



Rural County Representatives of California

Board of Directors Supplemental Packet

Thursday
June 16, 2022
10:30 A.M.

The Gold Miner's Inn
121 Bank Street
Grass Valley, CA 95945

Supplemental Packet
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To: Members of the RCRC Board of Directors
From: Sidd Nag, Policy Advocate
Date: June 13, 2022
Re: Drought and Water Resiliency Ad Hoc Advisory Committee Update

Summary

The following is a midpoint report on the activities of the RCRC Ad Hoc Committee on Drought and Water Resiliency, which began meeting in June 2022.

Background

The Ad Hoc Advisory Committee on Drought and Water Resiliency (“committee”) was formed in April 2022 to identify concerns and provide feedback to inform water & drought legislative, regulatory, and budget priorities, as well identify potential strategies for the next iteration of the Strategic Plan. The committee is also a venue for related conversations with State and Federal agencies and Legislative representatives. The committee is expected to complete its work by December 2022.

The following Supervisors serve on the committee:

Chris Lopez, Monterey County – Serving as Chair
Randy Fletcher, Yuba County – Serving as Vice Chair
Dennis Townsend, Tulare County
Geri Byrne, Modoc County
Denise Carter, Colusa County
Michael Kelley, Imperial County
Glenn McGourty, Mendocino County

Issue

The Committee met virtually on Thursday, June 9, 2022. As the inaugural meeting, the agenda was set to discuss a workplan, and to identify goals & deliverables for the committee to provide the RCRC Board of Directors. Each of the committee members in attendance also took time to describe water resource challenges in their districts and counties, and to specify their objectives for the committee’s work.

Among the goals and objectives discussed at this meeting:

- Production of a report that describes the water portfolio and current supply challenges to each member county.

- Identification of priority issue areas, including supporting large-scale storage projects, desalination projects, wildlife impacts review, and groundwater pumping.
- Developing a strategy for targeted advocacy.
- Challenges working with California Department of Fish and Wildlife and State Water Resources Control Board.
- Updating the policy principles

The committee with focus on desalination as the discussion topic and presentation for its July meeting.

Staff Recommendation

The committee will continue to meet through December 2022, at which time it will deliver a final report of recommendations to the RCRC Board of Directors.



To: Members of the RCRC Board of Directors
From: Sarah Dukett, Policy Advocate
Date: June 13, 2022
Re: Cannabis Ad Hoc Advisory Committee Update

Summary

The following is a midpoint report on the activities of the RCRC Ad Hoc Committee on Cannabis, which began meeting in June 2022.

Background

The Ad Hoc Advisory Committee on Cannabis (Committee) was formed in April 2022 to provide feedback to inform cannabis legislative, regulatory, and budget priorities, identify potential strategies for the next iteration of the Strategic Plan, review the cannabis policy principles for updates, and be a venue for related conversations with State and Federal agencies and Legislative representatives. The Committee is expected to complete its work by December 2022.

The following Supervisors shall be appointed to serve on the ad hoc committee:

Supervisor Stacy Corless, Mono County – Serving as Chair
Supervisor Jeremy Brown, Trinity County – Serving as Vice Chair
Supervisor Lori Parlin, El Dorado County
Supervisor Rex Bohn, Humboldt County
Supervisor EJ Crandell, Lake County
Supervisor John Peschong, San Luis Obispo County
Supervisor Michael Kobseff, Siskiyou County

Issue

The Committee had its first meeting on Friday, June 3, 2022, with Ms. Nicole Elliott, Director of Cannabis Control (DCC), as a guest speaker. Ms. Elliot provided the committee with an update on the DCC budget proposals, cannabis tax reform, enforcement, consumer awareness and disaster relief.

The bulk of the meeting was dedicated to the committee raising and discussing major issues around cannabis in their counties. Items for the committee's work plan include:

- Enforcement
- Illicit cannabis cultivation, distribution, manufacturing, and retail

- Illegal water theft related to illicit cannabis
- Challenges with the state/local model
- Taxes
- County survey regarding cannabis
- Challenges working with California Department of Fish and Wildlife and State Water Resources Control Board on cannabis enforcement.
- Updating the policy principles

The committee will be focusing on illicit cannabis enforcement at the July meeting.

Staff Recommendation

The Committee will continue to meet through December 2022, at which time it will deliver a final report of recommendations to the RCRC Board of Directors.

State Legislative Update

June 13, 2022

[AB 267](#)

(Valladares R) California Environmental Quality Act: exemption: prescribed fire, thinning, and fuel reduction projects.

Last Amend: 6/2/2021

Status: 6/1/2022-From committee: Do pass and re-refer to Com. on E.Q. (Ayes 7. Noes 0.) (June 1). Re-referred to Com. on E.Q.

Summary: Current law, until January 1, 2023, exempts from the requirements of CEQA prescribed fire, thinning, or fuel reduction projects undertaken on federal lands to reduce the risk of high-severity wildfire that have been reviewed under the federal National Environmental Policy Act of 1969, as provided. Current law requires the Department of Forestry and Fire Protection, beginning December 31, 2019, and annually thereafter until January 1, 2023, to report to the relevant policy committees of the Legislature the number of times the exemption was used. This bill would extend the exemption from CEQA and the requirement on the department to report to the relevant policy committees of the Legislature to January 1, 2026.

Position	Lobbyist	Subject
Support	John (2), Staci (1), Tracy (2)	Fire, Forestry

[AB 522](#)

(Fong R) Forestry: Forest Fire Prevention Exemption.

Last Amend: 1/12/2022

Status: 6/1/2022-In committee: Set, first hearing. Hearing canceled at the request of author.

Summary: The Z'berg-Nejedly Forest Practice Act of 1973 authorizes the State Board of Forestry and Fire Protection to exempt specific forest management activities, including the harvesting of trees for the purpose of reducing the rate of fire spread, and duration, intensity, fuel ignitability, or ignition of tree crowns, known as the Forest Fire Prevention Exemption. Assembly Bill 522 extends the sunset of the Forest Fire Prevention Exemption to January 1, 2026 to aid forest landowners with wildfire prevention activities.

Position	Lobbyist	Subject
Support	John (2), Staci (1)	Fire, Forestry

[AB 1001](#)

(Garcia, Cristina D) Environment: mitigation measures for air quality impacts: environmental justice.

