligation bonds for (1) implementing programs to reduce the energy purchased by state entities for state-owned and long-term leased buildings, (2) assisting state entities in retro-commissioning and re-commissioning state funded buildings with the goal of assuring energy and resource consuming equipment are installed and operated at optimal efficiency, and (3) assisting schools in financing energy efficiency measures.

SB 1672 (Steinberg) Energy Efficiency Jobs. Subject to future voter approval, this bill would authorize

\$3 billion in state general obligation bonds for the development of: (1) renewable energy and energy efficiency and conservation jobs, (2) clean technology businesses and jobs, and educational and worker training programs, and (3) businesses, technologies, infrastructure investment, and jobs that will help California adapt to climate change with special attention for actions that will benefit disadvantaged communities. This bill would also create a Commission comprised of nine members to implement the program.

SB 1762 (Perata) Renewable Energy Resources. This spot bill states the intent of the Legislature to include provisions that would reform elements of the "renewable portfolio standard" (RPS) program relating to cost containment.

FORESTRY

AB 2926 (Lieber) Clearcutting. This bill would require the State Board of Forestry and Fire Protection to adopt state-wide rules and regulations regulating clearcutting practices. Specifically, timber harvesting operations would not be allowed to clearcut an area adjacent to a tract of land where previous clearcutting operations have occurred until 50% crown cover has been attained for the conifer tree species in the previously clearcut area. Additionally, clearcutting operations on contiguous tracts of land would be prohibited, regardless of ownership, unless the total combined acreage of the clearcut area is no more than 10 acres.

GREEN BUILDING

AB 2030 (Lieu) and AB 2112 (Saldana) Zero Net Energy Buildings. These bills would mandate "zero net energy buildings" for all new construction - for residential constructions commenced on or after January 1, 2020 and non-residential constructions commenced on or before January 1, 2030. The bills define a "net zero energy building" as one that implements a combination of building energy efficiency design features and onsite clean

distributed generation that result in no net purchases from the electricity or gas grid.

AB 2867 (De Leon) Housing Projects. This bill would require the Department of Housing and Community Development to adopt regulations establishing a mechanism to rank approved applications of housing loan and grant programs funded through the Housing and Emergency Shelter Trust Fund Act. This ranking must allocate priority points for those projects that are energy efficient and make use of green construction methods.

AB 2916 (Nunez) Energy Efficiency Measures. This spot bill would declare the intent of the Legislature to require that all buildings owned or leased by the state must meet the United States Green Building Council's (USGBC) Leadership in Energy Efficiency and Design (LEED) standards. These standards are the benchmark for the design, construction, and operation of high performance green buildings.

SB 1278 (Maldonado) Green Neighborhood Grant Act. This bill enacts the Green Neighborhood Grant Act. Under the Act, up to three grants would be awarded each year to developers for projects that have been certified by the Building Industry Institute as complying with the state's Green Builder Program. Each grant would reimburse the developer for up to 1.5% of the total development cost.

SB 1473 (Calderon) Green Buildings. By revising the definition of "building standard" to include sustainable and green building standards, this bill is designed to integrate innovative energy efficient and environmentally sound construction standards into the state's building code.

HAZARDOUS MATERIALS and HAZARDOUS WASTE

AB 218 (Saldana) Electronic Waste. This two-year bill would amend the definition of electronic devices covered by the Electronic Waste Recycling Act to include virtu-

ally all consumer electronics, consistent with the European Union's 2003 Restriction on Hazardous Substances

(RoHS) directive. The effective date of the phase out would be January 1, 2010. Governor Schwarzenegger vetoed a similar bill authored by Assemblywoman Saldana last year (AB 48). In response she has amended in language from that earlier effort into this two-year bill.

AB 515 (Lieber) Occupational Exposure Limits. This two-year bill would require the Occupational Safety and Health Standards Board to adopt "permissible exposure limits" (PELs) for chemicals that meet rigorous health-protective standards. If the bill passes and is signed into law it will limit the Board's current discretion to adopt less protective standards.

AB 1195 (Torrico) Used Oil. This two-year bill would make a number of changes in the law governing used oil disposal and the use of proceeds generated by the Used Oil Recycling Fund. Among the changes are new testing requirements and analysis standards, and new requirements applicable to out-of-state used oil facilities.

