

CALIFORNIA COASTAL COMMISSION

45 FREMONT, SUITE 2000

FRANCISCO, CA 94105-2219

CE AND TDD (415) 904-5200



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September 18, 1997

TO: Coastal Commissioners and Interested Public

FROM: Peter M. Douglas, Executive Director
James W. Burns, Chief Deputy Director
Jeffrey Stump, Legislative Coordinator

SUBJECT: LEGISLATIVE REPORT FOR OCTOBER 1997

CONTENTS:

This report is divided into three sections: Section I provides summaries and the status of bills that directly affect the Coastal Commission, Section II provides summaries and the status of bills that staff has identified as priority legislation, and Section III provides summaries and status of coastal related legislation. Copies of certain bills are attached.

Note:

This information can be accessed through the Commission's World Wide Web Homepage at <http://ceres.ca.gov/coastalcomm/index.html>

Please contact Jeff Stump, Legislative Coordinator, at (916) 445-6067 with any questions on the material contained in this report.

SECTION I. LEGISLATION DIRECTLY AFFECTING THE COASTAL COMMISSION

AB 198 (Wayne) California Coastal Commission: Appointments

AB 198 would revise Coastal Commissioner appointment procedures to clarify that, in regions composed of 3 counties, the board of supervisors and the city selection committee in each county within the region nominate one or more supervisors and one or more city council members. The bill would require all regional nominations to be made within 45 days from the date of receipt of a request for nominations by the appointing authority and would decrease to 45 days the time within which the names of additional nominees must be sent to the appointing authority following rejection of the original nominations.

Introduced 02/03/97
Last Amend None
Status Chapter 162, Stats. 1997.
Staff Involvement

AB 1022 (Lempert) Coastal Resources: Development Permits: Lobbyists

AB 1022 would require any member of the Coastal Commission who receives a gift worth ten dollars (\$10) or more to either report that gift within seven days to the Executive Director of the Commission in writing, or, if received within seven days of a Commission hearing, disclose the gift on the record of that hearing.

Introduced 02/27/97
Last Amend 09/02/97
Status Enrolled
Staff Involvement Responded to request for technical assistance.

AB 1084 (Bowen) Coastal Resources: Commissions: Membership

AB 1084 would remove the 4 nonvoting members (ex officio members) from the California Coastal Commission and would prohibit a person from being eligible to serve on either the California Coastal Commission or the San Francisco Bay Conservation and Development Commission if that person has been the subject of an enforcement action, as described, for a violation of any provision of law that is subject to the jurisdiction of the commission.

Introduced 02/27/97
Last Amend None
Status Passed Assembly
 Failed to Pass Senate
Staff Involvement

AB 1581 (Keeley) Ocean and Coastal Resources: Budget Act

AB 1581 is a budget trailer bill that would appropriate \$1,520,000 from the General Fund, \$685,000 of which would be appropriated to the California Coastal Commission for administration and support of the commission and for grants to local jurisdictions for the preparation of local coastal programs (LCPs), \$415,000 of which would be appropriated to the Resources Agency to purchase computers and to contract for services to upgrade the Commission's computer system, and \$420,000 of which would be appropriated to the State Water Resources Control Board for water quality monitoring activities

Last Amend 09/13/97
Status Enrolled
Staff Involvement Responded to Committee Chairman's request for testimony, responded to request for technical assistance.

SECTION II. PRIORITY LEGISLATION

AB 93 (Lempert) Highways: Tunnels

AB 93 would require the California Department of Transportation to immediately initiate design and all other project development work for the construction of a tunnel in San Mateo County on State Highway Route 1 behind Devil's Slide through San Pedro Mountain. (Urgency)

Introduced 01/06/97
Last Amend 04/07/97
Commission Position **SUPPORT**
Status Passed Assembly
Referred to Senate Transportation Committee
Staff Involvement

AB 374 (Kuehl) Marine Life Refuges

AB 374 would designate specified ocean waters south of the City of Malibu as the Malibu Marine Life Refuge and specified ocean waters south of Point Dume as the Point Dume Marine Life Refuge.

Introduced 02/19/97
Last Amend 08/11/97
Status Passed Senate Natural Resources Committee (8-3)
Staff Involvement

AB 402 (Keeley) Marine Ecosystems

AB 402 would enact the Marine Ecosystem Conservation Act of 1997, and would make certain declarations concerning the policy of the state concerning marine ecosystems and habitats.

Introduced 02/20/97
Last Amend None
Status This is a two year bill.
Staff Involvement

AB 667 (Lempert) Oil Spills: State Waters

AB 667 would expand the Lempert-Keene-Seastrand Oil Spill Prevention and Response Act to include all waters of the state, making the discharge or spill of oil into the waters of the state subject to criminal and civil penalties.

Introduced 02/26/97
Last Amend 07/10/97
Status This is a two year bill.
Staff Involvement

AB 799 (Bowler) Oil Spill Contingency Plans: Grants

AB 799 would authorize any local government with jurisdiction over, or directly adjacent to, marine waters to apply for a grant to complete, update, or revise an oil spill contingency plan element.

Introduced 02/26/97
Last Amend 04/21/97
Status Enrolled
Staff Involvement

AB 1000 (Keeley) Clean Coastal Waters and Rivers: Bond Act

AB 1000 would enact the Clean Coastal Waters and Rivers Bond Act of 1998 which would authorize, for the purpose of financing a program for the planning, acquisition, development, restoration, enhancement, and protection of real property and related facilities, and for the implementation of programs, for the restoration, enhancement, and protection of coastal and riparian resources, and for the prevention of pollution to coastal waters and rivers the issuance, pursuant to the State General Obligation Bond Law, of bonds in the amount of \$663,000,000. The bill would provide for the submission of the bond act to the voters at the general election to be held November 3, 1998.

Introduced 02/27/97
Last Amend 05/08/97
Commission Position **SUPPORT**
Status This is a two year bill.
Staff Involvement Responded to request for technical assistance.

AB 1169 (Shelley) Environmental and Resources Agencies: Posting of Electronic Data

AB 1169 would require the Resources Agency and the California Environmental Protection Agency, and every state agency within those agencies to post, on an appropriate information page on the Internet, specified information including information concerning meetings. The bill would require those agencies, in addition to providing information that is accessible by personal computer, to continue to make printed copies of all information and documents pertaining to matters within the agency's jurisdiction available to the public at a reasonable cost.

Introduced 02/28/97
Last Amend 06/02/97
Commission Position **OPPOSE UNLESS AMENDED**
Status This is a two year bill.
Staff Involvement Met with author's staff to address Commission's concerns with bill.

