

CALIFORNIA COASTAL COMMISSION

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April 23, 1999 **RECORD PACKET COPY**

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 MAY 1999

CONTENTS:

This report provides summaries and the status of bills that affect the Coastal Commission and California's Coastal Program as well as bills that staff has identified as coastal related legislation. Copies of selected 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 (415) 904-5266 with any questions on the material contained in this report.

PRIORITY LEGISLATION

AB 18 (Keeley) Villaraigosa-Keeley Urban Parks, Clean Water, and Coastal Protection Bond Act of 2000

AB 18 would authorize the issuance of bonds in the amount of \$1,500,000,000 for the acquisition, development, improvement, rehabilitation, restoration, enhancement, and protection of park, recreational, cultural, historical, fish and wildlife, lake, riparian, reservoir, river, and coastal resources.

Introduced	12/07/98
Last Amend	03/23/99
Status	Passed Assembly Natural Resources; re-referred to Assembly Water, Parks, and Wildlife
Staff Involvement	None
Comm. Position	SUPPORT

AB 64 (Ducheny) Public Beach Restoration Act

AB 64 would establish the California Public Beach Restoration Program, to be administered by the Department of Boating and Waterways, for specified public beach enhancement, restoration, and nourishment purposes. The bill would create a Public Beach Restoration Fund to be funded by a transfer of \$35 million from the General Fund for three years.

Introduced	12/07/98
Last Amend	03/22/99
Status	Passed Assembly Natural Resources Committee; re-referred to Assembly Appropriations suspense file
Staff Involvement	None
Comm. Position	SUPPORT

AB 75 (Strom-Martin) State Agency Recycling

AB 75 would require each state agency on or before January 1, 2001, to develop, in consultation with the California Integrated Waste Management Board, an integrated waste management program. It would also require each state agency and each large state facility to divert at least 25% of their solid waste generated from landfill or transformation facilities by January 1, 2002, and at least 50% by January 1, 2004.

Introduced	12/07/98
Last Amend	03/23/99
Status	Passed Assembly Natural Resources; re-referred to Assembly Consumer Protection, Govt. Efficiency, Econ. Development
Staff Involvement	None

AB 399 (Wayne) Coastal Development Permits: Finding

AB 399 would require that every coastal development permit issued for any development within the coastal zone include findings pertaining to public access and public recreation policies.

Introduced	02/12/99
Last Amend	None
Status	This is a two year bill.
Staff Involvement	Working with author to draft legislation and amendments
Comm. Position	SUPPORT

AB 492 (Wayne) Coastal Resources: Public Access

AB 492 would prohibit the Commission, the Coastal Conservancy, or any other state agency from taking any action that would extinguish public access to, or along the sea, unless, after a public hearing, the Commission approves the action after finding that a clear, significant, and present risk to public safety exists that necessitates the proposed action.

Introduced 02/18/99
Last Amend None
Status Referred to Assembly Natural Resources; first hearing cancelled at request of author
Staff Involvement Working with author to draft amendments
Comm. Position **SUPPORT**

AB 511 (Wayne) Nonpoint Source Pollution

AB 511 clarifies the Commission's existing authority to address and minimize the adverse impacts of nonpoint source pollution when implementing Coastal Act policies related to coastal public access and recreation, the protection of biological productivity, coastal waters, and sensitive habitat, and new development. The Commission would also be required, not later than January 1, 2001, to prepare and submit to the Governor and the Legislature an annual report on the progress made in implementing the *Polluted Runoff Strategy of the California Coastal Commission*.

Introduced 02/18/99
Last Amend None
Status Passed Assembly Natural Resources and Appropriations Committees
Staff Involvement Worked with author to draft legislation
Comm. Position **SUPPORT**

AB 538 (Wayne) Coastal Storm Water Discharges

AB 538 would require the appropriate California regional water quality control board, in cooperation with the local health officer, whenever testing reveals that the waters adjacent to a public beach fail to meet those bacteriological standards on 3 testing dates within a one-month period, to investigate and identify the geographical sources and biological origins of the bacteriological contamination and to take all steps necessary to substantially reduce those sources. The bill would require the regional boards to report annually to the State Water Resources Control Board, the department, and the general public on the results of any investigation and subsequent actions performed pursuant to those provisions.

Introduced 02/18/99
Last Amend 04/08/99
Status Passed Assembly Environmental Safety and Toxic Materials Committee, re-referred to Appropriations Committee
Staff Involvement None

AB 604 (Jackson) Nonpoint Source Pollution

AB 604 would require the State Water Resources Control Board, on or before January 1, 2001, in consultation with the Commission and the State Department of Health Services, to establish measurable performance goals for the purpose of carrying out the state's nonpoint source pollution program in accordance with the CZARA Section 6217.

Introduced 02/19/99
Last Amend None
Status Passed Assembly Natural Resources Committee, referred to Appropriations Committee
Staff Involvement None

AB 642 (Lempert) Coastal Resources: Wetlands Mitigation and Restoration.

AB 642 would establish the California Coastal Wetlands Mitigation Banking and Restoration Act of 2000, which would require the Resources Agency, in cooperation with other responsible federal, state, and local agencies, to adopt regulations that establish standards and criteria for a mitigation bank site qualification process in the coastal zone, the evaluation of wetlands acreage and habitat values created at bank sites, and the operation of bank sites. The bill would permit any person who desires to establish a bank site to apply to the agency, and to any other appropriate state agency that requires a permit, for a determination that the proposed bank site and the proposed operator qualify under the standards and criteria established by the agency. Most importantly, the bill finds that no net loss of wetlands acreage or wetlands functions should occur in the coastal zone and it is the goal of this state to increase the total wetlands acreage and wetlands functions within the coastal zone.