AB 1391 (Brownley) Electronic Waste. This two-year bill would amend California's Electronic Waste Management Act to require a retailer at the point of sale of a covered electronic device to provide a customer with the California Integrated Waste Management Board's (CIWMB) Web site describing where and how to return, recycle, and dispose of a covered device. The new requirement would take effect on July 1, 2009.

AB 2286 (Feuer) Unified Program. This bill would make amendments to improve an existing electronic geographic information management system used to receive data collected by certified unified program agencies (CUPAs).

AB 2347 (Ruskin) Mercury Thermostat Collection Act. This bill would require manufacturers of mercury-added thermostats to establish and maintain collection and recycling programs for the out-of-

service thermostats. The bill would also require sellers to serve as collection sites for these thermostats.

AB 2505 (Brownley) PVC Packaging. This bill would prohibit as of January 1, 2010 a manufacturer or supplier from selling packaging that includes polyvinyl chloride (PVC).

AB 2536 (Nunez) Metal Plating Facility. Established in 2005 [see Stats. 2005, AB 721 (Nunez)], the Metal Plating Facility Loan Guarantee Program helps metal plating facilities purchase and install high performance environmental control equipment or technologies. In addition to this loan guarantee program, this bill would additionally require the Business, Transportation, and Housing Agency to develop a grant program to assist these facilities.

AB 3031 (Lieber) Green Chemistry. This spot bill declares the intent of the Legislature to review the recommendations of the California Environmental Protection Agency (CalEPA) for a final policy on green chemistry and to enact a comprehensive Green Chemistry Act. Those recommendations are due this summer (CEI February 14, 2008).

SB 817 (Ducheny) Photoimaging Exemption. This bill would add an exemption from hazardous waste permitting requirements, under specified conditions, for a facility that treats spent photoimaging solutions that are hazardous solely due to their silver content.

SB 1161 (Lowenthal) Petroleum USTs. This bill would extend the repeal date of the Barry Keene Underground Storage Tank Cleanup Trust Fund Act from January 1, 2011 to January 1, 2016.

SB 1700 (Steinberg) Underground Natural Gas. Under the California Public Utilities Act, gas corporations include every corporation or person owning, controlling, operating, or managing any gas plant for compensation within the state. This bill would hold every gas corporation that, on or after January 1, 2009, commences operation of an underground natural gas

tank located in an urban area under residential properties liable for any damages resulting from the operation of the facility.

OIL SPILL PREVENTION AND RESPONSE

Most of the bills in this category are a response to the November 2007 Cosco Busan spill of oil into San Francisco Bay (CEI November 30, 2007).

AB 2031 (Hancock) Spill Response. This bill would require the Office of Emergency Services (OES) to immediately notify appropriate local emergency responders when a spill is reported. It would also require the Administrator of the Office of Spill Prevention and Response (OSPR), upon request, to: (1) provide a program to train and certify local emergency responders in spill response and (2) offer grants to supply certified responders with oil spill response and cleanup equipment.

AB 2032 (Hancock) Tank Ships. This bill would include within the definition of a "tank ship" under the Oil Spill Prevention and Response Act any vessel carrying oil in a single tank with a capacity that exceeds 50,000 gallons, and would eliminate the current exclusion for such a vessel in the "nontank vessel" definition of the Act. The effect will be to impose greater regulation on such vessels. The bill also increases the amount that must be available in the Oil Spill Response Trust Fund for spill preparedness and response from \$109,750,000 to \$200 million with \$100 million of that amount available in cash.

AB 2547 (Leno) Oil Spill Recovery Technologies. This bill would require OSPR beginning on January 1, 2010 and every five years thereafter, to prepare and make available a comprehensive evaluation of new technologies for oil spill prevention, response, containment, cleanup, and wildlife rehabilitation. This comprehensive bill would also revise the definition of "dedicated response resources," require OSPR to establish a universal mutual

aid agreement, and require OSPR to award and administer grants designed to improve processes and technologies for oil spill prevention, containment, and cleanup.

AB 2441 (Lieber) Tugboat Escorts. Under existing law, tugboat escorts are required for oil tankers and barges in California harbors. However, exemptions exist for ships carrying pesticides, solvents, acids, explosives and other hazardous materials. Large cargo ships are also exempt. This bill would require tugboat escorts for all vessels carrying hazardous materials that are entering, leaving, or navigating in the state's harbors.

