

Active Water Quality Legislation - 9/30/2004

Bill	Author	Type	Description	Committee Activity	Hearing Date	
1	AB 1546	Simitian	Fees	Amended (8/9): Authorizes the City/County Association of Governments of San Mateo County to impose an annual fee of up to \$4 on motor vehicles for a program for the management of traffic congestion and stormwater pollution within that County. The bill would require a program with performance measures and a budget before the fee may be imposed.	Passed SEN Revenue and Tax (6/24) SEN Amendments Concurred In (8/18) Enrolled (8/18) Approved by Governor (9/29) Chaptered (9/30) - CH. 931, Statutes of 2004	
2	AB 2072	Wyland	Caulerpa taxifolia: Agua Hedionda Lagoon	Amended (6/15,6/30,8/23): This bill would require the Director of the California Department of Fish and Game, or his or her designee, to inform the Department of Boating and Waterways regarding the date on which Caulerpa taxifolia has been eradicated from Agua Hedionda Lagoon. The Director, or his or her designee, would also be required to calculate the repeal date of the provision in existing law described above by adding one year to the date provided to the Department of Boating and Waterways, as specified, and to notify the Secretary of State, in writing, of that repeal date, stating that the notification is being provided pursuant to this requirement.	Passed ASM Water, Parks, Wildlife (4/13) Passed ASM Appropriations (4/28) Passed SEN Natural Resources (6/14) Passed SEN Appropriation (7/12) ASM - Concurrence in SEN Amendments Action Rescinded Passed SEN (8/25) ASM - Concurrence in SEN Amendments (8/26) Enrolled (9/10) Approved by Governor (9/14) Chaptered (9/14) - CH. 501, Statutes of 2004	
3	AB 2073	Wyland	Caulerpa taxifolia	Requires the Dept. of Boating and Waterways, upon request of the Director of Fish and Game, to restrict or prohibit recreational vessel activity on waters of the state until 1/1/10, if that vessel activity would hinder or jeopardize efforts to control or eradicate Caulerpa taxifolia. Requires that notice of the restriction or prohibition be posted conspicuously and, at a minimum, in areas where boats are launched into the waterway where the restriction or prohibition is in effect. Violators would be subject to a fine of not more than \$250.	ASM Water, Parks, & Wildlife	
4	AB 2093	Nakano	Cruise Ships: Graywater	Amended (3/22,7/2,8/18): Prohibits large passenger vessels (cruise ships) from releasing any graywater (wastewater from showers, sinks, laundry, etc.) from the vessel into the marine waters of the state (within 3 miles of the coast).	Passed ASM Env Safe and Tox Mats (4/13) Passed ASM Appropriations (4/28) Passed SEN Env Quality (7/1) Passed SEN Appropriations (8/23) ASM - Concurrence SEN Amendments (8/25) Enrolled (8/25) Approved by Governor (9/23) Chaptered (9/23) - CH. 710, Statutes of 2004	
5	AB 2155	Kehoe	Grants: Coastal Conservancy	Amended (6/15,8/24): OLD TEXT: Allows the State Coastal Conservancy to undertake projects and award grants for activities in coastal areas that attract tourists, encourage economic development that is compatible with preservation or restoration of coastal and watershed resources, or that facilitate environmental education. This may include, but not be limited to, development of tourist-oriented facilities, promotion of events emphasizing coastal, watershed, or ocean resources education, or maritime history and sailing ships, and development of amenities and infrastructure that will encourage private investment. NEW TEXT deletes all references to the State Coastal Conservancy and pertains to the San Diego Regional Airport Authority.		