AB 1188 (Lempert) Coastal Access Easements

AB 1188 would prohibit the Commission, the Coastal Conservancy, and other state agencies from taking any action to extinguish, through a transfer, sale, or other mechanism, public access rights to any open and operating public accessway that provides access to or along the sea unless the commission has approved that proposed action by a 3/4 vote of the commission's appointed membership.

Introduced 02/28/97
Last Amend 06/18/97
Status Passed Assembly
Failed to pass Senate. This is a two year bill.
Staff Involvement Responded to request for technical assistance.

AB 1228 (Duchy) Public Beach Enhancement

AB 1228 would establish the California Public Beach Enhancement Program, to be administered by the Department of Boating and Waterways, for specified public beach enhancement purposes. The bill would require the department, not later than January 1, 1999, to establish the California Public Beach Enhancement Program Technical Advisory Committee, and would prescribe the membership and functions of the committee..

Introduced 02/28/97
Last Amend 06/02/97
Commission Position **SUPPORT**
Status This is a two year bill.
Staff Involvement

AB 1293 (Bowen) Geographic Information Systems

AB 1293 would enact the Strategic Geographic Information Investment Act of 1997. It would require the Department of Information Technology to create an advisory board, with a described membership, and with specified duties. It would require the department, in consultation with the board, to administer grants under the Geographic Information Grant Program for the development of new, and maintenance of, framework data bases for geographic information systems. It would establish the Geographic Information Grant Fund in the State Treasury for the purpose of funding the grant program, and provide that moneys in the fund shall be subject to appropriation in the annual Budget Act.

Introduced 02/28/97
Last Amend 09/04/97
Status Enrolled
Staff Involvement

AJR 1 (Lempert) State Highway Route 1

AJR 1 would memorialize the President and the Congress to support the efforts of Congressman Lantos to reallocate \$52,000,000 in federal emergency highway repair funds and any other funds available for construction of a tunnel on State Highway Route 1 behind Devil's Slide through San Pedro Mountain in northern San Mateo County.

Introduced 01/06/97
Last Amend None
Status Referred to Assembly Transportation Committee
Staff Involvement

AJR 12 (Mazzoni) Bolinas Lagoon

AJR 12 would memorialize the President and the Congress to appropriate federal funds to be used to preserve and protect the Bolinas Lagoon.

Introduced 02/28/97
Last Amend None
Status Res. Chapter 44, Statutes of 1997.
Staff Involvement

SB 2 (Thompson) Parks and Resources Improvement: Bond Act.

SB 2 would enact the Parks and Resources Improvement Bond Act of 1998 which, if adopted, would authorize, for the purpose of financing a program for the acquisition, development, improvement, rehabilitation, restoration, enhancement, and protection of park, recreational, cultural, historical, fish and wildlife, lake, riparian, reservoir, delta, river, and coastal resources, as specified, the issuance, pursuant to the State General Obligation Bond Law, of bonds in the amount of \$495,000,000.

Introduced 12/09/96
Last Amend 05/01/97
Status Passed Senate Natural Resources and Wildlife Committee (7-0)
Senate Appropriations Committee - Placed on Suspense File

Staff Involvement

SB 72 (McPherson) Coastal Development Permit Fees: Coastal Access Grants

SB 72 would require that coastal development permit fees collected by the Commission be deposited in a coastal access account, which would be created in the State Coastal Conservancy Fund, for grants to public agencies and nonprofit entities or organizations for the development, maintenance and operation of new and existing facilities that provide public access to the sea. This bill would result in approximately \$600,000 being appropriated to public access grants in fiscal year 97-98.

Introduced 12/11/96
Last Amend None
Commission Position **SUPPORT**
Status Enrolled
Staff Involvement Provided committee testimony, technical assistance.

SB 499 (Alpert) Coastal Zone: Polluted Runoff

SB 499 would require the Coastal Commission and the State Water Resources Control Board (SWRCB) to work cooperatively together to develop and implement a coastal nonpoint source pollution control program, as required by the Coastal Zone Act Reauthorization Amendments of 1990.

Introduced 02/20/97
Last Amend 09/05/97
Commission Position **SUPPORT**
Status Enrolled
Staff Involvement Provided committee testimony, technical assistance.

SB 673 (Karnette) Water Quality: Contaminated Sediment

SB 673 would require the Coastal Commission, in cooperation with the State Water Resources Control Board, to establish a contaminated sediments program and to prepare a long-term management plan for the dredging and disposal of contaminated sediments in coastal waters, and would appropriate, from the General Fund, \$100,000 to the Commission and \$100,000 to the state board, for each of 5 fiscal years, commencing with 1997-98 fiscal year, for the preparation of the plan.

Introduced 02/25/97
Last Amend 07/08/97
Commission Position **SUPPORT**
Status Enrolled
Staff Involvement Provided committee testimony, technical assistance.

SB 676 (Peace) Coastal Resources: Coastal Development Permits: Mitigation

SB 676 would make legislative findings and declarations that the California Coastal Commission should not require any applicant who applies for a coastal development permit for a project that is proposed to be located in the coastal zone to perform any mitigation measures as a condition of obtaining the permit if mitigation measures would apply to an area outside of the county in which the project is proposed to be located.

Introduced 02/25/97
Last Amend None
Commission Position **OPPOSE**
Status Introduced
Staff Involvement

SB 1006 (Hayden) Marine Life Refuges

SB 1006 would designate specified ocean waters south of the City of Malibu as the Malibu Marine Life Refuge and specified ocean waters south of Point Dume as the Point Dume Marine Life Refuge.

Introduced 02/30/97
Last Amend 08/25/97
Status Enrolled
Staff Involvement

SB 1119 (Hayden) Coastal Resources: Certified Local Coastal programs

SB 1119 would make legislative findings and declarations that the California Coastal Commission should make every effort possible to assist local governments in the preparation of certified local coastal programs, including providing financial assistance through a grant program.

Introduced 02/28/97
Last Amend None
Status Introduced
Staff Involvement

SECTION III. COASTAL RELATED LEGISLATION

AB 411 (Wayne) Beach Sanitation: Posting

AB 411 would require the State Department of Health Services to adopt regulations requiring the testing of all beaches for total coliform, fecal coliform, enterococci, and streptococci bacteria, establish protective minimum standards for the location of monitoring sites and monitoring frequency, to require posting in clearly visible points along affected beaches whenever state standards are violated, and to require that beaches be tested for total coliform, fecal coliform, enterococci, and streptococci bacteria and chemical pollutants including, but not limited to, PCBs, PAHs, and mercury on a weekly basis from April 1 to October 31, inclusive, of each year if certain conditions are met. AB 411 would require the local health officer to notify the Director of Parks and Recreation within 24 hours of any beach posting, closure, or restriction, and would require the Director of Parks and Recreation to establish a telephone hotline and update it daily to inform the public of beach postings, closures, and restrictions.