AB 2935 (Huffman) Volunteer Training Programs. This bill would require OSPR to develop a hazardous materials training program for oil spill cleanup volunteers. Each local emergency response agency must have at least one trainer available to present the training program to the volunteers. On or before January 1, 2010, the bill would also require the agency to develop, implement, and report on a process for annually reviewing the practices and technologies the Office requires to meet best achievable protection. Finally, OSPR must establish a public database containing each Oil Spill Response Organization's (OSRO) information on the location of equipment and personnel available to respond to an oil spill.

AB 2911 (Wolk) Inland Spills. Under current law, a "spill" or "discharge" is defined to mean any unauthorized release of at least 42 gallons of oil into marine waters. This bill revises this definition to include any release of oil into marine waters or into waters of the state other than marine waters. By changing the definition, this bill requires OSPR to plan for prevention of and response to oil spills in both marine and inland waters that may adversely affect fish and wildlife resources and/or threaten waters of the state. It would also require fines and penalties for inland spills to be raised to the same levels authorized

for marine spills.

AB 2912 (Wolk) Oiled Wildlife Care Network. By offering volunteer training, stocking emergency equipment, and ensuring adequate staffing, this bill would expand the capabilities of the Oiled Wildlife Care Network (OWCN) - a statewide collective of wildlife care providers and regional facilities dedicated to working with oil-affected wildlife. This bill would also broaden the mission of the OWCN to include not only rehabilitative care but also proactive oiled wildlife search and rescue collection efforts.

SB 1056 (Migden) Notification and Response Time. If a spill occurs within the jurisdiction of the San Francisco Bay Conservation and Development Commission, this bill would not only reduce the allowable emergency response time from six hours to no more than two hours but also require the Office of Emergency Services (OES) to immediately notify the nine Bay Area counties as well as the City of San Francisco.

SB 1739 (Simitian) Contingency Plan. Under current law, owners and operators of various marine facilities and vessels must develop and implement an oil spill contingency plan. This bill revises the scope and frequency of the plans' training and testing requirements.

PESTICIDES

AB 2763 (Laird) Invasive Pest Assessments. In response to the growing concern surrounding invasive pests, this bill would require the Department of Food and Agriculture (CDFA) to develop and maintain an inventory of invasive animals, plants, and insects that have a reasonable chance of entering the state for which an eradication or control action by the state might be appropriate. For each animal, plant, or insect identified, CDFA must develop and maintain a written assessment describing the most appropriate eradication or control options. If the application of pesticides is determined to be among the most appropriate responses, specified information must be included

in the assessment.

AB 2764 (Hancock) State of Emergency Required. This bill would limit CDFG's authority by prohibiting the Secretary from undertaking or providing for the application of a pesticide in an urban area to effectuate an eradication project unless the Governor declares a state of emergency.

AB 2765 (Huffman) Aerial Spraying: Notice. As a pre-requisite to the aerial application of a pesticide in an urban area, this bill would require the Secretary of Food and Agriculture to (1) hold at least one public hearing to consider all alternatives and (2) to seek external certification of the safety of all elements of the proposed pesticide. Finally, CDFG's notice to residents and local physicians must additionally include a list of every ingredient in the pesticide.

AB 2892 (Swanson) Aerial Spraying: Voter Consent. If it has been determined that it is necessary to apply a pesticide aerially in a pest eradication area that includes an urban area, this bill would require the Secretary to first obtain the consent of 2/3 of the registered voters in the affected cities and counties. To achieve the required consent, the Secretary must consult with the elected officials of those cities and counties to determine the most appropriate and efficient manner in which to conduct the election.

PRODUCT SAFETY AND TOXIC MATERIALS

AB 1100 (Ruskin) Safety Cans. In 2006 Assemblyman Ruskin authored legislation requiring child resistant caps on gasoline cans (AB 2022). That bill contains no exemption for OSHA-approved "safety cans," required to be used to store flammable liquids at worksites. This two-year bill would create an exemption for these cans that will otherwise be banned in California as of April 1. The bill is urgency legislation.

AB 1860 (Huffman) Product Recall Safety & Protection Act.

Designed to protect consumers from unsafe products, this bill would prohibit commercial dealers, manufacturers, importers, distributors, wholesalers, and retailers from knowingly placing unsafe products into the marketplace.