Introduced 02/23/99
Last Amend 04/05/99
Status Passed Assembly Natural Resources, re-referred to Appropriations Committee
Staff Involvement Reviewing bill, working with author on technical amendments

AB 703 (Lempert) Ballast Water Discharges

AB 703 would require the master of a vessel that enters the waters of the state, upon entering those waters, to submit to the board a fully completed ballast water report form. Between April 1, 2000, and December 31, 2002, a vessel would be prohibited from discharging ballast water that was initially loaded from coastal waters outside the Pacific Coast Region into the waters of the state without a permit issued by the board. The bill would prohibit, on and after January 1, 2003, a vessel from discharging ballast water that contains live exotic ballast water organisms into the waters of the state, except as authorized by a special permit.

Introduced 02/24/99
Last Amend 04/05/99
Status Referred to Assembly Environmental Safety and Toxic Materials
Staff Involvement None

AB 809 (Strom-Martin) Special Environmental Design License Plates: Fund

AB 809 would require one-half of the fees that are currently deposited in the California Environmental License Plate Fund to instead be deposited in the License Plate Coastal Access Account, which the bill would create, in the State Coastal Conservancy Fund of 1984. The bill would require the money in this new account to be available, upon appropriation, to the State Coastal Conservancy for grants to public agencies and nonprofit entities or organizations for specified purposes.

Introduced 02/24/99
Last Amend None
Status Passed Assembly Transportation and Natural Resources Committees; re-referred to Assembly Appropriations
Staff Involvement Worked with author to draft legislation
Comm. Position **SUPPORT**

AB 848 (Kuehl) Coastal Development Permits: Temporary, Nonrecurring Movie and Television Sets

AB 848 would authorize the executive director of the Commission, in order to expedite the processing of a coastal development permit for a motion picture production project, to schedule for a public hearing and possible action, an appeal of a coastal development permit issued by a local government for a temporary motion picture production project that does not initially comply with all applicable coastal development permit procedural requirements, but that is anticipated to comply fully with those procedural requirements by the time the matter is before the commission on appeal.

Introduced 02/24/99
Last Amend 04/14/99
Status Passed Assembly Natural Resources Committee
Staff Involvement Working with the author on amendments

AB 885 (Jackson) Coastal Onsite Sewage Treatment Systems

AB 885 would require the State Department of Health Services, on or before January 1, 2001, in consultation with the State Water Resources Control Board, the California Coastal Commission, and the California Conference of Directors of Environmental Health, to adopt, by regulation, statewide performance standards for all onsite sewage treatment systems within the coastal zone. The bill would require all affected onsite sewage treatment systems to comply with the standards no later than January 1, 2003, or 3 years from the date of the adoption of the standards, whichever is earlier.

Introduced 02/25/99
Last Amend 04/14/99
Status Passed Assembly Environmental Safety and Toxic Materials Committee; re-referred to Appropriations Committee
Staff Involvement None

AB 989 (Lowenthal) Coastal Development: Notice of Violation

AB 989 would permit the executive director of the commission to file notice of a violation of the Coastal Act if the executive director has determined that real property has been developed in violation of the act. The bill would require a public hearing to be held if the owner submits a timely objection to the filing of the notice of violation, and would require the issuance of a clearance letter if the Commission finds that no violation has occurred. If the Commission determines that a violation has occurred, the bill would require the recordation of the notice of violation with the county recorder in which the real property is located.

Introduced 02/25/99
Last Amend 04/12/99
Status Passed Assembly Natural Resources as amended; re-referred to Appropriations Committee
Staff Involvement Worked with author to draft legislation
Comm. Position SUPPORT

AB 1000 (House) Eminent Domain: Regulation

AB 1000 would specify that any official act, decision, or regulation of a public entity which restricts the use or impairs the value of private property constitutes an exercise of the power of eminent domain, and shall only be given effect upon the payment to the owner of the private property of just compensation.

Introduced 02/25/99
Last Amend None
Status Referred to Assembly Judiciary; hearing set 4/27/99
Staff Involvement None

AB 1128 (Ackerman) Private Property: Taking

AB 1128 would provide that for the purpose of any law, including any constitutional provision, that requires just compensation for the taking of any private property, that requirement shall apply upon the making of a final decision affecting private property rights. The bill would provide that a final decision, for that purpose, occurs upon the last date that an agency may make or review any agency action prior to the bringing of any action or proceeding in any court to challenge the validity of the agency action. Further, the bill states that upon the existence of any final decision, any person who claims that an agency action entitles the person to just compensation for affected property rights may exercise any administrative or judicial right or remedy to obtain that compensation, separately from any claim relative to the validity of the agency action, and the agency or court shall process the claim for just compensation without regard to the validity of the agency action.

Introduced 02/25/99
Last Amend None
Status Referred to Assembly Judiciary
Staff Involvement None

AB 1280 (Jackson) Oil and Gas Development: Pipelines

AB 1280 would amend the Coastal Act requiring that all oil extracted from a source located in whole, or in part, under the sea be transported by pipeline to onshore processing and refining facilities, and that all pipelines used to transport this oil utilize the best available technology to ensure maximum protection of public health and safety and of the integrity and productivity of terrestrial and marine ecosystems. The bill would also require the California Coastal Commission, in conjunction with the State Water Resources Control Board, the State Fire Marshall, the Division of Oil and Gas of the Department of Conservation, and the State Department of Health Services, to conduct a specified inventory and assessment of oil and gas pipelines and, not later than June 1, 2000, to report its findings regarding that inventory and assessment to the Legislature.

Introduced	02/26/99
Last Amend	04/08/99
Status	Passed Assembly Natural Resources Committee; re-referred to Appropriations Committee
Staff Involvement	Worked with the author on amendments.
Comm. Position	SUPPORT

AB 1293 (Mazzoni) Coastal Protection: Public Education Programs

AB 1293 would require that the Commission's public education program also include outreach to special groups such as the boating community, and incorporate information on the prevention and reduction of nonpoint source pollution. The bill would provide that, because the actions of people throughout a watershed impact the coast and the ocean, the geographic extent of the commission's education and outreach program shall not be limited to outreach conducted only in the coastal zone.

