



## Legislative Update

**By Richard Markuson**  
**Region 9 Legislative Advocate**

Recently, Gov. Gavin Newsom unveiled California's second attempt at a comprehensive plan to reopen. Gone is the county "monitoring list" system, which has been criticized as confusing and fragmented. In its place is a framework that sorts each of the state's 58 counties into a tier, which will determine how much businesses are restricted.

August also saw the end of the strangest Legislative session in my more than 30 years of advocacy. We saw the Legislature approve a broad authority for Coronavirus response in March – and then go on recess through July. Then, despite Leadership directives that the remaining focus be on Coronavirus, homelessness, and disaster response, we witnessed hours of floor debate on a variety of issues that didn't fit into any of those three areas.

**Legislation.** Update on bills that went to Governor (or died).

[AB 310](#) ([Santiago](#) D-Los Angeles) would have established the Infrastructure and Economic Development Bank Commission DEAD.

[AB 2285](#) (Committee on Transportation) Transportation. Makes various non-controversial changes to transportation-related statutes. ENROLLED

[AB 2560](#) ([Quirk](#) D-Hayward) Requires the State Water Resources Control Board to post on its internet website and distribute through e-mail that it has initiated the development of a Notification Level (NL) or Response Level (RL) for a contaminant and the draft NL or RL along with supporting documentation. ENROLLED

[AB 2800](#) ([Quirk](#) D-Hayward) Eliminates the sunset on the Climate-Safe Infrastructure Working Group. Senate Natural Resources and Wildlife Committee. ENROLLED ASCE position: **Support**

[AB 2932](#) ([O'Donnell](#) D-Long Beach) Allows the City of Long Beach to use the design-build contracting process to award contracts for curb ramps that are compliant with the Americans with Disabilities Act. ENROLLED.

[AB 3005](#) ([Rivas, Robert](#) D-Hollister) Expedites permitting and contracting requirements in order to facilitate the replacement of the Leroy Anderson Dam and Reservoir (Anderson Dam). ENROLLED

[SB 414](#) ([Caballero](#) D- Salinas) would have created the Small System Water Authority Act of 2019 and state legislative findings and declarations relating to authorizing the creation of small system water authorities that will have powers to absorb, improve, and competently operate noncompliant public water systems. DEAD

[SB 559](#) ([Hurtado](#) D-Sanger) requires DWR to report to the Legislature, no later than March 31, 2021, on federal funding approved by the United States Congress in its 2021 Congressional Budget Resolution and related appropriations bills or otherwise provided to the Friant Water Authority or other government agency to restore the capacity of the Friant-Kern Canal. ENROLLED

[SB 758](#) ([Portantino](#)- La Cañada Flintridge) would have extended the deadline for hospital buildings to be brought into substantial compliance with seismic standards until January 1, 2032, and require the office to revise its regulations to reflect the revision of the deadline as emergency regulations. DEAD

### **CEQA Exemptions**

[SB 55](#) ([Jackson](#) D-Santa Barbara) until January 1, 2025, would exempt from the requirements of CEQA emergency shelters or supportive housing projects meeting certain requirements. ENROLLED

[SB 288](#) ([Wiener](#) D-San Francisco) would provide a CEQA exemption to sustainable transportation projects — public transportation, bike safety, and pedestrian projects. ENROLLED

[SB 757](#) ([Allen](#)- Santa Monica) establish specified procedures for the administrative and judicial review of the environmental review and approvals granted for the Twenty-Eight by '28 Initiative pillar projects located in the County of Los Angeles. ENROLLED

[SB 974](#) ([Hurtado](#) D-Sanger) Exempts from CEQA projects that primarily benefit a small disadvantaged community water system by improving the water system's water quality, water supply, or water supply reliability; by encouraging water conservation; or by providing drinking water service to existing residences within a disadvantaged community where there is evidence of contaminated or depleted drinking water wells. ENROLLED

[SB 995](#) ([Atkins](#) D-San Diego) Extends for four years the Jobs and Economic Improvement Through Environmental Leadership Act of 2011 (AB 900) until 2025; and makes housing projects that meet certain requirements, including specified affordable housing requirements, eligible for certification under the Act. DEAD

### **New Reports of Interest**

The Legislative Analyst's Office released "[Improving California's Response to the Environmental and Safety Hazards Caused by Abandoned Mines](#)," it finds that cost of remediating "an estimated 47,000 abandoned mines" in California "is likely to be in the

billions of dollars,” while funds are “limited” and “spread across multiple agencies,” recommends legislature create a single state agency responsible for prioritizing cleanup projects and a new funding stream that “could be supported by state and federal dollars.”

The [AB 1755](#) Partner Agency team, led by the Department of Water Resources, released an updated [AB 1755 Implementation Journal](#), which details the “implementation strategy and accomplishments to date” for AB 1755, the Open and Transparent Water Data Act, which was signed into law in 2016 and allowed for the creation of a statewide integrated water data platform that would integrate existing water and ecological data information. Its most recent update includes “numerous links to water and ecological data resources,” including a [user interface survey](#) that “seeks input to help ongoing implementation efforts.”

The Legislative Analyst’s Office released “[What Threat Does Sea-Level Rise Pose to California?](#),” it found “Climate scientists have developed a consensus that one of the effects of a warming planet is that global sea levels will rise,” forecasts “between \$8 billion and \$10 billions of existing property in California is likely to be underwater by 2050, with an additional \$6 billion to \$10 billion at risk during high tides,” also says, “higher ocean water levels could force up the water levels underneath the ground as well, leading to flooding, saltwater intrusion into fresh groundwater supplies and toxic contamination by carrying hazardous materials to the surface.”

The Public Policy Institute of California has released its report, “[Making the Most of Water for the Environment: A Functional Flows Approach for California’s Rivers](#),” recommends making policy decisions that follow “components of a river’s flow that sustain the biological, chemical, and physical processes upon which native freshwater species depend,” without mandating “restoration of natural flows or the maintenance of historical ecosystem conditions,” but rather focusing on “preserving key functions — such as sediment movement, water quality maintenance, and environmental cues for species migration and reproduction — that maintain ecosystem health.”

## **Appointments of Interest**

By Governor:

To the California Transportation Commission: **Michele Martinez**, 40, Santa Ana, Democrat, founder and consultant at Emergent P4 Advisors since 2020.

To the California High-Speed Rail Authority Board of Directors: **Nancy Miller**, Sacramento, partner at Renne Sloan Holtzman Sakai LLP since 2015; **Lynn Schenk** (reappointed), San Diego, lawyer in private practice and chief of staff to Gov. Gray Davis from 1999 to 2004; **Anthony Williams**, Orange, legislative affairs secretary in the Office of Gov. Gavin Newsom since 2019.

To the Board of Professional Engineers, Land Surveyors, and Geologists: **Rossana D'Antonio**, Malibu, deputy director at the Los Angeles County Public Works Dept. since 2016.