Introduced 02/20/97
Last Amend 09/05/97
Status Enrolled
Staff Involvement

AB 1097 (Committee on Governmental Organization) Open Meetings

Existing law authorizes a state body to hold an open or closed meeting by teleconference as defined and repeals that authority on January 1, 1998. This bill would delete that repeal date.

Introduced 02/28/97
Last Amend None
Status Chapter 52, Stats. 1997.
Staff Involvement

AB 1241 (Keeley) Marine Resources

AB 1241 would enact the Sea Life Recovery and Management Act of 1997. The bill would create the Marine Life Management Commission and would delegate to that commission the authority to determine and declare, by regulation, state policy on marine ecosystems, anadromous fisheries and their habitat, and ecosystems, marine mammals, birds, fish, invertebrates, and other wildlife and their habitats in the coastal zone and all marine and tidal waters of the state. The bill would require that commission to regulate the taking or possession of birds, mammals, fish, amphibia, and reptiles in the coastal zone and all marine and tidal waters of the state.

Introduced 02/28/97
Last Amend None
Status This is a two year bill.
Staff Involvement

AB 1429 (Shelley) Water Quality

AB 1429 would require the state board to do all of the following: (a) Continue to implement the California State Mussel Watch Program, as specified. (b) On or before January 1, 1999, to prepare and make available to the public a report with regard to all water quality monitoring activities undertaken within coastal watersheds by public and private entities. (c) On or before January 1, 2001, to prepare and implement a comprehensive program to monitor the quality of coastal watersheds and to prepare and make available to the public a related annual report, as prescribed. (d) To establish a uniform system for monitoring and reporting on the mass discharge of pollutants from storm water discharges and other point source discharges. (e) To monitor the discharge of pollutants into the Santa Monica Bay through storm drains, as specified. (f) On or before June 1, 1998, to establish a prescribed citizen volunteer coastal water quality monitoring program. (g) To provide assistance to appropriate agencies with regard to the Monterey Bay Water Quality Protection Program and undertake related activities. The bill would appropriate, from the General Fund to the state board, funds to implement these measures.

Introduced 02/03/97
Last Amend 09/03/97
Status Enrolled
Staff Involvement

AB 1464 (Strom-Martin) Water Quality

AB 1464 would require the State Water Resources Control Board and the California regional water quality control boards to prepare and publicize a list of high quality water bodies within coastal watersheds that may constitute outstanding national resources and to establish a program by which the public may nominate, and the state board may review, water bodies for possible inclusion in that list. This bill would also require the state board to establish three pilot wastewater treatment projects that use alternative municipal wastewater treatment methods in three coastal communities.

Introduced 02/28/97
Last Amend 08/26/97
Status Enrolled
Staff Involvement

SB 62 (McPherson) California State Mussel Watch Program

SB 62 would require the State Water Resources Control Board, in conjunction with the Department of Fish and Game, to continue to implement a long-term coastal monitoring program known as the California State Mussel Watch Program. SB 62 would appropriate \$700,000 from the General Fund to the state board to pay the costs of the program pursuant to the bill.

Introduced 12/09/96
Last Amend 08/07/97
Status Enrolled
Staff Involvement

SB 65 (McPherson) Public Beaches: Contamination: Warning Signs

SB 65 would require, when a public beach has failed to meet bacteriological standards, that warning signs be visible from all beach access points.

Introduced 12/10/96
Last Amend 07/21/97
Status Enrolled
Staff Involvement

SB 87 (O'Connell) Land and Water Conservation

SB 87 would enact the California Land and Water Conservation Act of 1997, pursuant to which the Secretary of the Resources Agency would implement a program under which qualified property, as defined, may be contributed to the state, any local government, as defined, or to any nonprofit organization designated by a local government, based on specified criteria in order to provide for the specified protection of wildlife habitat, open space, and agricultural lands. This bill would also authorize a credit, in an amount equal to the qualified percentage, as defined, of the fair market value of any qualified contribution, as defined, contributed during the taxable or income year.

Introduced 12/17/96
Last Amend 05/01/97
Status Passed Senate Revenue and Taxation Committee (6-2)
Senate Appropriations Committee - Placed on Suspense File
Staff Involvement

SB 1048 (Sher) Coastal Conservancy: San Francisco Bay Area Program

SB 1048 would establish the San Francisco Bay Area Program, administered by the conservancy, for the purpose of ensuring that a coordinated, comprehensive, and effective program is implemented to address the resource and recreational needs of the San Francisco Bay area, and to improve public access to and around the San Francisco Bay and coastal areas through completion of specified trails projects and related facilities. The bill would require the conservancy to cooperate with cities, counties, and districts, regional governmental bodies, and nonprofit land trusts in identifying and adopting long-term resources and outdoor recreational goals for the San Francisco Bay area. The bill would create the San Francisco Bay Area Account in the State Coastal Conservancy Fund, for the purpose of depositing and disbursing funds for the administration and implementation of the program. The program would become operative if and when the sum of \$1,000,000 is appropriated by the Legislature for deposit in the San Francisco Bay Area Program Account, and would prohibit any existing funds that are available to the conservancy for other purposes from being used to fund the program.

Introduced 02/27/97
Last Amend 09/04/97
Status Enrolled
Staff Involvement

AB 1022 Coastal resources: commission: gift reporting.

BILL NUMBER: AB 1022 ENROLLED 09/10/97

PASSED THE ASSEMBLY SEPTEMBER 10, 1997
PASSED THE SENATE SEPTEMBER 4, 1997
AMENDED IN SENATE SEPTEMBER 2, 1997
AMENDED IN SENATE JULY 2, 1997
AMENDED IN SENATE JUNE 18, 1997
AMENDED IN ASSEMBLY MAY 7, 1997
AMENDED IN ASSEMBLY APRIL 24, 1997
AMENDED IN ASSEMBLY APRIL 17, 1997
AMENDED IN ASSEMBLY APRIL 7, 1997

INTRODUCED BY Assembly Member Lempert

FEBRUARY 27, 1997

An act to amend Section 30324 of the Public Resources Code, relating to coastal resources.

LEGISLATIVE COUNSEL'S DIGEST

AB 1022, Lempert. Coastal resources: commission: gift reporting.

Existing law, the California Coastal Act of 1976, prohibits a member of the California Coastal Commission and any interested person, as defined, from conducting an ex parte communication unless the commission member fully discloses, as prescribed, and makes public, the ex parte communication by providing a full report of the communication to the executive director of the commission within 7 days after the communication or, if the communication occurs within 7 days of the next commission hearing, to the commission on the record of the proceeding at that hearing.