Introduced	2/26/99
Last Amend	None
Status	Passed Assembly Natural Resources and Appropriations Committees
Staff Involvement	Worked with author to draft legislation
Comm. Position	SUPPORT

SJR 2 (Alpert) Offshore Oil Leases

This measure would request that President Clinton extend the moratorium on federal offshore leases to certain leases awarded prior to the moratorium or to terminate those leases.

Introduced	01/07/99
Last Amend	03/17/99
Status	Passed Senate Natural Resources and Wildlife Committee and Senate floor; held at Assembly
Staff Involvement	None

SB 2 (Chesbro) Watershed, Wildlife, and Parks Improvement Bond Act of 2000

SB 2 would authorize the issuance of bonds in the amount of \$854,500,000 for the acquisition, development, improvement, rehabilitation, restoration, enhancement, and protection of park, recreational, cultural, historical, fish and wildlife, lake, riparian, reservoir, river, and coastal resources.

Introduced	12/07/98
Last Amend	03/22/99
Status	Referred to Senate Natural Resources and Wildlife Committee; set for hearing 4/20/99
Staff Involvement	None

SB 48 (Sher) Public Records: Disclosure

SB 48 would allow any person who has been denied access by a state or local government to a public record to appeal that denial to the Attorney General within 20 days of the date of denial. The bill would recommend the Attorney General to issue a decision on the appeal within 20 days of the date of the request. If the Attorney General finds that an agency's decision to refuse disclosure was not justified under the California Public Records Act, this bill requires the Superior Court to impose a fine on the agency of not less than \$100 for each day that access to the public record was delayed.

Introduced 12/07/98
Last Amend 04/12/99
Status Passed Senate Judiciary Committee; re-referred to Senate Appropriations
Staff Involvement Working with the author

SB 57 (Hayden) Coastal, Recreational, and Natural Resources Bond Act of 2000

SB 57 would authorize the issuance of bonds in the amount of \$2,000,000,000 for the purpose of financing a program for the maintenance, expansion, development, or rehabilitation of parks and wildlife, for the protection, restoration, or enhancement of natural resource sites, or for science and environmental education centers, museums, and other facilities. The bill would require the Secretary of State to submit the bond act to the voters at the November 7, 2000, statewide general election.

Introduced 12/07/98
Last Amend 04/05/99
Status Passed Senate Natural Resources and Wildlife Committee; re-refer to Senate Appropriations
Staff Involvement None

SB 74 (Murray, Sher) Parks, Coastal, Recreational, and Natural Resources Bond Act of 2000

SB 74 would establish the Murray-Hayden Urban Parks, Environmental Cleanup, and Youth Service Act, which would provide funding for various projects and programs to develop parks, recreation, and youth service centers, and establish youth service projects. The bill would require all state agencies to cooperate in carrying out the provisions of the act by providing advice and assistance to those departments that have primary responsibility for implementing a program or project under the act.

Introduced 12/07/98
Last Amend 04/15/99
Status Passed Senate Natural Resources and Wildlife Committee; re-referred to Senate Appropriations
Staff Involvement None

SB 110 (Peace) Energy Conservation, Power Facility and Site Certification, Notice of Intention

SB 110 would eliminate the requirement that electric utilities' 5- and 12-year forecasts established by the Energy Commission serve as the basis for the planning and certification of electric transmission and thermal power plant facilities. This bill would also make various changes with respect to the information required in an Application for Certification, and to be contained in the commission's written decision concerning the application. Moreover, SB 110 would eliminate, for purposes of the current exemption for thermal power plants from certification requirements, the requirement that the commission find that generating capacity will not be added that is substantially in excess of the integrated assessment of need.

Introduced 12/15/98
Last Amend 04/05/99
Status Passed Senate Energy, Utilities, and Communications Committee; re-refer to Senate Appropriations
Staff Involvement Working with the author on amendments

SB 153 (Haynes) Property Owner Rights Act of 1999

SB 153 would require public agencies to minimize the number of agency actions that may significantly impair the use of private property. Under this bill, every public agency is required to conduct a private property taking impact analysis prior to taking any agency action that may significantly impair the use of private property. Furthermore, this bill would require an exaction or mitigation measure, imposed by a public agency as a condition to a discretionary act, to have a direct relationship to the public burdens imposed by, and to be roughly proportional in nature and extent to the impact of, the proposed activity.

Introduced	01/07/99
Last Amend	None
Status	Referred to Senate Judiciary Committee; second hearing cancelled at request of author
Staff Involvement	None
Comm. Position	OPPOSE

SB 221 (Alpert) Oil Spill Prevention

Existing law, the Lempert-Keene-Seastrand Oil Spill Prevention and Response Act, prohibits the operation of a nontank vessel of 300 gross registered tons or greater in the marine waters of the state unless the owner or operator prepares and submits an oil spill contingency plan to the administrator for oil spill response and the plan is approved. SB 221 would exempt certain public vessels from those requirements.

Introduced	01/25/99
Last Amend	None
Status	Referred to Senate Committees on Environmental Quality and Judiciary
Staff Involvement	None

SB 227 (Alpert) Water Quality: Nonpoint Source Pollution

SB 227I would require the commission, on or before February 1, 2000, to distribute, in consultation with the state board, copies of the Model Urban Runoff Program Manual to certain local coastal governments. The bill would require the state board, in consultation with the regional boards, to prepare and implement a detailed program for the purposes of enforcing requirements imposed on nonpoint source pollution discharges, as specified. The state board would be required, commencing on or before January 1, 2001, and in consultation with the commission, to prepare and submit a biennial nonpoint source pollution control management report with prescribed components.