Last Amend: 3/22/2022

Status: 6/10/2022-6-16-2022 hearing rescheduled by committee to 6-15-2022

Summary: Modifies the California Environmental Quality Act by: 1) Requiring air quality impacts to a disadvantaged community to be mitigated in that community; 2) Requiring local agencies to give consideration to the principles of environmental justice by ensuring the fair treatment and meaningful involvement of people of all races, cultures, incomes, and national origins.

Position	Lobbyist	Subject
Oppose	John (1)	CEQA

[AB 1078](#)

(Patterson R) Energy: building standards: photovoltaic requirements.

Last Amend: 6/8/2022

Status: 6/8/2022-Read second time and amended. Re-referred to Com. on APPR.

Summary: Exempts residential buildings damaged or destroyed in a disaster during the 2020 calendar year from having to install solar energy systems under the California Energy Commission's recently adopted building requirements.

Position	Lobbyist	Subject
Support	John (1), Tracy (2)	Energy

[AB 1154](#)

(Patterson R) California Environmental Quality Act: exemption: egress route projects: fire safety.

Last Amend: 6/6/2022

Status: 6/6/2022-Read second time and amended. Re-referred to Com. on APPR.

Summary: Exempts from the California Environmental Quality Act secondary egress route projects undertaken by a public agency for a subdivision in a high fire threat area that was evaluated by the Board of Forestry.

Position	Lobbyist	Subject
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Sponsor

John (1), Staci (2), CEQA, Fire
Tracy (2)

[AB 1249](#)

(Gallagher R) Income taxes: gross income exclusions: wildfires.

Last Amend: 5/18/2022

Status: 6/1/2022-From committee: Do pass and re-refer to Com. on APPR with recommendation: To Consent Calendar. (Ayes 5. Noes 0.) (June 1). Re-referred to Com. on APPR.

Summary: The Personal Income Tax Law and the Corporation Tax Law, in conformity with federal income tax law, generally defines “gross income” as income from whatever source derived, except as specifically excluded, and provides various exclusions from gross income. Until January 1, 2028, this bill would provide an exclusion from gross income for any qualified taxpayer, as defined, for amounts received for costs and losses associated with one or more specified fires from a settlement, as provided.

Position	Lobbyist	Subject
Support	Staci (1)	Fire

[AB 1608](#)

(Gipson D) County officers: consolidation of offices.

Last Amend: 4/7/2022

Status: 5/25/2022-Referred to Coms. on GOV. & F. and PUB. S.

Summary: AB 1608 would remove county authority to combine the duties of the Sheriff with the duties of the Coroner. The bill appears to require counties with a combined Sheriff-Coroner function to either combine the Coroner with another authorized elected office, transition to a standalone elected Coroner, or replace the Coroner model with a Medical Examiner office.

Position	Lobbyist	Subject
Oppose Unless Amended	Sarah (1)	County Operations - Misc., Sheriffs

[AB 1642](#)

(Salas D) California Environmental Quality Act: water system well and domestic well projects: exemption.

Last Amend: 3/24/2022

Status: 6/10/2022-6-16-2022 hearing rescheduled by committee to 6-15-2022

Summary: Exempts from CEQA, vital projects to prevent or mitigate failure of a well that would leave residents without an adequate supply of drinking water. This exemption only applies to those wells in areas designated by the State Water Resources Control Board as being at high risk or medium risk in the state’s annual Drinking Water Needs Assessment.

Position	Lobbyist	Subject
Support	John (1), Sidd (2)	CEQA

[AB 1644](#)

(Flora R) Greenhouse Gas Reduction Fund: California Jobs Plan Act of 2021.

Last Amend: 3/30/2022

Status: 6/8/2022-From committee: Do pass and re-refer to Com. on APPR with recommendation: To Consent Calendar. (Ayes 5. Noes 0.) (June 8). Re-referred to Com. on APPR.

Summary: The California Jobs Plan Act of 2021 requires the state board to work with the Labor and Workforce Development Agency to update, by July 1, 2025, Greenhouse Gas Reduction Fund funding guidelines for administering agencies to ensure that all applicants to grant programs funded by the fund meet specified standards, including fair and responsible employer standards and inclusive procurement policies, as provided. Existing law exempts from these standards applicants for certain types of projects. This bill would exempt applicants for projects for healthy forest and fire prevention programs and projects, and the completion of prescribed fire and other fuel reduction projects from these standards.

Position	Lobbyist	Subject
Support	Staci (1)	Air Quality, Fire, Forestry

[AB 1717](#)

(Aguiar-Curry D) Public works: definition.

Last Amend: 5/19/2022

Status: 6/8/2022-Referred to Com. on L., P.E. & R.

Summary: Assembly Bill 1717 requires prevailing wage to be paid for public works projects funded by public dollars related to community wildfire prevention, vegetation management and fuels treatment.

Position	Lobbyist	Subject
Oppose	Staci (1)	Fire, Forestry

[AB 1778](#)

(Garcia, Cristina D) State transportation funding: freeway projects: poverty and pollution: Department of Transportation.

Last Amend: 3/24/2022

Status: 6/1/2022-Referred to Com. on TRANS.

Summary: Current law authorizes the Department of Transportation to do any act necessary, convenient, or proper for the construction, improvement, maintenance, or use of all highways that are under its jurisdiction, possession, or control. Current law requires the department to prepare and submit to the Governor a proposed budget, as provided. This bill would require the department to consult the California Healthy Places Index, as defined, as a condition of using state funds or personnel time to fund or permit freeway projects, as provided. The bill would require the department to analyze housing and environmental variables through the index, as provided, and would prohibit any state funds or personnel time from being used to fund or permit freeway projects in areas that fall within the zero to 50th percentile on the housing and environmental variables analyzed through the index, as provided.

Position	Lobbyist	Subject
Watch	Sidd (1), Tracy (2)	Air Quality, Transportation

[AB 1944](#)

(Lee D) Local government: open and public meetings.

Last Amend: 5/25/2022

Status: 6/8/2022-Referred to Coms. on GOV. & F. and JUD.

Summary: AB 1944 would authorize members of local legislative bodies to teleconference from a remote location without making the address of that location public. Additionally, the bill requires that – for those local agencies that elect to use teleconferencing for its legislative body meetings – a video stream is made available to members of the public, including an opportunity to provide public comment via telephone or videoconference option.

Position	Lobbyist	Subject
Support	Sarah (1)	Brown Act

[AB 1985](#)

(Rivas, Robert D) Organic waste: list: available products.