This bill would require a commission member who receives a gift of a value of \$10 or more from an interested person pursuant to those provisions, upon receipt of the gift, to disclose the gift, within 7 days of the date of receipt of the gift, by submitting a written report of the gift to the executive director, who shall thereupon place the report in the commission's official record or, if the gift is received within 7 days of the next commission hearing, to disclose the gift to the commission on the record of the proceeding of that hearing.

SECTION 1. Section 30324 of the Public Resources Code is amended to read:

30324. (a) No commission member, nor any interested person, shall conduct an ex parte communication unless the commission member fully discloses and makes public the ex parte communication by providing a full report of the communication to the executive director within seven days from the date of the communication or, if the communication occurs within seven days of the next commission hearing, to the commission on the record of the proceeding at that hearing.

(b) (1) The commission shall adopt standard disclosure forms for reporting ex parte communications that include, but are not be limited to, all of the following information:

(A) The date, time, and location of the communication.

(B) The identity of the person or persons initiating, and the person or persons receiving, the communication.

(C) A complete description of the content of the communication, including the complete text of any written material that was a part of the communication.

(2) The executive director shall place any report of an ex parte communication in the public record.

(c) Communications shall cease to be ex parte communications when fully disclosed and placed in the commission's official record.

(d) (1) Any commission member who receives a gift of a value of ten dollars (\$10) or more from an interested person pursuant to paragraph (1) of subdivision (d) shall, upon receipt of the gift, disclose the gift, within seven days of the date of receipt of the gift, by submitting a written report of the gift to the executive director, who shall thereupon place the report in the commission's official record, or, if the gift is received within seven days of the next commission hearing, disclose the gift to the commission on the record of the proceeding of that hearing.

(2) The gift disclosure and reporting requirements imposed on members of the commission pursuant to paragraph (1) are in addition to, and are not intended to change or eliminate, any existing requirements, imposed pursuant to Title 9 (commencing with Section 81000) of the Government Code.



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AB 1581 Coastal and ocean resources management programs:

BILL NUMBER: AB 1581 PROPOSED 09/09/97

PROPOSED CONFERENCE REPORT SEPTEMBER 9, 1997

CONFERENCE REPORT NO. 1

PROPOSED IN CONFERENCE SEPTEMBER 9, 1997

AMENDED IN SENATE AUGUST 11, 1997

AMENDED IN ASSEMBLY MAY 20, 1997

INTRODUCED BY Assembly Member Keeley (Principal coauthors: Senators Alpert and O'Connell) (Coauthors: Assembly Members Bordonaro and Bowen) (Coauthors: Senators Hayden, McPherson, and Thompson)

MARCH 17, 1997

~~An act to add Division 28 (commencing with Section 36525) to the Public Resources Code, relating to ocean resources. An act relating to coastal and ocean resources, and making an appropriation therefor.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 1581, as amended, ~~Committee on Budget~~ Keeley.

~~Ocean Coastal and ocean resources management programs : strategy team: assessment, report, and evaluation funding.~~

Existing law requires the California Coastal Commission, the State Water Resources Control Board, and the Resources Agency to implement and administer various coastal and ocean resources management programs.

This bill would appropriate \$1,520,000 from the General Fund, \$685,000 of which would be appropriated to the California Coastal Commission for administration and support of the commission and for grants to local jurisdictions for the preparation of local coastal programs, as specified, \$420,000 of which would be appropriated to the State Water Resources Control Board for specified water quality monitoring activities pertaining to coastal resources, and \$415,000 of which would be appropriated to the Resources Agency for commission networking equipment and to contract for services to upgrade the commission's computer system.

~~Existing law, the California Ocean Resources Management Act of 1990 (CORMA), created the Ocean Resources Task Force and required the task force to prepare and submit to the Legislature by July 1, 1994, a report and plan describing existing ocean resources management activities and impacts, as specified.~~

~~This bill would enact the California Ocean Resources Management Act of 1998 and establish the Coastal Operations and Strategy Team of 1998, which would remain in existence until July 1, 1998. The bill would prescribe the membership of the strategy team and require the strategy team, not later than February 28, 1998, to prepare and submit to the Legislature the California Ocean Resources Management Assessment, containing specified components. The bill would require the strategy team, not later than April 30, 1998, to prepare and submit to the Legislature a report describing the action steps that are necessary to authorize and implement a coastal management plan, containing specific recommendations, as specified. The bill would require the strategy team, not later than May 15, 1998, to prepare and submit to the Legislature an evaluation that evaluates what is needed to~~

implement assessment components.

The bill would specify related matters and make related legislative findings and declarations.

Vote: majority 2/3 . Appropriation: no yes . Fiscal committee: yes. State-mandated local program: no.

SECTION 1 Division 28 (commencing with Section

SECTION 1. The sum of one million five hundred twenty thousand dollars (\$1,520,000) is hereby appropriated from the General Fund, as follows:

(a) The sum of six hundred eighty-five thousand dollars (\$685,000) to the California Coastal Commission, as follows:

(1) The sum of three hundred forty-five thousand dollars (\$345,000) for the administration and support of the California Coastal Commission.

(2) The sum of three hundred forty thousand dollars (\$340,000) for grants to local jurisdictions for the completion of local coastal programs, as defined in Section 30108.6 of the Public Resources Code. If local jurisdictions do not accept those funds to prepare local coastal programs, the California Coastal Commission may, with the approval of the Director of Finance, retain a portion of those funds to prepare local coastal programs for those local jurisdictions.

(b) The sum of four hundred twenty thousand dollars (\$420,000) to the State Water Resources Control Board for purposes of preparing an inventory of existing water quality monitoring activities within state coastal watersheds, bays, estuaries, and coastal waters, and a report that proposes the implementation of a comprehensive program to monitor the quality of state coastal watersheds, bays, estuaries, and coastal waters.

(c) The sum of four hundred fifteen thousand dollars (\$415,000) to the Resources Agency to purchase networking equipment for the California Coastal Commission and to contract for services necessary to upgrade the California Coastal Commission's computer system. 36525) is added to the Public Resources Code, to read:

DIVISION 28 OCEAN RESOURCES MANAGEMENT

CHAPTER 1 GENERAL PROVISIONS

36525 This act shall be known, and may be cited, as the California Ocean Resources Management Act of 1997.

36526 The Legislature hereby finds and declares all of the following:

(a) The coastal and ocean waters along the California Coast are among the world's most biologically productive and nutrient rich marine habitats and support a great diversity of marine life.

(b) The health, productivity, diversity, and integrity of ocean resources is of vital and enduring economic, environmental, and social interest and concern to California and the nation.