6	AB 2260	Nakanishi	Streambed Alteration Agreements	Amended (3/25): Changes the Streambed Alteration Agreement to provide that, under certain circumstances, an entity that proposes to undertake routine maintenance of a levee or flood control system need only submit a written notification to the Department of Fish & Game. The notification provision, which would exempt qualified applicants from permit fees and the preparation of environmental studies, would be available when DFG has allowed prior activity relating to that levee or flood control system in the past.	Passed ASM Water, Parks, & Wildlife (4/21) ASM Appropriations	
7	AB 2529	Kehoe	Cal Ocean Plan	Amended (3/31,4/22,5/20,6/16,6/29): Would establish a program for marine managed areas pursuant to which the State Board would award grants, upon the appropriation of funds for that purpose, to local public agencies and nonprofit organizations to restore and protect the water quality and environment of marine managed areas. The bill would require the State Board to appoint a marine managed areas water quality task force for the purpose of recommending projects to fund in connection with that program.	Passed ASM Water, Parks, & Wildlife (4/13) Passed ASM Natural Resources (4/19) Passed ASM Appropriations (5/20) Passed SEN Natural Resources (7/12) Passed SEN Appropriations (8/12) SEN Amendments concurred in (8/19) Enrolled (9/2) Approved by Governor (9/23) Chaptered (9/23) - CH. 714, Statutes of 2004	

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Bill	Author	Type	Description	Committee Activity	Hearing Date	
8	AB 2631	Wolk	Invasive Species	Amended (4/15,5/6,6/15,7/12,8/19): This bill would make findings and declarations regarding invasive species and, among other things, would establish the Invasive Species Council, to develop a statewide invasive species plan and make recommendations for review and approval by the Governor for the prevention, early detection and rapid response, and control and management of invasive species. The bill would require the statewide plan to include various specific elements, including an assessment of existing programs addressing invasive species. The bill would require the council to appoint an Invasive Species Advisory Committee to assist the council in preparing the statewide plan. The bill would authorize and require the council to undertake other activities related to invasive species. The bill would establish the Invasive Species Management Fund in the State Treasury. The money in the fund would be available, upon appropriation, to support activities authorized by the bill.	Passed ASM Water, Parks, & Wildlife (4/20) Passed ASM Appropriations (5/20) Passed SEN Natural Resources (6/29) Passed SEN Appropriations (8/12) Passed SEN (8/24) ASM - SEN Amendments Concurred in (8/26) Enrolled (9/10) Vetoed by Governor (9/29)	
9	AB 2633	Frommer	Grease & Sewage Spills	Amended (3/31,4/19,5/13,5/24,6/15,6/21,7/12,8/12): Would enact the Interceptor Grease Transportation, Recycling, and Disposal Act of 2004, and would require all grease removed from grease traps or grease interceptors to be transported by a grease waste hauler issued a grease transporter registration by the California Integrated Waste Management Board. Establishes the requirements that grease transporters must meet to be issued a transporter's license. Would require a grease waste hauler to completely remove, to the extent feasible, all grease, greasy liquid, and solids within the grease trap or interceptor each time of removal. Would authorize grease waste haulers to transport removed grease only to a facility authorized to receive grease.	Passed ASM Env Safe and Tox Mats (4/13) Passed ASM Appropriations (5/27) Passed SEN Env Quality (6/28) Passed SEN Appropriations (8/12) Passed SEN Ag & Water Resources (8/25) Passed SEN Floor (8/26) ASM - SEN Amendments Concurred In (8/27) Enrolled (9/15) Vetoed by Governor (9/30)	
10	AB 2672	Simitian	Cruise Ships	Amended (3/31,4/20,6/17,7/2,8/10): Requires the SWRCB to determine whether it is necessary for the state to apply to the federal government to authorize the state to prohibit the release of sewage from large passenger vessels (cruise ships) into marine waters of the state. If an application is required, and it is approved, or if one is not required, the bill would prohibit large passenger vessels from releasing, or permitting anyone to release, sewage from the vessel into marine waters of the state, and would subject a person who violates that prohibition to a civil penalty.	Passed ASM Env Safe and Tox Mats (4/13) Passed ASM Appropriations (5/13) Passed SEN Env Quality (6/21) Failed Passage SEN Appropriations (8/4) Reconsideration Granted (8/4) Passed SEN Appropriations (8/9) Passed SEN Floor (8/17) SEN Amendments Concurred In (8/19) Enrolled (8/19) Approved by Governor (9/24) Chaptered (9/24) - CH. 764, Statutes of 2004	
11	AB 2690	Hancock	Grants	Amended (4/12,4/26,5/20,6/29): Work that meets certain criteria, including work that is performed entirely by volunteer labor, is excluded from the definition of "public works." Pursuant to existing law, all workers employed on public works shall be paid not less than the general prevailing rate of per diem wages for work, except for public works projects of \$1,000 or less. This bill would exempt from these provisions any work that is performed by a volunteer, a volunteer coordinator, or by members of the California Conservation Corps or of certified Community Conservation Corps. The bill would apply this exemption retroactively to otherwise covered work concluded on or after January 1, 2002, to the extent permitted by law.	ASM Natural Resources Passed ASM Labor & Employment (4/21) Passed ASM Appropriations (5/21) Passed SEN Labor & Ind Relations (6/28) Passed SEN Appropriations (7/1) Concurrence in SEN Amendments (8/12) Enrolled (8/16) Approved by Governor (8/27) Chaptered (8/30) - CH. 330, Statutes of 2004	