Status: 6/8/2022-Referred to Com. on E.Q.

Summary: Current law requires, no later than January 1, 2018, the State Air Resources Board to approve and begin implementing a comprehensive short-lived climate pollutant strategy to achieve a reduction in statewide emissions of methane by 40%, hydrofluorocarbon gases by 40%, and anthropogenic black carbon by 50% below 2013 levels by 2030. Current law requires the methane emissions reduction goals to include a 50% reduction in the level of the statewide disposal of organic waste from the 2014 level by 2020 and a 75% reduction by 2025. Current law requires the Department of Resources Recycling and Recovery, in consultation with the state board, to adopt regulations to achieve these organic waste reduction goals, including a requirement intended to meet the goal that not less than 20% of edible food that is currently disposed of be recovered for human consumption by 2025. This bill would require the department to compile and maintain on its internet website a list, organized by ZIP Code, of information regarding persons or entities that produce and have available in the state organic waste products and update the list at least every 6 months.

Position	Lobbyist	Subject
Support	John (1)	Solid Waste

[AB 2106](#)

(Rivas, Robert D) Water quality: permits.

Last Amend: 6/8/2022

Status: 6/8/2022-From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on E.Q.

Summary: Current law requires each of the 9 California regional water quality control boards to formulate and adopt water quality control plans for all areas within the region, as provided. Current law authorizes the state board to require a person submitting a report to the state board, a regional board, or a local agency to submit the report in electronic format. This bill would require, on or before December 31, 2024, the state board to modernize its stormwater data collection systems through specified actions.

Position	Lobbyist	Subject
Watch	Sidd (2), Staci (1)	Water, Water Quality

[AB 2108](#)

(Rivas, Robert D) Water policy: environmental justice: disadvantaged and tribal communities.

Last Amend: 5/19/2022

Status: 6/10/2022-6-16-2022 hearing rescheduled by committee to 6-15-2022

Summary: Would require that one of the persons appointed by the Governor to the State Water Resources Control

Board be qualified in the field of water supply and water quality relating to disadvantaged or tribal communities and not be the same member as the member appointed who is qualified in the field of water supply and water quality relating to irrigated agriculture. The bill would also require that at least one person appointed to each regional board have specialized experience relating to disadvantaged or tribal communities, except as provided. The bill would prohibit, in making those appointments, preference to be given on the basis of ethnicity or national origin.

Position	Lobbyist	Subject
Watch	Sidd (2), Staci (1)	Water, Water Quality

AB 2201 (Bennett D) Groundwater sustainability agency: groundwater extraction permit: verification.

Last Amend: 4/27/2022

Status: 6/1/2022-Referred to Coms. on N.R. & W. and GOV. & F.

Summary: The Sustainable Groundwater Management Act requires all groundwater basins designated as high- or medium-priority basins by the Department of Water Resources that are designated as basins subject to critical conditions of overdraft to be managed under a groundwater sustainability plan or coordinated groundwater sustainability plans by January 31, 2020, and requires all other groundwater basins designated as high- or medium-priority basins to be managed under a groundwater sustainability plan or coordinated groundwater sustainability plans by January 31, 2022, except as specified. Current law authorizes any local agency or combination of local agencies overlying a groundwater basin to decide to become a groundwater sustainability agency for that basin and imposes specified duties upon that agency or combination of agencies, as provided. Current law also authorizes the State Water Resources Control Board to designate a high- or medium-priority basin as a probationary basin under certain conditions for specified purposes. This bill would prohibit a local agency, as defined, from approving a permit for a new groundwater well or for an alteration to an existing well in a basin subject to the act and classified as medium- or high-priority until it obtains a written verification, from the groundwater sustainability agency that manages the basin or area of the basin where the well is proposed to be located, determining that certain factors are present.

Position	Lobbyist	Subject
Oppose	Sidd (1)	

AB 2234 (Rivas, Robert D) Planning and zoning: housing: postentitlement phase permits.

Last Amend: 6/8/2022

Status: 6/8/2022-From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on GOV. & F.

Summary: The Permit Streamlining Act requires public agencies to approve or disapprove of a development project within certain specified timeframes. Current law requires a city, county, or special district to provide specified information, including a current schedule of fees, exactions, and affordability requirements applicable to a proposed housing development project, and an archive of impact fee nexus studies, cost of service studies, or equivalent studies, conducted by the city, county, or special district, on its internet website. This bill would require a local agency to compile a list of information needed to approve or deny a postentitlement phase permit, as defined, to post an example of a complete, approved application and an example of a complete set of postentitlement phase permits for at least 5 types of housing development projects in the jurisdiction, as specified, and to make those items available to all applicants for these permits no later than January 1, 2024. The bill would define "local agency" for these purposes to mean a city, county, or city and county. No later than January 1, 2024, except as specified, the bill would require a local agency to require permits to be applied for, completed, and retrieved by the applicant on its internet website, and to accept applications and related documentation by electronic mail until that internet website is established. The bill would require the internet website to list the current processing status of the applicant's permit by the local agency, and would require that status to note whether it is being reviewed by the agency or action is required from the applicant.

Position	Lobbyist	Subject
Oppose	Tracy (1)	Land Use / Planning

AB 2237 (Friedman D) Transportation planning: regional transportation improvement plan: sustainable communities strategies: climate goals.

Last Amend: 5/19/2022

Status: 6/9/2022-Action rescinded whereby the bill was referred to Com. on HOUSING.

Summary: Current law requires certain transportation planning agencies to prepare and adopt regional transportation plans directed at achieving a coordinated and balanced regional transportation system. Existing law requires each regional transportation plan to also include a sustainable communities strategy prepared by each metropolitan planning organization. Current law requires each regional transportation planning agency or county transportation commission to biennially adopt and submit to the California Transportation Commission and the Department of Transportation a 5-year regional transportation improvement program that includes, among other things, regional transportation improvement projects and programs proposed to be funded, in whole or in part, in the state transportation improvement program. This

bill would require that those projects and programs included in each regional transportation improvement program also be consistent with the most recently prepared sustainable communities strategy of the regional transportation planning agency or county transportation commission and the state's climate goals, as defined. The bill would require each regional transportation planning agency or county transportation commission to rank all transportation projects and prioritize projects based on adherence to its most recently adopted sustainable communities strategy and the state's climate goals, prioritize funding and implementing projects in the order of prioritization, and submit the prioritized list to the state board and the California Transportation Commission.