AB 1879 (Feuer) Scientific-Based Approach. This spot bill declares the intent of the Legislature to ensure public health and safety through the adoption of a science-based approach to regulate dangerous products. AB 1879 would also authorize the Department of Toxic Substances Control (DTSC) to regulate the sale of products containing chemicals known to be hazardous to the health of its citizens and to the environment.

AB 2106 (Hayashi) Contaminated Cosmetics. This bill would add a section to the Sherman Food, Drug, and Cosmetic Act expanding the definition of "adulterated cosmetics" by including additional chemical-containing cosmetics.

AB 2251 (Cook) Highway Markings. Glass beads used in highway safety markings often contain high levels of inorganic arsenic. This bill would establish a state-wide minimum safety standard for arsenic (75 parts per million) in these glass beads.

AB 2253 (Torrice) Food Labeling. This spot bill declares the intent of the Legislature to enact legislation to define the terms "free range" and "grass-fed" as they relate to the labeling of animal products and byproducts.

AB 2694 (Ma) Lead-Bearing Substances. This bill would prohibit any person, firm, or corporation from manufacturing, selling, exchanging, possessing with the intent to sell or exchange, or exposing or offering for sale any children's product (*i.e.*, clothes, accessories, food, candy, toys, etc) containing a "lead-bearing" substance. The bill would impose similar bans on certain fixtures or other objects used, installed, or located on a dwelling or day care facility.

AB 2905 (Davis) and SB 1712 (Migden) Lead in Lipstick. AB 2905 is a spot bill declaring the intent of the Legislature to enact legislation prohibiting the use of lead in the manufacture of lipstick, while SB 1712 would ban lead in lipstick by adding lead-bearing or lead-containing lipsticks to the list of adulterated cosmetics under the Sherman Food, Drug, and Cosmetic Act. Effective January 1, 2009, the burden would shift to the manufacturer, packager, or seller to prove that lipstick sold in the state is lead-free.

AB 2957 (Swanson) Contaminated Toys. This bill would require the California Department of Public Health (CDPH) to dedicate space on its website to post the name and a brief description of any toy contaminated with any toxic substance or any toy coated with lead-containing paints and/or lacquers. The website must be updated by October 1 of each year.

SB 456 (Simitian) Diacetyl. This two-year bill prohibits, a person from manufacturing, processing, or distributing any product containing diacetyl after June 1, 2008.

SB 509 (Simitian) Product Content Disclosure. This two-year bill requires a manufacturer or wholesaler of a consumer product, on or before March 31, 2009, to provide a notice that lists all substances, identified by a number or other unique identifier, that are contained in that product by more than one-tenth of one percent, by posting that information on the manufacturer's or wholesaler's web site. The bill requires a manufacturer or wholesaler that does not maintain an Internet website to establish one.

SB 1230 (Maldonado) Phosphorous-Containing Detergents. This bill would prohibit the use, sale, manufacture, or distribution for sale of many cleaning agents (*i.e.*, laundry detergent, dishwashing detergent, household cleaners, etc.) that contain phosphorous. If passed, this bill would be effective January 1, 2010.

SB 1313 (Corbett) Perfluorochemicals. This bill would prohibit the manufacture, sale, or distribution of products containing 2 types of PFCs [perfluorooctane sulfonate (PFOS) and perfluorooctanoic acid (PFOA)] or their precursors in concentrations exceeding 0.1%. The bill would also require manufacturers to use non-toxic alternatives when replacing PFCs or their precursors in their products and would prohibit manufacturers from replacing PFCs with certain carcinogens and reproductive toxins.

SB 1334 (Calderon) and SB 1395 (Corbett) Lead Free Plumbing. Beginning January 1, 2010, existing law requires all faucets and plumbing fittings sold in California to be lead-free. These bills will further require plumbing material to be certified for compliance by an independent 3rd party and to be tested randomly for compliance.

SB 1598 (Padilla) Secondhand Smoke. This spot bill sets forth a statement of legislative findings and declarations regarding the dangers of secondhand smoke.

SB 1667 (Calderon) Asbestos. Currently, an individual may bring a civil action for injury or illness based upon asbestos exposure within one year after the plaintiff suffered disability or, alternatively, within one year after the date the plaintiff knew or should have known that the disability was caused or contributed by that exposure. This bill would give these plaintiffs additional time to file suit by extending the timeframes for both actions from one year to thirteen months.