Introduced	01/25/99
Last Amend	04/19/99
Status	Passed Senate Committees on Natural Resources and Wildlife and Environmental Quality; re-referred to Senate Appropriations
Staff Involvement	Worked with author to draft legislation
Comm. Position	SUPPORT

SB 241 (Alpert) California Endowment for Marine Preservation

SB 241 would establish the California Endowment for Marine Preservation, to be governed by a board of directors, in order to create a permanent source of funding for projects that will enhance the quality, use, and enjoyment of the open coastal marine resources of the state. The bill would also require each owner and operator of certain offshore oil platforms or production facilities, who receives government permits that allow the platform or facility to remain in place, to deposit an unspecified amount with the endowment.

Introduced	01/26/99
Last Amend	None
Status	Referred to Senate Committee on Natural Resources and Wildlife; hearing postponed
Staff Involvement	Working with author

SB 243 (McPherson) Coastal Resources: Development Fees Appropriation

SB 243 would require funds, generated by the California Coastal Commission's development permit application fees and expended by the Coastal Conservancy for the development and maintenance of coastal public access, to be continuously appropriated, instead of annually, under the state Budget Act. This bill would also require the State Board of Control to allow a claim for reasonable attorney's fees incurred by an owner of any interest in real property or a public entity as a defendant in a specified civil action seeking to restrict or prevent public use of the property if the owner or public entity gives permission to the public to enter the property pursuant to a specified agreement regarding recreational use. The bill would limit the total sum of these and the above claims for attorney's fees to \$200,000 per fiscal year.

Introduced 01/26/99
Last Amend 03/18/99
Status Passed Senate Committee on Natural Resources and Wildlife; referred to Senate Appropriations
Staff Involvement Worked with author on amendments
Comm. Position **SUPPORT**

SB 291 (Chesbro) State Lands: Access to Public Land

Existing law authorizes the State Lands Commission, if the commission has specified public lands to which there is no available access, to acquire by purchase, lease, gift, exchange, or, if all negotiations fail, by condemnation, a right-of-way or easement across privately owned land or other land that it deems necessary to provide access to that public land. This bill would make a technical, clarifying change in those provisions.

Introduced 02/02/99
Last Amend None
Status Referred to Senate Rules Committee
Staff Involvement None

SB 300 (Poochigian) Governmental Liability: Permits

SB 300 would provide that a state agency is liable to a private property owner for a temporary taking of the owner's real property if the agency is responsible for a delay in the issuance of a development permit affecting the use of the real property, and the delay is the result of a final decision of the agency that is later determined by a court to be legally erroneous. The bill would also provide that a delay that occurs as a result of the normal development approval process or as a result of litigation challenging a final decision by a state agency constitutes a temporary taking under those provisions if the final decision of the state agency is later determined by a court to be legally erroneous.

This bill would also declare that it is intended to supersede the holding of the California Supreme Court in *Landgate, Inc. v. California Coastal Com.*, 17 Cal. 4th 1006, with regard to any claim arising on or after its effective date.

Introduced 02/03/99
Last Amend None
Status Failed to Pass Senate Judiciary Committee (reconsideration granted)
Staff Involvement Testified in Committee
Comm. Position **OPPOSE**

SB 551 (McPherson) Local Agencies: Building and Zoning Ordinances

SB 551 would add building and zoning ordinances incorporated in any local coastal plan to those ordinances that do not apply under existing law to the location or construction of facilities for the production, generation, storage, or transmission of water, wastewater, or electrical energy or to electrical substations in an electrical transmission system which receives electricity at less than 100,000 volts.

Introduced 02/19/99
Last Amend None
Status Author dropped bill.
Staff Involvement None

SB 1065 (Bowen) Public records: Electronic Format

SB 1065 would require any agency that has information that constitutes an identifiable public record in an electronic format to make that information available in an electronic format, when requested by any person. The bill would require the agency to make the information available in any electronic format in which it holds the information.

Introduced 02/26/99
Last Amend None
Status Passed Senate Judiciary Committee; re-referred to Senate Appropriations
Staff Involvement None

SB 1244 (O'Connell) Coastal Resources: Oil and Gas Development

The California Coastal Act of 1976, requires that oil and gas development be permitted in accordance with specified requirements if specified conditions are met. SB 1244 would authorize oil and gas development to be permitted in accordance with specified requirements if the applicant for a permit for that development can demonstrate that the development can be performed safely and is consistent with the geologic conditions of the well site.

Introduced 02/26/99
Last Amend None
Status Referred to Senate Natural Resources and Wildlife
Staff Involvement None

COASTAL-RELATED LEGISLATION

AB 680 (Lempert) Oil Spill Prevention: Nonmarine Waters

Under the existing Lempert-Keene-Seastrand Oil Spill Prevention and Response Act, it is a crime to, among other things, knowingly engage in or cause the spill or discharge of at least one barrel of oil into marine waters, and the intentional or negligent spill or discharge of that quantity of oil into marine waters is also subject to specified civil penalties. AB 680 would make such a spill or discharge of oil into nonmarine waters of the state on or after January 1, 2000, subject to those criminal and civil penalties.

Introduced 02/23/99
Last Amend None
Status Passed Assembly Natural Resources Committee; re-referred to Assembly Appropriations
Staff Involvement None

AB 730 (Dickerson) Watershed Protection

AB 730 would require the Secretary of the Resources Agency to carry out a watershed management and rehabilitation program to restore watersheds in the state. The bill would declare the intent of the Legislature to annually appropriate an unspecified amount of money to the Resources Agency to carry out the program.

Introduced 02/24/99
Last Amend None
Status Referred to Assembly Natural Resources Committee
Staff Involvement None

AB 928 (Brewer) Upper Newport Bay Ecological Reserve Maintenance and Preservation Fund: Appropriation

Existing law establishes the Upper Newport Bay Ecological Reserve Maintenance and Preservation Fund in the State Treasury and appropriates \$200,000 annually from the General Fund to the fund for expenditure by the Department of Fish and Game for purposes relating to the maintenance and preservation of the Upper Newport Bay Ecological Reserve. AB 928 would increase the appropriation to \$400,000 annually, until January 1, 2005, and would provide that the money in the fund is continuously appropriated.