Position	Lobbyist	Subject
Oppose	Sidd (1)	Transportation

AB 2242 (Santiago D) Mental health services.

Last Amend: 5/19/2022

Status: 6/8/2022-Referred to Coms. on HEALTH and JUD.

Summary: Would, on or before July 1, 2023, require the State Department of Health Care Services to convene a stakeholder group of entities, including the County Behavioral Health Directors Association of California and the California Hospital Association, among others, to create a model care coordination plan to be followed when discharging those held under temporary holds or a conservatorship. The bill would require the model care coordination plan and process to outline who would be on the care team and how the communication would occur to coordinate care. Among other components, the bill would require the model care coordination plan to require that an individual exiting a temporary hold or a conservatorship be provided with a detailed plan that includes a scheduled first appointment with a behavioral health professional. The bill would declare the intent of the Legislature that counties and hospitals implement the care coordination plan by February 1, 2024.

Position	Lobbyist	Subject
Oppose	Sarah (1)	Mental Health

AB 2374 (Bauer-Kahan D) Crimes against public health and safety: illegal dumping.

Last Amend: 4/7/2022

Status: 5/25/2022-Referred to Com. on PUB. S.

Summary: Current law prohibits the dumping of waste matter upon a road or highway or in other locations, as specified. A violation of this prohibition, generally, is an infraction punishable by specified fines that escalate for subsequent convictions. Under current law, the court may, as a condition of probation, order the convicted person to remove, or pay for the removal of, the waste matter. This bill would increase the maximum fine for the dumping of commercial quantities of waste by a business that employs more than 10 employees from \$3,000 to \$5,000 for the first conviction, from \$6,000 to \$10,000 for the second conviction, and from \$10,000 to \$20,000 for the third and any subsequent convictions. The bill would require a court, when imposing a fine, to consider the defendant's ability to pay, as specified.

Position	Lobbyist	Subject
Support	John (1)	Solid Waste

AB 2419 (Bryan D) Environmental justice: federal Infrastructure Investment and Jobs Act: Justice40 Advisory Committee.

Last Amend: 6/9/2022

Status: 6/9/2022-From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on E.Q.

Summary: This bill would require a minimum of 40% of funds received by the state under the federal Infrastructure Investment and Jobs Act to be allocated to projects that provide direct benefits to disadvantaged communities as designated by the CalEnviroScreen Tool and a minimum of an additional 10% be allocated for projects that provide direct benefits to low-income households and low-income communities, as provided. The bill would create a California Justice40 Advisory Committee to advise state agencies on administration of the funds.

Position	Lobbyist	Subject
Concerns	Leigh (2), Staci (1)	Air Quality, Climate Change, Disadvantaged Communities, Infrastructure - Misc.

AB 2438 (Friedman D) Transportation funding: alignment with state plans and greenhouse gas emissions reduction standards.

Last Amend: 3/21/2022

Status: 6/8/2022-Referred to Com. on TRANS.

Summary: Current law provides for the funding of projects on the state highway system and other transportation improvements, including under the state transportation improvement program, the state highway operation and protection program, the Solutions for Congested Corridors Program, the Trade Corridor Enhancement Program, and the program within the Road Maintenance and Rehabilitation Program commonly known as the Local Partnership Program. This bill would require the agencies that administer those programs to revise the guidelines or plans applicable to those programs to ensure that projects included in the applicable program align with the California Transportation Plan, the Climate Action Plan for Transportation Infrastructure adopted by the Transportation Agency, and specified greenhouse gas emissions reduction standards.

Position	Lobbyist	Subject
Oppose Unless Amended	Sidd (1)	Transportation

AB 2440 **(Irwin D) Responsible Battery Recycling Act of 2022.**

Last Amend: 6/8/2022

Status: 6/8/2022-From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on E.Q.

Summary: Would make the Rechargeable Battery Recycling Act of 2006 and the Cell Phone Recycling Act of 2004 inoperative as of September 30, 2026, and would repeal those acts as of January 1, 2027.

Position	Lobbyist	Subject
Support	John (1)	Solid Waste

AB 2449 **(Rubio, Blanca D) Open meetings: local agencies: teleconferences.**

Last Amend: 5/23/2022

Status: 6/8/2022-Referred to Coms. on GOV. & F. and JUD.

Summary: AB 2449 would authorize remote participation in local public meetings if at least a quorum of the members of the legislative body participates in person from a location clearly identified on the agenda that is also open to the public and situated within the boundaries of the local agencies. In order to do so, the local agency must appropriately post agendas, members of the legislative body attending the meeting by teleconference must participate in both audio and video formats, and members of the public must have call-in and internet-based access for attending and participating in the meetings.

Position	Lobbyist	Subject
Support	Sarah (1)	Brown Act

AB 2451 **(Wood D) State Water Resources Control Board: drought planning.**

Last Amend: 5/19/2022

Status: 6/8/2022-Referred to Com. on N.R. & W.

Summary: Would require the State Water Resources Control Board to establish a Drought Section within the Division of Water Rights, as specified. The bill would require the state board, in consultation with the Department of Fish and Wildlife, to adopt principles and guidelines for diversion and use of water in coastal watersheds, as specified, during times of water shortage for drought preparedness and climate resiliency. The bill would require that the principles and guidelines provide for the development of watershed-level contingency plans to support public trust uses, public health and safety, and the human right to water in times of water shortage, among other things. The bill also would require the state board, prior to adopting those principles and guidelines, to allow for public comment and hearing, as provided. The bill would require the state board to adopt those principles and guidelines no later than March 31, 2024.

Position	Lobbyist	Subject
	Sidd (1)	

AB 2481 **(Smith R) Household hazardous waste: facilities: transportation and acceptance.**

Last Amend: 5/23/2022

Status: 6/1/2022-From committee: Do pass and re-refer to Com. on APPR with recommendation: To Consent Calendar. (Ayes 6. Noes 0.) (June 1). Re-referred to Com. on APPR.