12	ACA 10	Harman	Fees	Excludes fees and charges for stormwater and urban runoff management from Prop. 218 voter approval requirements.	ASM Inactive File	
13	SB 1132	Bruite	Prop. 50	Amended (4/13): Authorizes the Department of Water Resources to appropriate Proposition 50 funds for competitive grants to 5 southern California counties (including San Diego) for flood control and other water management projects that prevent or reduce the possibility of flooding. Preference would be given to projects designed to restore, repair, rehabilitate, or replace water management projects damaged or destroyed as a consequence of the 2003 wildfires. The maximum award for any single grant is \$50 million. Non-state matching funds would be required.	Passed SEN Ag & Water Resources (4/20) Failed Passage SEN Env Quality (5/3)	

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14	SB 1319	Burton / Alpert	Ocean Protection Act	Amended (4/14,5/24,6/16,8/17,8/23): This bill would establish the Ocean Protection Council in state government, consisting of the Secretary of the Resources Agency, the Secretary for Environmental Protection, and the Chair of the State Lands Commission. The bill would require 1 member of the Senate, appointed by the Senate Committee on Rules, and 1 member of the Assembly, appointed by the Speaker of the Assembly, to meet with the council and participate in its activities as non-voting, ex officio members. The bill would require the council to coordinate activities of state agencies that are related to the protection and conservation of coastal waters and ocean ecosystems, to improve the effectiveness of state efforts to protect ocean resources within existing fiscal limitations, consistent with specified Legislative findings and declarations, to establish policies to coordinate the collection and sharing of scientific data related to coast and ocean resources between agencies, and to identify and recommend to the Legislature and the Governor changes in law and policy needed to meet the above goals. The bill would require and ocean resources, as specified.	Passed SEN Natural Resources (3/23) Passed SEN Appropriations (5/24) Passed ASM Natural Resources (6/8) Passed ASM Appropriations (8/12) Passed ASM Floor (8/24) SEN - ASM Amendments Concurred In (8/26) Enrolled (9/1) Approved by Governor (9/23) Chaptered (9/23) - CH. 719, Statutes of 2004	
15	SB 1447	Kuehl	Wetlands	Amended (4/12): Requires the Fish and Game Commission, not later than June 30, 2005, to adopt regulations to protect state-regulated wetlands in order to implement the state's policy that there be no net loss of state wetlands. Prohibits an entity from substantially impairing or altering a state-regulated wetland without first obtaining a wetland alteration permit. The bill is intended to address certain categories of wetlands that have fallen outside of federal protection due to a recent Supreme Court decision.	SEN Env Quality	
16	SB 1477	Sher	Isolated Wetlands & Ephemeral Waters	Amended (4/15,5/24,6/15): This bill would require the State Water Resources Control Board and the Department of Fish and Game to develop a memorandum of understanding to facilitate consultation, and coordinate permitting processes, among the state board, the regional boards, and the Department of Fish and Game with regard to the issuance of a waste discharge permit for a discharge that may require the issuance of an incidental take permit or the execution of a streambed alteration agreement under state law. The bill would require the state board to develop a process to facilitate consultation and reduce duplication among the state board, the regional boards, and the National Marine Fisheries Service or the United States Fish and Wildlife Service with regard to the issuance of a waste discharge permit for a discharge that may require the issuance of an incidental take statement or an incidental take permit under federal law. The bill would require the state board to formulate and adopt a program, in accordance with certain requirements, to regulate the discharge of dredged or fill material to state waters not protected by the federal government under the federal Clean Water Act.	Passed SEN Env Quality (4/20) Passed SEN Appropriations (5/24) Failed Passage in ASM Env Safe & Toxic Mat	
17	SB 1479	Sher	RWQCBs	Amended (4/16): RWQCBs are currently required to be composed of 9 members, 1 associated with water supply, 1 with irrigated agriculture, 1 with industrial water use, 1 with municipal government, 1 with county government, and 3 not specifically associated with any of the foregoing categories. This bill would reduce the membership of each RWQCB from 9 to 7 by reducing the last category from 3 to 1. The member not associated with any category would be required to have special competence in areas related to preventing water quality problems. These amendments would not affect the term of office held by any current board member.	Passed SEN Env Quality (4/12) Passed SEN Appropriations (5/10) Passed Water, Parks, Wildlife (6/23) Passed ASM Appropriations (8/5) Passed ASM Floor (8/12) Enrolled (8/19) Returned by Governor at Request of SEN Held at Desk	
18	SB 1552	Machado	TMDLs	Amended (4/12): Authorizes the RWQCBs to recommend, and the SWRCB to adopt, minimum stream flow requirements in connection with establishing total maximum daily loads (TMDLs) pursuant to the federal Clean Water Act.	Passed SEN Env Quality (4/12) SEN Appropriations (SUSPENSE FILE)	