

AMENDED IN ASSEMBLY MARCH 31, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 467

Introduced by Assembly Member Eng
(Principal coauthor: Assembly Member Roger Hernández)
(Coauthor: Senator Hernandez)
(Coauthors: Senators Hernandez and Huff)

February 15, 2011

An act to amend Section 75101 of the Public Resources Code, relating to the environment.

LEGISLATIVE COUNSEL'S DIGEST

AB 467, as amended, Eng. Environment: Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006.

The Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006, an initiative statute approved by the voters at the November 7, 2006, statewide general election, makes approximately \$5.4 billion in bond funds available for safe drinking water, water quality and supply, flood control, natural resource protection, and park improvements. The bond act makes \$60,000,000 available to the State Department of Public Health for the purpose of loans and grants for projects to prevent or reduce contamination of groundwater that serves as a source of drinking water and requires the department to require repayment for costs that are subsequently recovered from parties responsible for the contamination. Existing law requires the State Department of Public Health, in collaboration with the Department of Toxic Substances Control and the State Water Resources Control Board, to develop and adopt regulations

governing the repayment of costs that are subsequently recovered from parties responsible for the contamination of groundwater.

This bill would instead require the State Department of Public Health, in collaboration with those agencies, to develop guidelines governing this repayment that would allow grantees to retain repayments to fund ongoing or additional groundwater cleanup activities. *The bill would make a declaration concerning the compliance of those grantees with the bond act.*

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

The people of the State of California do enact as follows:

1 SECTION 1. Section 75101 of the Public Resources Code is
 2 amended to read:

3 75101. (a) For the purposes of implementing Section 75025,
 4 the State Department of Public Health shall do all of the following:

5 (1) Develop guidelines pursuant to Section 75100 in
 6 collaboration with the Department of Toxic Substances Control
 7 and the state board.

8 (2) (A) In collaboration with the Department of Toxic
 9 Substances Control and the state board, develop guidelines
 10 governing the repayment of costs that are subsequently recovered
 11 from parties responsible for the contamination and that authorize
 12 grantees to retain repayments from the responsible parties to fund
 13 ongoing or additional groundwater cleanup activities in the
 14 grantee’s jurisdiction.

15 (B) *A grantee that recovers costs from a party responsible for*
 16 *the contamination and retains the repayments for ongoing or*
 17 *additional activities to clean up contaminated groundwater in*
 18 *furtherance of the program prescribed by the State Department*
 19 *of Public Health and consistent with guidelines developed under*
 20 *subparagraph (A) shall be deemed to be in compliance with Section*
 21 *75025.*

22 (b) For the purposes of implementing subdivision (a) of Section
 23 75050, the Department of Fish and Game, when funding a natural
 24 community conservation plan, shall fund only the development of
 25 a natural community conservation plan that is consistent with the
 26 Natural Community Conservation Planning Act (Chapter 10

1 (commencing with Section 2800) of Division 3 of the Fish and
2 Game Code).
3 (c) The San Francisco Bay Area Conservancy may use the funds
4 made available pursuant to subdivision (c) of Section 75060 to
5 restore the salt ponds in the south San Francisco Bay and to create
6 trails and visitor facilities for public use in that area.

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