SB 1713 (Migden) Children's Products. This bill expands the prohibition against phthalates in children's products by broadening the definition of "child care article." The bill also prohibits the manufacture, sale, or distribution of toys or child care articles containing detectable levels of bisphenol A or lead.

RESOURCES

AB 2945 (Laird) State Wilderness Areas. This bill defines "minimum

requirement" and "minimum tool" for purposes of the California Wilderness Act. These two terms are used by the administering state agency in determining the appropriateness of proposed activities within a state wilderness area. The bill would also allow a state agency with jurisdiction over a wilderness area to use motorized vehicles under certain conditions.

SB 1102 (Machado) California Bay-Delta Authority. This bill would repeal the California Bay-Delta Authority Act, which currently requires the California Bay-Delta Authority and specified implementing agencies, to carry out programs, projects and activities necessary to execute the 2000 CALFED Bay-Delta Record of Decision (ROD).

SOLID WASTE AND RECYCLING

AB 822 (Levine) Multi-Unit Recycling. This two-year bill will require an owner of a multifamily dwelling to arrange appropriate recycling services for the dwelling by July 1, 2009. The bill is identical to AB 548, which was vetoed by the Governor last year.

AB 904 (Feuer) Packaging. This two-year bill prohibits, as of July 1, 2012, a takeout food provider from distributing single-use disposable food service packaging to a consumer unless it is either compostable or recyclable, as defined.

AB 2058 (Levine) Plastic Carry-out Bags. Building on last year's In-Store Plastic Bag Recycling Law, this bill would require retailers to attain specified plastic bag diversion rates. In order to continue providing plastic carryout bags, retailers would be required to demonstrate a 35% diversion rate by July 1, 2011 and a 70% diversion rate by July 1, 2013. Alternatively, retailers may skirt these diversion rate requirements by charging a minimum 15¢ fee on these bags.

AB 2071 (Karnette) Plastic Bag Enforcement. Existing law prohibits someone from selling a plastic bag labeled as "compostable", "biodegradable", or "degradable" unless the bag meets certain standards.

This bill would allow cities, counties, or the state to impose civil penalties in an amount not to exceed \$500 for the first violation, \$1,000 for the second violation, and \$2,000 for the third violation for violations of the above requirement.

AB 2415 (Fuentes) Solid Waste Permits. When a solid waste facility that is located in multiple jurisdictions applies for or amends a permit, this bill would require the California Integrated Waste Management Board (IWMB) to obtain approval of the designated and certified enforcement agency of each jurisdiction before issuing or revising the permit.

AB 2640 (Huffman) Compostable Organics. This bill requires the IWMB to adopt policies and programs related to compostable organic management. Operators of disposal facilities would be required to pay a fee of \$1.40 per ton for all green material that is used for beneficial reuse, including use as alternative daily cover, at each disposal site. Beginning January 1, 2015, green material used as landfill cover would no longer constitute as "diversion" under the Integrated Waste Management Act.

AB 2656 (Brownley) Bottle Caps. In an effort to curb plastic bottle cap marine debris, this bill would prohibit retailers from selling single-use beverage containers unless the cap is: (1) affixed to, or part of the actual container, and (2) made of a recyclable material.

AB 2829 (Davis) Environmental Awareness Statements. This bill would declare the intent of the Legislature to assess a state-wide charge on plastic carryout bags. Monies received from this charge would be directed towards litter prevention programs and source reduction efforts. Additionally, this bill would require these plastic carryout bags to include an environmental awareness statement. This statement would be printed or otherwise displayed on the bag and would describe the benefits of using reusable bags and the harmful environ-

mental and wildlife effects caused by littering the plastic bags.

AB 2866 (De Leon) Disposal Fees. This bill would increase the existing solid waste disposal fee from an amount not to exceed \$1.40 per ton to an amount not to exceed \$2.00 per ton.

AB 3004 (Duvall) Bicycle Littering. Just as it is illegal for motorists and pedestrians to throw certain objects onto roadways, this bill would make it illegal for bicyclists to throw or discharging lit or non-lit cigarettes, cigars, matches, or an otherwise flaming or glowing substance onto a road, highway, or adjoining area.