Introduced 02/25/99
Last Amend 04/19/99
Status Passed Assembly Water, Parks, and Wildlife Committee; re-referred to Assembly Appropriations
Staff Involvement None

AB 993 (Shelley) Marine Resources: Sea Life Conservation Act

AB 993 would require the Department of Fish and Game to prepare a study report and other relevant analyses and recommendations to guide the siting process and the development of the Sea Life Conservation Program. The bill would require the department, on or before June 1, 2001, to convene in each biogeographical region, siting workshops composed of representatives of stakeholder groups with an interest in marine managed areas (MMAs) that region, to develop options for siting sea life reserve networks.

Introduced 02/25/99
Last Amend None
Status Passed Assembly Water, Parks, and Wildlife Committee; re-referred to Assembly Appropriations
Staff Involvement None

AB 1179 (Frusetta) Wetlands Protection: Legislative Findings and Declarations

AB 1179 would make legislative findings and declarations relating to the importance of protecting and restoring wetlands in the state.

Introduced 02/25/99
Last Amend None
Status Introduced
Staff Involvement None

AB 1210 (Strom-Martin) Marine Resources: Commercial Fishing: Bodega Marine Life Refuge

AB 1210 would authorize the Director of Fish and Game to appoint the Director of the Bodega Marine Life Refuge. It would also specify the authority of the marine life refuge director. The bill would make it unlawful to enter the marine life refuge for specified purposes without authorization, or to anchor or moor a vessel in the refuge without authorization.

Introduced 02/26/99
Last Amend None
Status Passed Assembly Water, Parks, and Wildlife Committee; re-referred to Assembly Appropriations
Staff Involvement None

AB 1219 (Kuehl) Land Use: Water Supply

AB 1219 would require that the water supply assessment process under the Planning and Zoning Law be linked to the land use planning to enhance coordination between public water systems and land use agencies as development projects proceed from planning to the construction process. It would also require the public water system to prepare a statement containing the most current water supply assessment, to be used by the city or county as a condition for approval of a subdivision map application. The bill would also require a city or county to disapprove a subdivision map application if the public water system concludes that water supplies are insufficient and that it is unreasonable to acquire additional water supplies, unless the city or county makes specified findings based on substantial evidence and imposes specified conditions.

Introduced 02/26/99
Last Amend 04/07/99
Status Referred to Committee on Local Government
Staff Involvement None

AB 1239 (Leonard) Safe Drinking Water, Clean Water, Flood Prevention, and Water Supply Act

AB 1239 would authorize, for purposes of financing a safe drinking water, flood protection, and water quality, and water supply program, the issuance, pursuant to the State General Obligation Bond Law, of bonds in the amount of \$2,050,000,000. The bill would require the Secretary of State to submit the bond act to the voters at the March 7, 2000, statewide direct primary election.

Introduced 02/26/99
Last Amend None
Status Referred to Assembly Environmental Safety and Toxic Materials Committee; hearing cancelled at request of author
Staff Involvement None

SB 394 (McPherson) Aquatic nuisance species

Existing law contains provisions designed to prevent the introduction and spread of aquatic nuisance species, as defined, into any river, estuary, bay, or coastal area through the exchange of ballast water of vessels prior to entering those waters. It also requires operators of all vessels that have the capacity to take on or discharge ballast water to complete a ballast water control report form as a condition of using the waters of this state. These provisions are to be repealed on January 1, 2000.

This bill would extend these provisions indefinitely by repealing the repeal date.

Introduced	02/12/99
Last Amend	None
Status	Passed Senate Natural Resources; re-referred to Senate Appropriations
Staff Involvement	None

SB 413 (Burton) Water Resources Bond Act of 2000

SB 413 would authorize, for purposes of financing a safe drinking water, water quality, water supply, and flood protection program, the issuance, pursuant to the State General Obligation Bond Law, of bonds in the amount of \$____. The bill would require the Secretary of State to submit the bond act to the voters at the ____ 2000 statewide election.

Introduced	02/12/99
Last Amend	None
Status	Referred to Senate Agriculture and Water Resources Committee
Staff Involvement	None

SB 680 (O'Connell) Land and Water Conservation

SB 680 would require the Secretary of the Resources Agency to implement a program under which qualified property may be contributed to the state, any local government, or to any nonprofit organization designated by a local government in order to provide for the protection of wildlife habitat, open space, and agricultural lands.

Introduced	02/24/99
Last Amend	None
Status	Passed Senate Natural Resources; re-referred to Senate Revenue and Taxation
Staff Involvement	None

SB 755 (Hayden) California Environmental Quality Act

SB 755 would make various amendments to the California Environmental Quality Act including, but not limited to, the following: require a lead agency to find that a project may have a significant impact on the environment as specified; when making a finding of overriding benefit, a potential increase in the public agency's revenues may not be considered a valid overriding benefit; if a master environmental impact report is prepared, the master environmental project shall be certified prior to a lead agency's approval of any phase of the project and; prohibit a city or county from approving a development agreement without prior or concurrent compliance with the act.

Introduced	02/24/99
Last Amend	04/05/99
Status	Referred to Senate Environmental Quality Committee
Staff Involvement	None

SB 1057 (Johannessen) Environmental Quality: Land Acquisitions

SB 1057 would prohibit the categorical exemption of a project, pursuant to CEQA, that includes the acquisition of land for the purpose of fish and wildlife conservation or habitat establishment, preservation, restoration, or enhancement.

Introduced	02/26/99
Last Amend	None
Status	Referred to Senate Environmental Quality Committee
Staff Involvement	None

SB 1088 (Poochigian) Watershed Management

SB 1088 would authorize state and local agencies to undertake a watershed management program. The bill would require the state agency or local agency undertaking the watershed management program to provide a general public notice and assemble a stakeholder planning team consisting of specified members. It would prescribe procedures for the adoption of the program and require the agency adopting the program to consider protests to the adoption and implementation of the program. Finally, SB 1088 would require state and local projects to be consistent with a watershed management program adopted pursuant to the act.