Summary: Under current law, the Department of Toxic Substances Control generally regulates the management and handling of hazardous waste and hazardous materials. Existing law authorizes certain entities to operate household hazardous waste collection facilities, as defined, under permits issued by the department, and specifies conditions for the transportation of household hazardous waste. Current law requires a person engaged in the transportation of hazardous waste to be registered with the department and to either have a legible copy of the paper manifest, provided by the generator, in their possession while transporting the hazardous waste or have an electronic manifest accessible during transportation. Current law allows certain of those facilities to accept recyclable latex paint and oil-based paint, and other

waste in specified amounts from a very small quantity generator of the waste, as defined, if the facility complies with certain requirements. A violation of the hazardous waste control laws is a crime. This bill would revise and recast various requirements and conditions related to the transportation of hazardous waste and the operation of household hazardous waste collection facilities. The bill, among other things, would, to the extent consistent with federal law, allow the transporting of waste to a household hazardous waste facility from another household hazardous waste facility, as specified, with a shipping paper instead of a manifest. The bill would allow household hazardous waste to be transported in a leased vehicle and by an individual who is not a household resident that generated the waste, as prescribed.

Position	Lobbyist	Subject
Sponsor	John (1)	Solid Waste

AB 2493 (Chen R) County employees' retirement: disallowed compensation: benefit adjustments.

Last Amend: 4/5/2022

Status: 6/2/2022-In committee: Set, first hearing. Hearing canceled at the request of author.

Summary: The California Public Employees' Pension Reform Act of 2013 (PEPRA), generally requires a public retirement system, as defined, to modify its plan or plans to comply with the act. PEPRA, among other things, establishes new defined benefit formulas and caps on pensionable compensation. This bill would similarly authorize a county retirement system to adjust retirement payments based on disallowed compensation for sworn peace officers and firefighters of that system. The bill would provide that if the retirement system determines that the compensation reported for a sworn peace officer or firefighter of the system is disallowed compensation, as defined, the system would require the county employer or agency to discontinue reporting the disallowed compensation. The bill would apply this to determinations made on or after July 30, 2020, if an appeal has been filed and the applicable member, retired member, survivor, or beneficiary has not exhausted their administrative or legal remedies. The bill would require, for an active sworn peace officer or firefighter, that all contribution made on the disallowed compensation be credited against future contributions to the benefit of the employer or agency that reported the disallowed compensation, and any contribution paid by, or on behalf of, that member, be returned to the member by the employer or agency, as specified.

Position	Lobbyist	Subject
Oppose	Sarah (1)	PERS / Pension

AB 2705 (Quirk-Silva D) Housing: fire safety standards.

Last Amend: 5/23/2022

Status: 6/9/2022-Action rescinded whereby the bill was referred to Com. on G.O.

Summary: Current law requires the State Fire Marshal to prepare, adopt, and submit building standards and other fire and life safety regulations to the California Building Standards Commission for approval establishing minimum requirements for the storage, handling, and use of hazardous materials. Current law requires the State Fire Marshal to seek the advice of the Secretary for Environmental Protection in establishing those requirements. This bill would prohibit the legislative body of a city or county from approving a discretionary entitlement, as defined, that would result in a new residential development project, as defined, being located within a very high fire hazard severity zone, unless the city or county finds that the residential development project will meet specified standards intended to address wildfire risks, as specified, and would provide that these provisions do not limit or prohibit a legislative body of a city or county from adopting more stringent standards.

Position	Lobbyist	Subject
Watch	Tracy (1)	Fire, Housing

AB 2749 (Quirk-Silva D) Communications: California Advanced Services Fund.

Last Amend: 5/19/2022

Status: 6/8/2022-Referred to Com. on E., U. & C.

Summary: Existing law vests the Public Utilities Commission with regulatory authority over public utilities, including telephone corporations. Existing law requires the commission to develop, implement, and administer the California Advanced Services Fund (CASF) to encourage deployment of high-quality advanced communications services to all Californians that will promote economic growth, job creation, and the substantial social benefits of advanced information and communications technologies. Existing law authorizes the commission to impose a surcharge, until December 31, 2032, to collect up to \$150,000,000 per year for deposit into the CASF. Existing law requires the commission to establish specified accounts within the CASF, including the Broadband Infrastructure Grant Account to fund the deployment of broadband infrastructure and the Federal Funding Account to fund last-mile broadband projects, as specified. This bill would expressly authorize wireless internet service providers to receive funding from the Broadband Infrastructure Grant Account and the Federal Funding Account. The bill would also, for purposes of the Federal Funding Account, prohibit the commission from requiring recipients of grants to offer a service at a fixed price for more than 5 years or to offer a service to all of its customers at a specified rate, or not to exceed a specified rate, and authorize the commission to require recipients of grants to participate in the federal Affordable Connectivity Program, or to offer a plan equivalent to those authorized pursuant to that federal program or a successor program, and to offer an affordable internet service plan to low-income households, as specified. This bill contains other existing laws.

Position	Lobbyist	Subject
Oppose Unless Amended	Tracy (1)	Telecommunications

AB 2878 (Aguiar-Curry D) Forest Biomass Waste Utilization Program.

Last Amend: 6/9/2022

Status: 6/9/2022-Action rescinded whereby the bill was referred to Com. on E.Q. From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on N.R. & W.

Summary: The former Governor, Edmund G. Brown Jr., issued Executive Order No. B-52-18 that, among other things, established a Forest Management Task Force, now known as the Wildfire and Forest Resilience Task Force, involving specified state agencies to create the action plan for wildfire and forest resilience. The executive order also established a Joint Institute for Wood Products Innovation, to be located within the State Board of Forestry and Fire Protection. This bill would establish the Forest Waste Biomass Utilization Program to be administered by the state board's Joint Institute for Wood Products Innovation to develop an implementation plan to meet the goals and recommendations of specified statewide forest management plans and to develop a workforce training program to complement workforce needs associated with the implementation plan. The bill would require the state board, in coordination with the Wildfire and Forest Resilience Task Force, to submit an annual report to the Legislature, beginning January 1, 2024, on the progress made on implementing the implementation plan.

Position	Lobbyist	Subject
Sponsor	John (1), Staci (2)	Energy

SB 12 (McGuire D) Local government: planning and zoning: wildfires.

Last Amend: 6/6/2022

Status: 6/6/2022-From committee with author's amendments. Read second time and amended. Re-referred to Com. on H. & C.D.

Summary: Senate Bill 12 requires that the Office of Planning and Research, among other things, coordinate with appropriate entities, including state, regional, or local agencies, to establish a clearinghouse for climate adaptation information for use by state, regional, and local entities, as provided. This bill would require the safety element, upon the next revision of the housing element or the hazard mitigation plan, on or after July 1, 2024, whichever occurs first.

Position	Lobbyist	Subject
Pending	Staci (2), Tracy (1)	Housing

SB 33 (Cortese D) California Environmental Quality Act: judicial and administrative proceedings: limitations.