(c) California's Coastal Management Program, which was approved by the federal government in 1978, has effectively implemented a broad planning and management program to ensure sound long-term environmentally sustainable use of coastal resources. However, the program is not fully inclusive and comprehensive and does not adequately provide for the effective management of land and ocean uses that affect the health and vitality of ocean resources.

SB 72 Coastal development permit fees: coastal access g

BILL NUMBER: SB 72 ENROLLED 09/08/97

PASSED THE ASSEMBLY SEPTEMBER 8, 1997

PASSED THE SENATE JUNE 5, 1997

INTRODUCED BY Senator McPherson

DECEMBER 11, 1996

An act to amend Section 30620 of the Public Resources Code, relating to coastal resources.

LEGISLATIVE COUNSEL'S DIGEST

SB 72, McPherson. Coastal development permit fees: coastal access grants.

Existing law, the California Coastal Act of 1976, authorizes the California Coastal Commission to require a reasonable filing fee and the reimbursement of expenses for the processing by the commission of any application for a coastal development permit, as specified.

Existing law vests authority in the State Coastal Conservancy to provide for coastal access.

This bill would require that coastal development permit fees collected by the commission be deposited in the Coastal Access Account, which the bill would create in the State Coastal Conservancy Fund. The money in the account would be available, upon appropriation by the Legislature in the annual Budget Act, to the State Coastal Conservancy for grants to public agencies and private nonprofit entities or organizations for the development, maintenance, and operation of new or existing facilities that provide public access to the shoreline of the sea, as defined in the act. The bill would require any grant funds not expended for those purposes to revert to the account.

SECTION 1. Section 30620 of the Public Resources Code is amended to read:

30620. (a) By January 30, 1977, the commission shall, consistent with this chapter, prepare interim procedures for the submission, review, and appeal of coastal development permit applications and of claims of exemption. These procedures shall include, but are not limited to, the following:

(1) Application and appeal forms.

(2) Reasonable provisions for notification to the commission and other interested persons of any action taken by a local government pursuant to this chapter, in sufficient detail to ensure that a preliminary review of that action for conformity with this chapter can be made.

(3) Interpretive guidelines designed to assist local governments, the commission, and persons subject to this chapter in determining how the policies of this division shall be applied in the coastal zone prior to the certification of local coastal programs. However, the guidelines shall not supersede, enlarge, or diminish the powers or authority of the commission or any other public agency.

(b) Not later than May 1, 1977, the commission shall, after public hearing, adopt permanent procedures that include the components specified in subdivision (a) and shall transmit a copy of those procedures to each local government within the coastal zone and make them readily available to the public. The commission may thereafter, from time to time, and, except in cases of emergency, after public hearing, modify or adopt additional procedures or guidelines that the commission determines to be necessary to better carry out this division.

(c) (1) The commission may require a reasonable filing fee and the reimbursement of expenses for the processing by the commission of any application for a coastal development permit under this division and, except for local coastal program submittals, for any other filing, including, but not limited to, a request for revocation, categorical exclusion, or boundary adjustment, submitted for review by the commission.

(2) Any coastal development permit fees collected by the commission under paragraph (1) shall be deposited in the Coastal Access Account, which is hereby created in the State Coastal Conservancy Fund. The money in the account shall be available, upon appropriation by the Legislature in the annual Budget Act, to the State Coastal Conservancy for grants to public agencies and private nonprofit entities or organizations for the development, maintenance, and operation of new or existing facilities that provide public access to the shoreline of the sea, as defined in Section 30115. Any grant funds that are not expended for those purposes shall revert to the account. Nothing in this paragraph authorizes an increase in fees or creates any new authority on the part of the commission.

(d) With respect to any appeal of an action taken by a local government pursuant to Section 30602 or 30603, the executive director shall, within five working days of receipt of an appeal from any person other than members of the commission or any public agency, determine whether the appeal is patently frivolous. If the executive director determines that an appeal is patently frivolous, the appeal shall not be filed unless a filing fee in the amount of three hundred dollars (\$300) is deposited with the commission within five working days of the receipt of the executive director's determination. If the commission subsequently finds that the appeal raises a substantial issue, the filing fee shall be refunded.



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SB 499 Water quality: nonpoint source pollution.

BILL NUMBER: SB 499 ENROLLED 09/11/97

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**INTRODUCED BY Senator Alpert (Coauthors: Senators Solis and Watson)
(Coauthors: Assembly Members Davis, Keeley, Knox, Kuehl, Lempert, Mazzoni,
Perata, Strom-Martin, and Wayne)**

FEBRUARY 20, 1997

An act to add Chapter 10 (commencing with Section 66406) to Division 1 of Title 7 of the Government Code, to add Sections 21083.10, 30012.5, and 30412.1 to the Public Resources Code, and to add Section 13167.1 to, and to add Chapter 5.4 (commencing with Section 13367) to Division 7 of, the Water Code, relating to water.

LEGISLATIVE COUNSEL'S DIGEST

SB 499, Alpert. Water quality: nonpoint source pollution.

The Porter-Cologne Water Quality Act governs the coordination and control of water quality in this state, and includes provisions relating to nonpoint source pollution. The California Coastal Act of 1976 imposes certain restrictions on development in the coastal zone of the state. The California Coastal Commission, pursuant to the coastal act, has specified duties with regard to the federally approved California Coastal Management Program.

This bill would require the State Water Resources Control Board and the commission to work cooperatively together to develop and implement a coastal nonpoint source pollution control program with specified components, as required by the Coastal Zone Act Reauthorization Amendments of 1990. The bill would require the program to develop and implement management measures for nonpoint source pollution that protect and improve the quality of coastal waters, as prescribed.

The bill would require the commission, the state board, and the regional boards to work together to coordinate and promote existing education and outreach efforts focused on nonpoint source pollution in the state's coastal waters, as prescribed. The bill would require the state board and the commission to prepare and submit to the Legislature, and make available to the public, a prescribed biennial status report.

The bill would require the commission, within 6 months of the date of completion of, and consistent with the results of, the City of Monterey's Model Urban Runoff Program contract with the state board, to prepare a model urban nonpoint source pollution protection program and to make the program available to certain local coastal governments, as prescribed. The bill would also require the commission, on or before December 31, 1998, to recommend to the Office of Planning and Research certain revisions to specified guidelines relating to watershed, water quality, and nonpoint source pollution impacts of projects, as specified. The bill would

require the office to review those recommendations and, as soon as possible, prepare and develop guidelines for the implementation of those guideline revision recommendations and submit those proposed implementation guidelines to the Secretary of the Resources Agency. The bill would authorize the secretary to certify and adopt those proposed implementation guidelines pursuant to specified existing law.