Introduced	02/26/99
Last Amend	04/05/99
Status	Passed Senate Agriculture and Water Resources Committee; re-referred to Senate Environmental Quality
Staff Involvement	None

SB 1164 (Mountjoy) Public Lands Protection Act

This bill would enact the Public Lands Protection Act, which, until January 1, 2008, would prohibit undeveloped private property from being developed or used for any purpose other than agriculture, grazing, or low-density residential use, or from being rezoned to allow development at a higher level of residential density use, unless the proposed rezoning for alternative development or use is summarized in a proposal that is submitted to the voters in a local ballot measure, and approved by a majority of the voters. SB 1164 would prohibit the rezoning of any portion of undeveloped private property that is zoned for low-density residential use as of January 1, 2000, without voter approval. The act shall only apply in counties with a population of 1,000,000 or more, and shall not apply in cities with a population of 70,000 or more persons or cities incorporated after the year 1915.

Introduced	02/26/99
Last Amend	04/15/99
Status	Referred to Senate Local Government Committee; set for hearing 5/12/99
Staff Involvement	None

SB 1281 (Chesbro) Dredging Projects: Funding

SB 1281 would appropriate \$68,951,030 from the General Fund to the Director of Boating and Waterways for allocation for the 1999-2000 fiscal year to local port and harbor agencies for purposes of meeting local matching share requirements for federal navigation projects. The bill would express legislative intent with respect to the funding of projects of specified local port and harbor agencies in the period extending from July 1, 2000, to June 30, 2004, inclusive.

Introduced	02/26/99
Last Amend	04/13/99
Status	Referred to Senate Agriculture and Water Resources Committee
Staff Involvement	None



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Bill Info

AB 848 Coastal development permits: temporary, nonrecurr

Past Sessions

Codes

BILL NUMBER: AB 848 AMENDED 04/14/99

Statutes

AMENDED IN ASSEMBLY APRIL 14, 1999

Constitution

INTRODUCED BY Assembly Member Kuehl

FEBRUARY 24, 1999

An act to add Section 30610.9 to the Public Resources Code, relating to coastal resources.

LEGISLATIVE COUNSEL'S DIGEST

AB 848, as amended, Kuehl. Coastal development permits: temporary, nonrecurring movie and television sets.

The existing California Coastal Act of 1976 requires any person wishing to perform or undertake any development in the coastal zone, as defined, to obtain a coastal development permit, except as provided. The act requires the California Coastal Commission to hear appeals brought with respect to actions taken on a coastal development permit application, as prescribed.

This bill would authorize the executive director of the commission, in order to expedite the processing of a coastal development permit for a motion picture production project, to schedule for a public hearing and possible action, an appeal of a coastal development permit issued by a local government for a temporary motion picture production project that does not initially comply with all applicable coastal development permit procedural requirements, but that is anticipated to comply fully with those procedural requirements by the time the matter is before the commission on appeal exempt from the provisions governing permit appeals to the commission, a project to construct a temporary, nonrecurring set constructed in connection with a motion picture, television, and commercial advertising project that is located in the coastal zone, if specified conditions are met. The bill would provide that if a project does not meet those conditions, a person objecting to the issuance of a permit for the project may file an appeal with the commission within 5 days from the date of the permit approval, and would require the commission to hear the appeal at its next regularly scheduled meeting.

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

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

(a) The motion picture and television industry is a vital segment of California's economy ~~, and has.~~

(b) Because the filming of motion pictures is often conducted outside of a studio setting and involves the temporary placement of sets and other support facilities in outdoor locations, it is critical to ensure that those sets and support facilities can be constructed in a timely manner.

SEC. 2. Section 30610.9 is added to the Public Resources Code, to read:

30610.9. In order to expedite the processing of a coastal development permit for a motion picture production project, the executive director may schedule for a public hearing and possible action, an appeal of a coastal development permit issued by a local government for a temporary motion picture production project that does not initially comply with all applicable coastal development permit procedural requirements, but that is anticipated to comply fully with those procedural requirements by the time the matter is before the commission on appeal. This section is only applicable to a coastal development permit that is appealable to the commission under Section 30603, and is not otherwise exempt as a temporary event under subdivision (i) of Section 30601. contributed more than \$27.5 million to the state's economy by employing, either directly or indirectly, more than 500,000 people in the state.

~~(b) Because many motion pictures and television shows are filmed on location, and require the temporary placement of sets, and other support facilities and equipment in outdoor locations, the set up of those film and television location sets should be permitted by the state without undue delays.~~

~~(c) To expedite the processing of a coastal development permit for motion picture, television, and commercial production projects in the coastal zone, as defined in Section 30103 of the Public Resources Code, the construction of temporary, nonrecurring motion picture and television sets should be exempt from coastal development permit appeal requirements under the California Coastal Act of 1976 (Division 20 (commencing with Section 30000) of the Public Resources Code).~~

SEC. 2. Section 30610.9 is added to the Public Resources Code, to read:

30610.9. (a) A project to construct a temporary, nonrecurring set for a motion picture, television, or commercial advertising project in the coastal zone shall be excluded from the coastal development permit appeal process provided for in this chapter, if all of the following conditions are met:

(1) The property on which the set will be constructed is located within a jurisdiction that has a certified local coastal plan that has been implemented, and the local government in that jurisdiction has the authority to issue a coastal development permit for the property.

(2) The motion picture, television, or production company constructing the set has

~~obtained an approved coastal development permit from the appropriate local government with the authority to grant a permit for the property.~~

~~(3) The production activity, including preparation, construction, filming, and set construction and removal at the site, will not exceed 100 days.~~

~~(4) The set is not constructed or located on property that is owned or operated by the state.~~

~~(b) If a project to construct a temporary, nonrecurring set in the coastal zone does not meet the conditions set forth in subdivision (a), a person who objects to the issuance of a coastal development permit for the project may, within five days from the date of the permit approval, file an appeal with the commission, and the commission shall hear the appeal at its next regularly scheduled meeting.~~

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Bill Info

AB 1000 Eminent domain: regulation.