Last Amend: 6/9/2022

Status: 6/9/2022-Re-referred to Coms. on NAT. RES. and JUD. From committee with author's amendments. Read second time and amended. Re-referred to Com. on NAT. RES.

Summary: For individuals who request to be notified any time CEQA notices are filed, requires a local agency to also notify that individual any time those notices are amended. Allows an individual to request CEQA notifications by e-mail. Tolls CEQA statutes of limitations until all individuals requesting notifications are mailed or e-mailed such notifications.

Position	Lobbyist	Subject
Oppose	John (1)	CEQA

SB 54 (Allen D) Plastic Pollution Producer Responsibility Act.

Last Amend: 2/25/2021

Status: 5/5/2022-Referred to Com. on NAT. RES.

Summary: SB 54 requires manufactures of single-use, disposable packaging and food service ware to ensure that those products sold, distributed, or imported into the state are either recyclable or compostable.

Position	Lobbyist	Subject
Support In Concept	John (1)	Solid Waste

SB 396 (Dahle R) Forestry: electrical transmission or distribution lines: clearances: notice and opportunity to be heard.

Last Amend: 5/12/2022

Status: 6/6/2022-VOTE: Do pass as amended. (PASS)

Summary: Current law authorizes this abatement at the full discretion of the person that owns, controls, operates, or maintains the electrical transmission or distribution lines, except for certain applicable minimum clearance requirements for those lines. This bill would, regarding those provisions related to electrical lines and abatement activities for an electrical corporation who owns, controls, operates, or maintains an electrical transmission or distribution line, specify

that covered abatement activities include felling, cutting, or trimming trees. The bill would explicitly require all these line clearance and tree pruning and abatement activities to comply with the Public Utilities Commission's vegetation management rules, if applicable. The bill would require any trees that are felled, cut, or trimmed, as provided, to remain on the property of the landowner, unless the landowner timely requests the electrical corporation to treat or remove the wood, as specified, at no cost to the landowner. The bill would repeal these provisions on January 1, 2026.

Position	Lobbyist	Subject
Oppose	John (1), Staci (2)	Fire

[SB 717](#)

(Dodd D) Office of Planning and Research: broadband communications: report.

Last Amend: 5/17/2022

Status: 5/23/2022-Re-referred to Coms. on C. & C. and NAT. RES. pursuant to Assembly Rule 96.

Summary: Would require the Office of Planning and Research, on or before January 1, 2024, with input from relevant state agencies and stakeholders, to conduct, complete, and submit a report to specified legislative committees that reviews and identifies barriers to, and opportunities for, investment in, and efficient building of, broadband access points on government-owned structures and property, private and public lands and buildings, and public rights of way. The bill would also require the review to identify barriers to, and opportunities for, access to mobile and fixed broadband internet service infrastructure by low-income tribal, urban, and rural customers, and underserved communities.

Position	Lobbyist	Subject
Pending	Tracy (1)	Telecommunications

[SB 884](#)

(McGuire D) Electricity: expedited utility distribution infrastructure undergrounding program.

Last Amend: 4/26/2022

Status: 6/9/2022-Referred to Coms. on U. & E. and NAT. RES.

Summary: Would require the Public Utilities Commission to establish an expedited utility distribution infrastructure undergrounding program, and would authorize a large electrical corporation, as defined, to participate in the program by submitting to the commission, on or before July 1, 2023, a plan that identifies the eligible undergrounding projects that it will construct as part of the program, including timelines for the completion of those undergrounding projects, as specified. If the commission approves the electrical corporation's plan, the bill would require a telecommunications provider to cooperate with the electrical corporation to underground any of its infrastructure on utility poles that will be removed as part of an undergrounding project, except as specified, require each undergrounding project to fully exhaust all available federal, state, and other nonratepayer moneys before any costs are recovered from ratepayers, and deem each undergrounding project to be an environmental leadership development project for purposes of the Jobs and Economic Improvement Through Environmental Leadership Act of 2021 and a development project for purposes of the Permit Streamlining Act, as specified. The bill would require that an electrical corporation earn a rate of return on its investments or expenditures made pursuant to the program, subject to a performance metric developed by the commission that would, at a minimum, require the withholding of those earnings until 60 consecutive months have elapsed without either the undergrounding project's infrastructure causing a deenergization event or a wildfire resulting from the undergrounding project's infrastructure.

Position	Lobbyist	Subject
Watch	John (1), Tracy (2)	Energy

[SB 926](#)

(Dodd D) Prescribed Fire Liability Pilot Program: Prescribed Fire Claims Fund.

Last Amend: 5/19/2022

Status: 6/2/2022-Referred to Coms. on NAT. RES. and JUD.

Summary: The Budget Act of 2021 appropriated to the Department of Forestry and Fire Protection \$20,000,000 to establish a Prescribed Fire Liability Pilot Program, in consultation with the Department of Insurance and the Natural Resources Agency, that creates a prescribed fire claims fund to support coverage for losses from permitted prescribed fires by nonpublic entities, such as Native American tribes, private landowners, and other nongovernmental entities. This bill would delete the provision requiring the task force to develop recommendations for the implementation of an insurance pool or other mechanisms for prescribed burn managers. The bill would require the Department of Forestry and Fire Protection, on or before January 1, 2023, to establish, consistent with the Budget Act of 2021, the Prescribed Fire Liability Pilot Program to support coverage for losses from permitted prescribed fires by individuals and nonpublic entities, such as Native American tribes, including cultural fire practitioners, as defined, private landowners, and other nongovernmental entities through the Prescribed Fire Claims Fund, which the bill would establish. The bill would require that the \$20,000,000 appropriated to the department by the Legislature in the Budget Act of 2021, and any other funds appropriated by the Legislature for the above purpose, be deposited into the fund, and would prescribe requirements for use of these moneys, among other things.

Position	Lobbyist	Subject
Support	Staci (1)	Fire, Forestry

[SB 931](#)

(Levva D) Deterring union membership: violations.

Last Amend: 5/19/2022

Status: 6/6/2022-Re-referred to Coms. on JUD. and P.E. & R. pursuant to Assembly Rule 96.

Summary: Authorizes PERB claim alleging employer deterred or discouraged union membership, up to \$100,000 fine (\$1,000 per employee impacted) and attorney’s fees for employee organization.