AB 3025 (Lieber) Polystyrene Packaging. This bill would ban the use of polystyrene loose fill packaging (i.e., packing peanuts) by January 1, 2012.

SB 1321 (Correa) School Recycling. A recent contest sponsored by Senator Correa resulted in a bill that would require each public secondary school and school district office to maintain beverage container recycling bins. The schools may either participate in a local recycling program or administer their own.

WATER QUALITY

AB 2013 (Krekorian) Water-Permeable Paving. Under this law, certain building permits issued on or after January 1, 2012 would have to require all paved surfaces to be made of a water-permeable material. The bill defines water-permeable material as paving material that avoids water run-off to a storm drain system by allowing water to permeate through the surface of the material. This rule would apply to new housing developments, new office buildings, new industrial parks, and new retail developments that exceed specified sizes.

AB 2186 (Salas) Bottled Drinking Water. Building on the success of last year's vended water bill (SB220) that requires bottled water labels to include the name and contact information for the bottler or brand

owner and the fact that the water is obtained from a public water supply or licensed private water source, AB 2186 would additionally require the label to include the identity of the source from which the water was last obtained prior to being bottled.

AB 2222 (Caballero) Groundwater Quality. On or before January 1, 2010, this bill requires the Groundwater Task Force to evaluate information obtained through the comprehensive monitoring program and submit a report that (1) identifies communities throughout the state that rely on contaminated groundwater as their primary source of drinking water, (2) makes recommendations for policies and programs to protect, restore, and improve beneficial uses of groundwater, and (3) recommend ways to enhance public access to current groundwater quality information.

AB 2723 (De La Torre) Dual Piping. Proposition 84, passed in November of 2006, allocated the sum of \$90 million for planning grants and planning incentives for purposes of promoting water conservation, among other things. This bill would allow the Department of Water Resources to use this money for grants to cities and counties for the development of dual water piping systems – a system of plumbing installations used to supply both potable drinking water and recycled water for landscaping to a home or business.

AB 2900 (LaMalfa) Civil Penalties. This bill would require that any civil penalties issued by the State Water Resources Control Board (SWRCB) or a regional board be imposed within 12 months of learning of the violation.

AB 2915 (Nunez) Governing Council. In response to Proposition 84, this bill establishes a Governing Council. This Council would coordinate the state's policies and funding priorities for the bond funds in a manner consistent with various sustainable communities and climate change goals.

AB 2965 (Krekorian) Water Tox-

icity Assessment. AB 2965 would require a school district to conduct a one-time assessment of water toxicity levels at point of entry and delivery in schools 40 years of age or older. It also states the intent of the Legislature to use funding from Proposition 84 for purposes of conducting the assessment.

SB 1176 (Perata) Regional Boards. In an effort to establish consistent water quality and water supply policies, this bill would fundamentally overhaul the structure and activities of the SWRCB and regional water quality control boards (RWQCBs). SB 1176 would not only broaden the authority of the SWRCB to make policy, but also adjust the boards' membership, qualifications and pay, and impose new requirements on their actions. The bill is similar to last year's SB 1101 (Perata) that was vetoed by the Governor.

SB 1520 (Kehoe) Nonpoint Source Management Program. On February 4, 2000, the SWRCB and the California Coastal Commission (CCC) jointly submitted the state's *Plan for Nonpoint Source Pollution Control Program* to the USEPA. The comprehensive plan identifies nonpoint source management measures to be implemented by the state by 2013. SB 1520 would require the plan to include the adoption of an enforceable program for nonpoint source dischargers by means of waste discharge requirements (permits).

SB 1582 (Simitian) Ocean Rangers. Modeled after Alaska's Ocean Rangers program, this bill would require cruise ships sailing from California's ports to have a peace officer, also referred to as an ocean ranger, on board. The officers, who must be licensed marine engineers, would be on board to observe and monitor maintenance and operations procedures for onboard waste treatment systems and compliance with other environmental laws. A \$1 per passenger per day fee would pay for the rangers' salaries.

WATER SUPPLY

AB 1903 (Hernandez) Flood Control Liability. Until January 1, 2007

public agencies operating flood control and water conservation facilities enjoyed an exemption from liability for certain injuries caused by the condition or use of unlined flood control channels or adjacent groundwater recharge spreading grounds. This bill would restore the exemption until January 1, 2013.