Past Sessions

BILL NUMBER: AB 1000 INTRODUCED 02/25/99

Codes

INTRODUCED BY Assembly Member House

Statutes

FEBRUARY 25, 1999

Constitution

An act to add Section 1240.025 to the Civil Code, relating to eminent domain.

LEGISLATIVE COUNSEL'S DIGEST

AB 1000, as introduced, House. Eminent domain: regulation.

Existing law, the Eminent Domain Law, requires the payment of just compensation for the taking of private property, as specified.

This bill would specify that any official act, decision, or regulation of a public entity which restricts the use or impairs the value of private property constitutes an exercise of the power of eminent domain, and shall only be given effect upon the payment to the owner of the private property of just compensation.

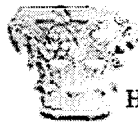
Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

SECTION 1. Section 1240.025 is added to the Civil Code, to read:

1240.025. Any official act, decision, or regulation of a public entity which restricts the use or impairs the value of private property constitutes an exercise of the power of eminent domain pursuant to this title, and shall only be given effect upon the payment to the owner of the private property of just compensation.

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Bill Info

AB 1128 Private property: taking.

Past Sessions

BILL NUMBER: AB 1128 INTRODUCED 02/25/99

Codes

INTRODUCED BY Assembly Member Ackerman

Statutes

FEBRUARY 25, 1999

Constitution

An act to add Chapter 9.5 (commencing with Section 66040) to Division 1 of Title 7 of the Government Code, relating to land use.

LEGISLATIVE COUNSEL'S DIGEST

AB 1128, as introduced, Ackerman. Private property: taking.

Existing law generally prescribes the manner in which governmental agencies regulate the use of private property.

This bill would provide that for the purpose of any law, including any constitutional provision, that requires just compensation for the taking of any private property, that requirement shall apply upon the making of a final decision affecting private property rights. The bill would provide that a final decision, for that purpose, occurs upon the last date that an agency may make or review any agency action, as defined, prior to the bringing of any action or proceeding in any court to challenge the validity of the agency action. The bill would provide that upon the existence of any final decision, any person who claims that an agency action entitles the person to just compensation for affected property rights may exercise any administrative or judicial right or remedy to obtain that compensation, separately from any claim relative to the validity of the agency action, and the agency or court shall process the claim for just compensation without regard to the validity of the agency action.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

SECTION 1. Chapter 9.5 (commencing with Section 66040) is added to Division 1 of Title 7 of the Government Code, to read:

CHAPTER 9.5. TAKING OF PRIVATE PROPERTY

66040. As used in this chapter, the following terms have the following meaning:

(a) "Agency action" means any of the following:

- (1) The enactment of any ordinance.
- (2) The adoption of any regulation.
- (3) The issuance of any guidance.

(4) The adoption of any policy, recommendation, or proposal.

(5) The making of any other decision.

(b) "Public agency" means any state agency, county, city, city and county, district, redevelopment agency, joint powers agency, or other political subdivision of the state.

66041. (a) For the purpose of any law, including any constitutional provision, that requires just compensation for the taking of any private property, that requirement shall apply upon the making of a final decision affecting private property rights.

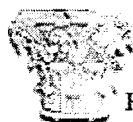
(b) A final decision, for purposes of this section, occurs upon the last date that the agency may make or review any agency action prior to the bringing of any action or proceeding in any court to challenge the validity of the agency action.

(c) Upon the existence of any final decision, any person who claims that the agency action entitles the person to just compensation for affected property rights may exercise any administrative or judicial right or remedy to obtain that compensation, separately from any claim relative to the validity of the agency action.

(d) The agency or court shall process the claim for just compensation without regard to any claim with respect to, and without regard to the pendency of any other action or proceeding concerning, the validity of the agency action.

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Bill Info

SB 227 Water quality: nonpoint source pollution.

Past Sessions

BILL NUMBER: SB 227 AMENDED 04/19/99

Codes

AMENDED IN SENATE APRIL 19, 1999

Statutes

AMENDED IN SENATE MARCH 15, 1999

Constitution

INTRODUCED BY Senator Alpert

JANUARY 25, 1999

An act to add Chapter 10 (commencing with Section 66406) to Division 1 of Title 7 of the Government Code, and to add Chapter 5.4 (commencing with Section 13369) to Division 7 of the Water Code, relating to water.

LEGISLATIVE COUNSEL'S DIGEST

SB 227, as amended, Alpert. Water quality: nonpoint source pollution.

The Porter-Cologne Water Quality Act governs the coordination and control of water quality in the 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 commission, on or before February 1, 2000, to distribute, in consultation with the ~~state board~~ *State Water Resources Control Board*, copies of the Model Urban Runoff Program Manual to certain local coastal governments, as prescribed.

The bill would require the state board, in consultation with the regional boards, to prepare and implement a *detailed* program for the purposes of enforcing requirements imposed on nonpoint source pollution discharges, as specified. The bill would require the state board, *commencing on or before January 1, 2001, and* in consultation with the commission, to prepare and submit a biennial nonpoint source pollution control management report with prescribed components.

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

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

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) 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.
- (f) 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.
- (g) 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.
- (h) Nonpoint source pollution from agricultural and forestry activities contributes sediment and other pollutant loads to the state's surface water and groundwater.
- (i) 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.
- (j) 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.
- (k) 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.
- (l) The development and implementation of a coastal nonpoint source pollution control program provides an opportunity for California to 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.
- (m) The federal agencies that are responsible for overseeing the state's compliance with federal law regarding coastal nonpoint source pollution control have determined that the

state must significantly improve its efforts to control nonpoint source pollution to comply with federal law and to effectively control nonpoint source pollution.

(n) 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.