Position	Lobbyist	Subject
Oppose Unless Amended	Sarah (1)	Labor

[SB 932](#)

(Portantino D) General plans: circulation element: bicycle and pedestrian plans and traffic calming plans.

Last Amend: 5/4/2022

Status: 5/27/2022-Referred to Coms. on L. GOV. and TRANS.

Summary: Current law states the Legislature’s intention that a county or city general plan and the elements and parts of that general plan comprise an integrated, internally consistent and compatible statement of policies for the adopting agency. This bill would emphasize the intent of the Legislature to fight climate change with these provisions.

Position	Lobbyist	Subject
Oppose Unless Amended	Tracy (1)	Land Use / Planning

[SB 1012](#)

(Glazer D) State parks: open fires.

Last Amend: 3/23/2022

Status: 6/2/2022-Referred to Com. on W.,P., & W.

Summary: Would require a unit of the state park system to follow and enforce the rules relating to open fires, as defined, that are at least as restrictive as the rules adopted by a local fire department or a fire protection district within whose boundaries the unit is located, as provided.

Position	Lobbyist	Subject
Support	Staci (1)	Fire

[SB 1044](#)

(Durazo D) Employers: state of emergency or emergency condition: retaliation.

Last Amend: 5/19/2022

Status: 6/9/2022-Referred to Coms. on L. & E. and E.M.

Summary: SB 1044 would prohibit an employer from taking or threatening any adverse action against any employee for refusing to report to, or leaving, a workplace because the employee feels unsafe due to a state of emergency or an emergency condition, and (2) permit employees to access their mobile device or other communications device.

Position	Lobbyist	Subject
Oppose	Sarah (1)	Emergency Management, Labor

[SB 1100](#)

(Cortese D) Open meetings: orderly conduct.

Last Amend: 6/6/2022

Status: 6/6/2022-From committee with author's amendments. Read second time and amended. Re-referred to Com. on L. GOV.

Summary: SB 1100 would clarify the rules around when individuals can be removed for willfully interrupting a meeting.

Position	Lobbyist	Subject
Neutral	Sarah (1)	Brown Act

[SB 1127](#)

(Atkins D) Workers’ compensation: liability presumptions.

Status: 5/27/2022-Referred to Com. on INS.

Summary: SB 1127 proposes to shorten the time provided for employers to investigate claims from 90 to 30 days for any claim covered by a presumption statute, and 60 days for all other claims. The bill proposes new and unprecedented penalties all claims covered by presumption statutes up to \$100,000.

Position	Lobbyist	Subject
Oppose	Sarah (1)	Workers Comp

[SB 1157](#)

(Hertzberg D) Urban water use objectives: indoor residential water use.

Status: 5/5/2022-Referred to Com. on W.,P., & W.

Summary: Current law requires the Department of Water Resources, in coordination with the State Water Resources Control Board, and including collaboration with and input from stakeholders, to conduct necessary studies and investigations and authorizes the department and the board to jointly recommend to the Legislature a standard for indoor residential water use. Current law, until January 1, 2025, establishes 55 gallons per capita daily as the standard for indoor residential water use. Existing law establishes, beginning January 1, 2025, the greater of 52.5 gallons per capita daily or a standard recommended by the department and the board as the standard for indoor residential water use, and beginning January 1, 2030, establishes the greater of 50 gallons per capita daily or a standard recommended by the department and the board as the standard for indoor residential water use. This bill would eliminate the option of using the greater of 52.5 gallons per capita daily and the greater of 50 gallons per capita daily, as applicable, or a standard recommended by the department and the board as the standard for indoor residential water use.

Position	Lobbyist	Subject
	Sidd (1)	

SB 1173 **(Gonzalez D) Public retirement systems: fossil fuels: divestment.**

Last Amend: 4/21/2022

Status: 6/2/2022-Referred to Coms. on P.E. & R. and JUD.

Summary: Would prohibit the boards of the Public Employees' Retirement System and the State Teachers' Retirement System from making new investments or renewing existing investments of public employee retirement funds in a fossil fuel company, as defined. The bill would require the boards to liquidate investments in a fossil fuel company on or before July 1, 2030. The bill would temporarily suspend the above-described liquidation provision upon a good faith determination by the board that certain conditions materially impact normal market mechanisms for pricing assets, as specified, and would make this suspension provision inoperative on January 1, 2035. The bill would provide that it does not require a board to take any action unless the board determines in good faith that the action is consistent with the board's fiduciary responsibilities established in the California Constitution.

Position	Lobbyist	Subject
Oppose	Sarah (1)	PERS / Pension

SB 1186 **(Wiener D) Medicinal Cannabis Patients' Right of Access Act.**

Last Amend: 4/25/2022

Status: 6/9/2022-Referred to Coms. on B. & P. and JUD.

Summary: SB 1186 undermines the intent of MAUCRSA by (1) eliminating a local jurisdiction's ability to prohibit medical cannabis retail activities, regardless of the needs or conditions in the jurisdiction, and (2) restricting the ability for the large number of jurisdictions that permit and regulate cannabis retailers to set appropriate local regulations which are developed in a public process.

Position	Lobbyist	Subject
Oppose	Leigh (2), Sarah (1)	Cannabis

SB 1205 **(Allen D) Water rights: appropriation.**

Last Amend: 4/27/2022

Status: 6/2/2022-Referred to Com. on W.,P., & W.

Summary: Would require the State Water Resources Control Board to develop and adopt regulations to provide greater specificity as to the methods and practices for determining water availability in the issuance and administration of water right permits and licenses, including consideration of the effects of climate change, as specified, upon watershed hydrology as part of the preparation of water availability analyses. The bill would require the board to consult with the Department of Water Resources, the Department of Fish and Wildlife, and qualified hydrologists and climate change scientists, among others, in preparing the regulations.

Position	Lobbyist	Subject
Watch	Sidd (1)	Water, Water Quality

SB 1215 **(Newman D) Responsible Battery Recycling Act of 2022.**

Last Amend: 6/8/2022

Status: 6/8/2022-From committee with author's amendments. Read second time and amended. Re-referred to Com. on E.S. & T.M.

Summary: Would make the Rechargeable Battery Recycling Act of 2006 and the Cell Phone Recycling Act of 2004 inoperative as of September 30, 2026, and would repeal those acts as of January 1, 2027.