The bill would make legislative findings and declarations concerning nonpoint source pollution.

SECTION 1. The Legislature finds and declares all of the following:

(a) Nonpoint source pollution impairs more water bodies nationwide than any other pollution source, and is a major threat to the health of California's coastal waters.

(b) The impacts of nonpoint source pollution in coastal areas include beach closings and advisories, reduced tourism revenues, closed or harvest-limited shellfish beds, declining fisheries, and threats to the drinking water of coastal communities.

(c) Industries that depend on a healthy coast and ocean contribute at least seventeen billion three hundred million dollars (\$17,300,000,000) to the state's economy, including ten billion dollars (\$10,000,000,000) from tourism alone, and provide 370,000 jobs.

(d) Past water quality protection and enhancement efforts have focused primarily on the control of point source discharges. While improvements have been made in the reduction of water pollution from point source discharges, more work is needed to address nonpoint sources of pollution.

(e) Unlike direct discharges, nonpoint source pollution is highly variable and diffuse, and is thus generally not amenable to the traditional regulatory approach used to address point source pollution.

(f) Sediment and water quality problems result from individual and cumulative impacts of multiple water and land use activities that occur within watersheds.

(g) With 80 percent of the state's population living within 30 miles of the coast, the problems caused by urban nonpoint source pollution, including pollution created by new and existing developments, road repair and construction, and misuse of industrial and residential chemicals, are becoming acute in California's coastal environments.

(h) Nonpoint source pollution caused by the more than 1,000,000 residential onsite sewage disposal systems statewide, as well as the numerous systems used for commercial, industrial, and institutional facilities, presents a serious threat to water quality and public health through leaching of bacteria, viruses, heavy metals, and organic chemicals into the waters of the state.

(i) Nonpoint source pollution from recreational boats and marinas directly contaminates the state's waters with bacteria and viruses from sewage, fuel oil spills, toxics from boat cleaning and maintenance, and solid waste.

(j) Nonpoint source pollution from agricultural and forestry activities contributes sediment and pollutant loads to the state's surface water and groundwater.

(k) Voluntary land use and resource management that is supported by educational and technical assistance programs and that is backed with enforcement regulatory authorities is considered to be one of the most effective approaches to ensure the widespread implementation of measures to control nonpoint source pollution.

(l) To date, state efforts to control the increasing threats to the health of coastal waters posed by nonpoint source pollution have been limited primarily to the exploration of possible control measures, with relatively little actual implementation or enforcement of new measures.

(m) It is in the best interest of the state of California to pursue policies and actions at the state and local government levels that are coordinated, well-planned, efficient and timely, and that will, to the maximum extent feasible, substantially reduce or prevent the degradation of coastal water quality from nonpoint sources of pollution.

(n) Under Section 6217 of the federal Coastal Zone Act Reauthorization Amendments of 1990 (16 U.S.C. Sec. 1455b), California, acting through its water quality control and coastal zone management agencies, is required to develop, implement, and enforce a coastal nonpoint source pollution control program containing measures to prevent and reduce nonpoint source pollution into the state's coastal waters.

(o) The development and implementation of a coastal nonpoint source pollution control program provides an opportunity for California to better coordinate and improve its existing nonpoint source and coastal zone management programs, while simultaneously maximizing limited resources, minimizing disagreement and conflict between the agencies, and avoiding program duplication among the spectrum of agencies in California that address land use activities that generate nonpoint source pollution.

(p) To preserve the health of the state's coastal waters for current and future generations, a heightened level of attention should be given to nonpoint source pollution statewide. It is imperative that state agencies charged with protecting the coast and the quality of the state's waters play a leadership role in ensuring that effective measures to control nonpoint source pollution are implemented and enforced through a comprehensive nonpoint source pollution control program.

(q) The State Water Resources Control Board and the regional water quality control boards have primary responsibility for the coordination and control of water quality.

(r) The State Water Resources Control Board and the California Coastal Commission have existing authority to develop and submit for final federal approval a comprehensive and enforceable nonpoint source pollution water quality program.

(s) The Legislature also recognizes that adequate support resources for the completion and implementation of this program will need to be approved and dedicated by the Governor and the Legislature through the annual Budget Act.

SEC. 2. Chapter 10 (commencing with Section 66406) is added to Division 1 of Title 7 of the Government Code, to read:

CHAPTER 10. NONPOINT SOURCE POLLUTION

66406. (a) Within six months of the date of completion of, and consistent with the results of, the City of Monterey's Model Urban Runoff Program contract with the State Water Resources Control Board, the California Coastal Commission shall prepare a model urban nonpoint source pollution protection program, and shall make this program available to local coastal governments that are not covered by the national pollutant discharge elimination system (NPDES) storm water permit program under Section 402(p) of the Clean Water Act (33 U.S.C. Sec. 1342(p)), as well as to local coastal governments who request copies of the program.

(b) The program shall include, but not be limited to, all of the following:

- (1) A framework for prioritizing urban management measures to address nonpoint source pollution problems.
- (2) Municipal planning tools and procedures such as model ordinances and model checklists prepared under the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code).
- (3) Model public education and technical training programs.

(c) The program shall be prepared in consultation with the State Water Resources Control Board, in recognition of that agency's primary responsibility for water quality control in the state.

SEC. 3. Section 21083.10 is added to the Public Resources Code, to read:

21083.10. (a) To require an assessment of a project's contribution to nonpoint source pollution, on or before December 31, 1998, the California Coastal Commission shall recommend to the Office of Planning and Research revisions to the guidelines developed pursuant to Section 21083 to amend the environmental information and environmental checklist forms to include consideration of watershed, water quality, and nonpoint source pollution impacts of projects, including specific consideration as to whether the project conforms to the applicable water quality control plans prepared pursuant to Section 13170 or 13240 of the Water Code. The California Coastal Commission shall make those recommendations in writing and shall include substantial supporting evidence for those recommendations.

(b) The Office of Planning and Research shall review the recommendations made pursuant to subdivision (a) and, as soon as possible, prepare and develop guidelines for the implementation of those guideline revision recommendations and submit those proposed implementation guidelines to the Secretary of the Resources Agency. The Secretary of the Resources Agency may certify and adopt the proposed implementation guidelines pursuant to Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code.

SEC. 4. Section 30012.5 is added to the Public Resources Code, to read:

30012.5. The commission, the State Water Resources Control Board, and the regional water quality control boards shall work together to coordinate and promote existing education and outreach efforts focused on nonpoint source pollution in the state's coastal waters. The program shall be carried out in conjunction with existing federal, state, and local efforts that address the causes and remedies of nonpoint source pollution problems, as well as the effects of nonpoint source pollution on the health of coastal waters and habitats. The program shall be designed to reach dischargers of coastal nonpoint source pollution, including the general public, local governments, businesses, industrial groups, and the development community. The commission and the State Water Resources Control Board shall submit to the Legislature as part of the status report required under subdivision (f) of Section 30412.1, and make available to the public, a biennial summary of their progress in implementing this section.