(o) The Legislative Analyst, in a 1999 report, recommended that the State Water Resources Control Board expand its enforcement reports to provide more comprehensive information. The Legislative Analyst concluded in that report that the State Water Resources Control Board fails to describe in its reports compliance trends and related water quality impacts, making it difficult to identify the effectiveness of its programs. Better reporting is needed to maximize the effectiveness of the programs of the State Water Resources Control Board and to provide increased accountability to the public.

(p) The State Water Resources Control Board and the regional water quality control boards have primary responsibility for the coordination and control of water quality. The California Coastal Commission has primary responsibility for continued state coastal planning and management.

(q) 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.

(r) Pursuant to Section 303 of the Clean Water Act (33 U.S.C. Sec. 1313), the State Water Resources Control Board and the regional water quality control boards are required to prepare, for each pollutant that is causing the impairment of a water body, the total maximum daily load of that pollutant that may be discharged into that water body. Total maximum daily loads are required to be allocated among both point sources and nonpoint sources of pollution. The state board and the regional boards have existing authority to enforce total maximum daily load allocations with regard to both point and nonpoint sources of pollution. However, the state board and the regional boards have rarely used that enforcement authority with regard to nonpoint sources of pollution.

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) On or before February 1, 2000, the California Coastal Commission shall distribute copies of the Model Urban Runoff Program Manual to all 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 that request copies of the program.

(b) The copies of the manual shall be distributed 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. Chapter 5.4 (commencing with Section 13369) is added to Division 7 of the Water Code, to read:

CHAPTER 5.4. COASTAL NONPOINT SOURCE POLLUTION

13369. (a) (1) The state board, in consultation with the regional boards, shall prepare and implement a *detailed* program for the purpose of enforcing requirements imposed on nonpoint source pollution discharges pursuant to law, including Section 303 of the Clean Water Act (33 U.S.C. Sec. 1313), Section 6217 of the federal Coastal Zone Act Reauthorization *Amendments* of 1990 (16 U.S.C. Sec. 1455b), and this division.

(2) The program shall include all of the following components:

(A) Voluntary implementation of best management practices, known as "Tier 1 enforcement."

(B) Regulatory-based incentives for best management practices, known as "Tier 2 enforcement."

(C) The adoption and enforcement of waste discharge requirements that will require the implementation of best management practices, known as "Tier 3 enforcement."

(3) (A) In connection with its duties under this subdivision, the state board shall establish *clear* criteria to be used by the state board and the regional boards for the purpose of determining which enforcement tier, as described in paragraph (2), is appropriate for use with regard to a specific discharge or discharger.

(B) (i) For the purposes of carrying out subparagraph (A), for those waters and pollutants for which a total maximum daily load has been established in accordance with Section 303 of the Clean Water Act (33 U.S.C. Sec. 1313), *and subject to clauses (i) and (ii)*, the criteria shall specify that enforcement shall take the form of Tier 2 or 3 enforcement, as described in ~~paragraph (2), as determined to be appropriate by the state board or a regional board.~~

~~(b) Consistent with paragraph (2) not later than one year from the date on which the total maximum daily load has been established.~~

(ii) *If the discharger submits to the regional board clear and convincing evidence, as determined by the regional board, that Tier 2 or 3 enforcement is not appropriate for that discharger and the regional board determines that the pollution reductions allocated in the total maximum daily load will otherwise be met, the discharger shall not be subject to Tier 1 or 2 enforcement for a period of up to one year from the date of that determination.*

(iii) *Prior to the completion of the period described in clause (ii), the discharger may request an additional period of time, not to exceed one year, during which time the discharger proposes to not be subject to Tier 2 or 3 enforcement. The regional board may grant the request if it makes the determinations described in clause (ii).*

(b) *Notwithstanding Section 7550.5 of the Government Code, and consistent with Section 6217 of the federal Coastal Zone Act Reauthorization Amendments of 1990 (16 U.S.C. Sec. 1455b), and in consultation with the California Coastal Commission, the state board, commencing on or before January 1, 2001, shall prepare and submit to the Legislature, and make available to the public, a biennial nonpoint source pollution control management report. The report shall do all of the following:*

(1) Detail the state's progress in completing the tasks and objectives described in the state's nonpoint source pollution control program prepared pursuant to Section 6217 of the federal Coastal Zone Act Reauthorization *Amendments* of 1990 (16 U.S.C. Sec. 1455b).

- (2) Summarize information provided by the state board to the federal Environmental Protection Agency in the required annual and semiannual nonpoint source pollution progress reports of the state board.
- (3) Describe major instances and potential sources of nonpoint source pollution in watersheds with impaired waters, as described in Section 303 of the Clean Water Act (33 U.S.C. Sec. 1313), and the state board's strategies for addressing nonpoint source pollution in those watersheds.
- (4) Describe ongoing nonpoint source pollution control activities pursuant to federal requirements under Section 6217 of the federal Coastal Zone Act Reauthorization of 1990 (16 U.S.C. Sec. 1455b) and Section 303 of the Clean Water Act (33 U.S.C. Sec. 1313), compare complete and ongoing nonpoint source pollution control activities and accomplishments with the goals, schedules, and milestones set forth in the state nonpoint source pollution program pursuant to federal requirements, and assess the state's progress in controlling nonpoint source pollution based on that comparison.
- (5) Describe the short-term and long-term funding necessary for the state board to meet state and federal nonpoint source pollution control requirements under Section 6217 of the federal Coastal Zone Act Reauthorization *Amendments* of 1990 (16 U.S.C. Sec. 1455b), including, to the extent feasible, capital outlay and infrastructure needs. For the purposes of this paragraph, the state board shall not limit estimates of funding needs pursuant to this section solely to projected demands from local agencies or projected available funding.
- (6) Provide a discussion of successful implementation of adopted nonpoint source pollution management measures and practices during the reporting period.
- (7) Provide a comprehensive list of all enforcement actions undertaken by the state board and the regional boards with regard to nonpoint source pollution discharges during the reporting period.

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