AB 2153 (Krekorian) Energy & Water Conservation. This spot bill states the intent of the Legislature to enact legislation regarding energy and water efficiency in new developments by establishing water efficiency programs modeled on California's successful energy efficiency programs.

AB 2175 (Laird) Water Conservation. This bill would require the Department of Water Resources to establish state-wide water conservation targets on or before December 31, 2012. The bill would set the initial target at 3 million acre-feet of water reduction from current projected demand by 2030. DWR would be required to re-evaluate that target at least every five years. In addition to setting a state-wide water conservation target, DWR would also establish interim urban and agricultural water conservation targets for each hydrologic region of the state. Urban and agricultural water suppliers would be required to implement cost effective water conservation measures from a list developed by DWR, beginning in 2010 for the urban measures and 2012 for the agricultural ones.

AB 2270 (Laird) Recycled Water. The California Water Recycling Act, passed in 1991, established recycling goals of 700,000 acre-feet of water annually by year 2000 and 1 million acre-feet annually by 2010. This bill would cast these "goals" as targets and would require DWR to update them every five years based on information provided in the urban water management plan. The proposed legislation would also require urban water suppliers to provide DWR with quantifications (in acre feet of water) of the quantity of treated wastewater that meets recyclable water standards as well as any po-

tential uses of recycled water.

AB 2404 (Salas) Water Efficiency. This bill requires electrical and gas corporations and publicly owned electrical utilities to consider water efficiency improvement programs as part of their cost-effective energy efficiency and conservation activities. Where mutually beneficial, these corporations and publicly owned electrical utilities would be encouraged to partner with a water utility or wholesale supplier of water to carry out these programs.

AB 2501 (Wolk) Water Planning. This bill is intended to ensure that the state's urban and agricultural water agencies are equipped with the resources and information needed to respond to climate change and the capability to reduce GHG emissions. In addition, this bill would appropriate nearly \$611 million from 2006's Proposition 1E for purposes of ensuring a safe, clean, and reliable water supply and meeting the requirements of the California Global Warming Solutions Act.

AB 2548 (Anderson) Water Shortage. This spot bill would declare the intent of the Legislature to enact legislation to address California's water storage.

AB 2691 (Eng) Groundwater. This spot bill would declare the intent of the Legislature to require the Department of Water Resources (DWR) to regulate and manage groundwater in California.

AB 2720 (Levine) Water Use. This spot bill would declare the intent of the Legislature to enact legislation to establish statewide policies to increase water efficiency in the state.

AB 2882 (Wolk) Conservation Charge. This bill would allow a public entity that supplies water at retail or wholesale to employ allocation-based conservation water pricing (i.e., pricing water based on the amount of use).

AB 2970 (Eng) Water Delivery Reliability Report. This spot bill would declare the intent of the Legislature to require the Depart-

ment of Water Resources to take into account climate change and the requirements of the Endangered Species Act in the State Water Project Delivery Reliability Report.

SB 1258 (Lowenthal) Graywater Standards. Graywater is wastewater that is generated from household activities such as washing dishes, taking baths or showers, and laundry. On or before January 1, 2011, this proposed legislation would require DWR to adopt uniform state-wide standards for each varying type of use of graywater if the use requires the protection of public health. It also prohibits DWR from establishing graywater standards that are more stringent than the criteria established by the CDPH for each type of recycled water use.

SB 1391 (Padilla) Water Conservation Policy. This bill would declare the intent of the Legislature to enact legislation to promote water conservation, water efficiency, and water recycling as the most cost-effective means of increasing water supply and protecting the environment.

SB 1360 (Machado) Flood Protection. This bill would require DWR to prepare a map delineating the boundaries of the Sacramento-San Joaquin drainage district. The map must be adopted by the Central Valley Flood Protection Board and must be accessible to the public at no charge. The bill also amends the membership and voting power of the Board.

SB 1761 (Perata) Water Efficiency. In the next revision of the California Water Plan, this bill would require DWR to include a chapter describing available opportunities to promote water efficiency, energy efficiency, and GHG emission reductions in water operations and activities. It would also require DWR to comply with (1) the state's renewable portfolio standard (RPS) program requirements when securing electricity for the State Water Project and (2) any GHG emission reduction requirements applicable to electrical corporations and publicly-owned utilities.