SEC. 5. Section 30412.1 is added to the Public Resources Code, to read:

30412.1. (a) The commission and the State Water Resources Control Board shall, as required by Section 6217 of the federal Coastal Zone Act Reauthorization Amendments of 1990 (16 U.S.C. Sec. 1455b), work cooperatively together to develop and implement a coastal nonpoint source pollution control program that complies with existing applicable state and federal laws.

(b) This shall be a comprehensive program, with identified, enforceable policies and mechanisms, that coordinates federal, state, and local programs as necessary to effectively address nonpoint source pollution on a watershed basis, as well as a statewide basis, as appropriate. Implementation and enforcement of this program shall be consistent with the three-tiered structure established in the nonpoint source management plan adopted by the State Water Resources Control Board. The components of the program shall include, but not be limited to, all of the following:

(1) The identification of land use categories that impact coastal waters.

(2) A description of the management measures that will be applied to prevent or control nonpoint sources of pollution generated by the land use categories identified in paragraph (1). In selecting these measures, the commission and the State Water Resources Control Board shall review and include in the program appropriate technical advisory committee recommendations developed pursuant to the state board's nonpoint source pollution program review conducted in January, 1995, or Section 6217 of the federal Coastal Zone Act Reauthorization Amendments of 1990 (16 U.S.C. Sec. 1455b).

(3) A continuing process to identify and designate critical coastal areas, determined on a watershed basis, where the application of additional management measures will be necessary to attain and maintain water quality standards and protect designated beneficial uses.

(4) A detailed description of how coordination will be improved in order to carry out the program among the federal, state, and local agencies responsible for land use programs and permitting, water quality permitting and enforcement, habitat protection, and public health and safety.

(5) The provision of technical assistance, grants, and other assistance, to the extent funding is available for these purposes, to local governments, affected landowners, and the public for implementing approved management measures for all sources of nonpoint source pollution. Assistance may include the development or implementation of watershed management plans, ordinances, and other regulations; individual management measures; training; financial incentives; technical guidance; demonstration projects; and modeling to predict and assess the effectiveness of the management measures.

(6) Measures for assessing the progress of the program with regard to the implementation of management measures selected pursuant to Section 13367 and the reduction of nonpoint source pollution.

(7) A strategy to monitor the effects of the implementation and enforcement of the management measures on the coastal environment.

(c) For the purpose of this section, "management measures" means economically achievable measures for the control of the addition of pollutants from existing and new categories of nonpoint sources of pollution, that reflect the greatest degree of pollutant reduction achievable through the application of the best achievable nonpoint source pollution control practices, technologies, processes, siting criteria, operating methods, or other alternatives.

(d) The commission and the State Water Resources Control Board shall take all necessary and appropriate actions to ensure effective and efficient cooperation and coordination of program activities. This may include sharing technical resources and staff expertise and other support resources relating to the development and implementation of a comprehensive coastal nonpoint source pollution control program.

(e) In addition to funding provided through the annual Budget Act for necessary staffing and technical support, both the state board and the commission are encouraged to seek supplemental funding from public or private sources for program development and implementation. These funds may be used to provide technical assistance, grants, and other assistance to local governments, other public entities, nonprofit organizations, private sector businesses such as agriculture, and property owners to help defray the costs, if any, of implementation of management practices and the installation of capital improvements designed to reduce or prevent the degradation of water quality from nonpoint source pollution.

(f) The State Water Resources Control Board and the commission shall prepare and submit to the Legislature, and make available to the public, a biennial status report. The status report shall include a summary of the state nonpoint source pollution control program's accomplishments pursuant to Section 6217 of the federal Coastal Zone Reauthorization Amendments of 1990 (16 U.S.C. Sec. 1455b), a review of ongoing program activities, information on the implementation of management activities pursuant to Section 6217 of the federal Coastal Zone Act Reauthorization Amendments of 1990, and relevant actions in the coastal zone by the commission.

(g) The commission and the State Water Resources Control Board shall provide the public with opportunities for participation in all aspects of the program, including the use of public notices and opportunities for comment, nomination procedures, public hearings, technical and financial assistance, public education, and other means for providing opportunities for public participation.

SEC. 6. Section 13167.1 is added to the Water Code, to read:

13167.1. The state board, the regional boards, and the California Coastal Commission shall work together to coordinate and promote existing education and outreach efforts focused on nonpoint source pollution in the state's coastal waters. The program shall be carried out in conjunction with existing federal, state, and local efforts that address the causes and remedies of nonpoint source pollution problems, as well as the effects of nonpoint source pollution on the health of coastal waters and habitats. The program shall be designed to reach dischargers of coastal nonpoint source pollution, including the general public, local governments, businesses, industrial groups, and the development community. The California Coastal Commission and the state board shall submit to the Legislature as part of the status report required under subdivision (f) of Section 13367, and make available to the public, a biennial summary of their progress in implementing this section.

SEC. 7. Chapter 5.4 (commencing with Section 13367) is added to Division 7 of the Water Code, to read:

CHAPTER 5.4. COASTAL NONPOINT SOURCE POLLUTION

13367. (a) The state board and the California Coastal Commission shall, as required by Section 6217 of the federal Coastal Zone Act Reauthorization Amendments of 1990 (16 U.S.C. Sec. 1455b), work cooperatively together to develop and implement a coastal nonpoint source pollution control program that complies with existing applicable state and federal laws.

(b) This shall be a comprehensive program, with identified, enforceable policies and mechanisms, that coordinates federal, state, and local programs as necessary to effectively address nonpoint source pollution on a watershed basis, as well as a statewide basis, as appropriate. Implementation and enforcement of this program shall be consistent with the three-tiered structure established in the nonpoint source management plan adopted by the state board. The components of the program shall include, but not be limited to, all of the following:

(1) The identification of land use categories that impact coastal waters.

(2) A description of the management measures that will be applied to prevent or control nonpoint sources of pollution generated by the land use categories identified in paragraph (1). In selecting these measures, the state board and the California Coastal Commission shall review and include in the program appropriate technical advisory committee recommendations developed pursuant to the state board's nonpoint source pollution control program review conducted in January, 1995, or Section 6217 of the federal Coastal Zone Act Reauthorization Amendments of 1990 (16 U.S.C. Sec. 1455b).

(3) A continuing process to identify and designate critical coastal areas, determined on a watershed basis, where the application of additional management measures will be necessary to attain and maintain water quality standards and protect designated beneficial uses.

(4) A detailed description of how coordination will be improved in order to carry out the program among the federal, state, and local agencies responsible for land use programs and permitting, water quality permitting and enforcement, habitat protection, and public health and safety.

(5) The provision of technical assistance, grants, and other assistance, to the extent funding is available for these purposes, to local governments, affected landowners, and the public for implementing approved management measures for all sources of nonpoint source pollution. Assistance may include the development or implementation of watershed management plans, ordinances, and other regulations; individual management measures; training; financial incentives; technical guidance; demonstration projects; and modeling to predict and assess the effectiveness of the management measures.

(6) Measures for assessing the progress of the program with regard to the implementation of management measures selected pursuant to this section and the reduction of nonpoint source pollution.

(7) A strategy to monitor the effects of the implementation and enforcement of the management measures on the coastal environment.

(c) For the purpose of this section, "management measures" means economically achievable measures for the control of the addition of pollutants from existing and new categories of nonpoint sources of pollution, that reflect the greatest degree of pollutant reduction achievable through the application of the best achievable nonpoint source pollution control practices, technologies, processes, siting criteria, operating methods, or other alternatives.

(d) The state board and the California Coastal Commission shall take all necessary and appropriate actions to ensure effective and efficient cooperation and coordination of program activities. This may include sharing technical resources and staff expertise and other support resources relating to the development and implementation of a comprehensive coastal nonpoint source pollution control program.

(e) In addition to funding provided through the annual Budget Act for necessary staffing and technical support, both the state board and the California Coastal Commission are encouraged to seek supplemental funding from public or private sources for program development and implementation. These funds may be used to provide technical assistance, grants, and other assistance to local governments, other public entities, nonprofit organizations, private sector businesses such as agriculture, and property owners to help defray the costs, if any, of implementation of management practices and the installation of capital improvements designed to reduce or prevent the degradation of water quality from nonpoint source pollution.

(f) The state board and the California Coastal Commission shall prepare and submit to the Legislature, and make available to the public, a biennial status report. The status report shall include a summary of the state nonpoint source pollution control program's accomplishments pursuant to Section 6217 of the federal Coastal Zone Act Reauthorization Amendments of 1990 (16 U.S.C. Sec. 1455b), a review of ongoing program activities, information on the implementation of management activities pursuant to Section 6217 of the federal Coastal Zone Act Reauthorization Amendments of 1990, and relevant actions in the coastal zone by the commission.

(g) The state board and the California Coastal Commission shall provide the public with opportunities for participation in all aspects of the program, including the use of public notices and opportunities for comment, nomination procedures, public hearings, technical and financial assistance, public education, and other means for providing opportunities for public participation.

SEC. 8. Nothing in this act shall be construed to expand the regulatory, enforcement, or jurisdictional authority of either the State Water Resources Control Board or the California Coastal Commission.



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SB 673 Water quality: contaminated sediment.

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AMENDED IN SENATE APRIL 15, 1997

INTRODUCED BY Senator Karnette

FEBRUARY 25, 1997

An act to add Section 13396.9 to the Water Code, relating to water, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

SB 673, Karnette. Water quality: contaminated sediment.

Existing law prohibits the State Water Resources Control Board and the California regional water quality control boards from granting approval for a dredging project that involves the removal or disturbance of sediment that contains pollutants at or above certain sediment quality objectives unless certain requirements are met. Existing law establishes the California Coastal Commission and grants to that commission specified duties relating to coastal protection.

This bill would require the commission and the Los Angeles Regional Water Quality Control Board to jointly establish and participate in the multiagency Los Angeles Basin Contaminated Sediments Task Force, as specified, and to develop, based on the recommendations of the task force, a long-term management plan for the dredging and disposal of contaminated sediments in coastal waters adjacent to the County of Los Angeles, as prescribed. The bill would require the commission and that regional board to seek to enter into an agreement with specified federal agencies to participate in the preparation of the long-term management plan, and would require the commission and the regional board, on or before January 1, 1999, to prepare and submit to the Legislature a report indicating the status of that agreement.

The bill would appropriate, from the General Fund, \$100,000 to the commission and \$100,000 to the state board, for allocation to the regional board, for each of 5 fiscal years, commencing with the 1997-98 fiscal year, for the preparation of the plan.

Appropriation: yes.

SECTION 1. Section 13396.9 is added to the Water Code, to read:

13396.9. (a) The California Coastal Commission and the Los Angeles Regional Water Quality Control Board shall establish and participate in the multiagency Los Angeles Basin Contaminated Sediments Task Force, in cooperation with all interested parties, including, but not limited to, the United States Environmental Protection Agency, the United States Army Corps of Engineers, the Port of Long Beach, and the Port of Los Angeles.

(b) (1) On or before January 1, 2003, the California Coastal Commission shall, based upon the recommendations of the task force, develop a long-term management plan for the dredging and disposal of contaminated sediments in the coastal waters adjacent to the County of Los Angeles. The plan shall include identifiable goals for the purpose of minimizing impacts to water quality, fish, and wildlife through the management of sediments. The plan shall include measures to identify environmentally preferable, practicable disposal alternatives, promote multiuse disposal facilities and beneficial reuse, and support

efforts for watershed management to control contaminants at their source.

(2) The California Coastal Commission and the Los Angeles Regional Water Quality Control Board shall seek to enter into an agreement with the United States Environmental Protection Agency and the United States Army Corps of Engineers for those federal agencies to participate in the preparation of the long-term management plan, and, on or before January 1, 1999, shall prepare and submit to the Legislature a report indicating the status of that agreement.

(c) The California Coastal Commission and the Los Angeles Regional Water Quality Control Board, in cooperation with the task force, shall conduct not less than one annual public workshop to review the status of the plan and to promote public participation.

SEC. 2. (a) The sum of one hundred thousand dollars (\$100,000) is hereby appropriated from the General Fund to the California Coastal Commission, for the 1997-98 fiscal year, and one hundred thousand dollars (\$100,000) each year for the 1998-99, 1999-2000, 2000-01, and 2001-02 fiscal years, inclusive, for participation in the development of a long-term management plan for the dredging and disposal of contaminated sediments in the coastal waters adjacent to the County of Los Angeles in accordance with Section 13396.9 of the Water Code.

(b) The sum of one hundred thousand dollars (\$100,000) is hereby appropriated from the General Fund to the State Water Resources Control Board, for allocation to the Los Angeles Regional Water Quality Control Board, for the 1997-98 fiscal year, and one hundred thousand dollars (\$100,000) each year for each of the other fiscal years identified in subdivision (a) for participation in the development of the plan described in that subdivision.



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