Position	Lobbyist	Subject
Support	John (1)	Solid Waste

[SB 1297](#) **(Cortese D) Low-embodied carbon building materials: carbon sequestration.**

Last Amend: 5/10/2022

Status: 5/27/2022-Referred to Com. on NAT. RES.

Summary: Would require the Energy Commission, in consultation with specified state agencies and other entities, to develop a plan as part of the 2023 Integrated Energy Policy Report to advance low-carbon materials and methods in building and construction projects that details a strategy and recommendations to minimize embodied carbon and maximize carbon sequestration in building materials, as provided. The bill would require the state board to develop an accounting protocol to quantify embodied carbon and carbon sequestration in building materials. Following the adoption of that protocol, the bill would require the Natural Resources Agency to incorporate, as appropriate, projects using low-embodied carbon building materials or carbon sequestration in building materials into the California Carbon Sequestration and Climate Resiliency Project Registry. The bill would require the Office of Planning and Research to evaluate the circumstances in which the use of low-embodied carbon building materials or carbon sequestration in building materials is an acceptable mitigation measure pursuant to the California Environmental Quality Act.

Position	Lobbyist	Subject
Oppose Unless Amended	John (1)	Building Standards

[SB 1326](#) **(Caballero D) Cannabis: interstate agreements.**

Last Amend: 6/6/2022

Status: 6/6/2022-From committee with author's amendments. Read second time and amended. Re-referred to Com. on B. & P.

Summary: SB 1326 would allow the cross jurisdictional import and export to other states, of cannabis and cannabis products by authorizing the Governor to enter into an agreement to provide lawful interstate commerce. SB 1326 requires the agreement to include public health, safety, and labeling standards, a system to regulate and track cannabis items, collection of applicable taxes, and that out of state cannabis items delivered to California be tested, packaged, and labeled in compliance with California state law.

Position	Lobbyist	Subject
Sponsor	Sarah (1)	Cannabis

[SB 1338](#) **(Umberg D) Community Assistance, Recovery, and Empowerment (CARE) Court Program.**

Last Amend: 5/19/2022

Status: 6/2/2022-Referred to Coms. on JUD. and HEALTH.

Summary: SB 1338 reflects Governor Newsom's vision for creating a new civil court process to reach and treat individuals living with untreated schizophrenia spectrum and psychiatric disorders. These new Community Assistance, Recovery, and Empowerment (CARE) Courts would work with public defenders, county behavioral health, and a new class of trained "supporters" to assist individuals with treatment, medication, and housing. CARE Courts require significant engagement and resources from counties.

Position	Lobbyist	Subject
Concerns	Sarah (1)	Mental Health

[SB 1404](#) **(Stern D) California Environmental Quality Act: oak woodlands.**

Last Amend: 4/27/2022

Status: 5/20/2022-Failed Deadline pursuant to Rule 61(b)(8). (Last location was S. APPR. SUSPENSE FILE on 5/9/2022)

Summary: CEQA requires the county to require certain oak woodlands mitigation alternatives if the county determines that there may be a significant effect to oak woodlands. CEQA exempts certain projects from this requirement. CEQA requires a lead agency that adopts, and a project that incorporates, one or more of the mitigation alternatives to be deemed to be in compliance with CEQA only as it applies to effects on oaks and oak woodlands. This bill would instead require a lead agency to determine whether a project within its jurisdiction may result in a conversion of oak woodlands, as defined, that will have a significant effect on the environment and to require certain oak woodlands mitigation alternatives, and would make conforming changes. The bill would provide that the removal of 3 or more oak trees within an oak woodland located within areas mapped by state or local agencies as areas critical to habitat linkage, natural resources protection, or otherwise related to biodiversity and conservation constitutes a significant effect on the environment. By imposing duties on local lead agencies, the bill would impose a state-mandated local program.

Position	Lobbyist	Subject
Oppose	John (1), Staci (2)	CEQA, Forestry



To: Members of the RCRC Board of Directors
From: John Kennedy, Policy Advocate
Tracy Rhine, Senior Policy Advocate
Leigh Kammerich, Policy Advocate
Date: June 10, 2022
Re: California Public Utilities Commission Update

Summary

RCRC is a formal participant in eleven active regulatory proceedings at the California Public Utilities Commission (CPUC or Commission). This memo provides a general overview, as well as the current status, of the various energy and telecommunications regulatory issues that RCRC is involved with, as well as other pertinent topics that affect rural counties. Notably, the CPUC will commence Commissioner-led listening sessions with key county and community leaders on a variety of topics affecting rural areas and infrastructure including affordability, utility safety culture, and climate adaptation.

Background

RCRC is a formal participant in the proceeding concerning (1) how utilities safeguard their infrastructure and (2) conduct de-energization of their power lines when there are extreme weather threats and, therefore, an elevated risk of wildfire. RCRC has also been fully engaged in multiple interrelated CPUC proceedings, including those that seek to provide policy guidance on energy and communications reliability in rural areas. Additionally, RCRC is involved in several regulatory issues related to broadband infrastructure and is a joint party with Environmental Services Joint Powers Authority (ESJPA) relating to mandates and strategies to reduce emissions from short-lived climate pollutants.

Overall, proceedings in cases such as these are generally considered “quasi-legislative” because they establish policy or rules affecting a class of regulated entities. However, some proceedings in which RCRC engages in are categorized as “rate setting,” such as the Microgrids and Resiliency Proceeding and the Renewables Portfolio Standard Proceeding.

Energy Issues

Wildfire Mitigation Plans/Office of Energy Infrastructure Safety

All electrical utilities are required to construct, maintain and operate their lines and equipment to minimize the risk of a utility-caused wildfire and undertake comprehensive mitigation measures through Wildfire Mitigation Plans (WMPs). The responsibility to review, investigate and approve these plans was transferred from the CPUC to the new

Office of Energy Infrastructure Safety (Energy Safety or OEIS) at the California Natural Resources Agency. While Energy Safety monitors wildfire mitigation expenditure data, the CPUC ultimately determines ratepayer costs during a utility's General Rate Case.

Presently, Energy Safety is reviewing the large Investor-Owned Utilities (IOUs) 2022 WMP updates and issuing draft decisions on a rolling basis. Most recently, Energy Safety issued a draft determination approving Southern California Edison's (SCE's) plan. Energy Safety noted that SCE has increased its maturity level in almost all categories since 2020, except for vegetation management; has made significant progress to implement continuous monitoring equipment (such as early fault detection of circuit malfunctions in high fire threat districts); and has made significant progress to reduce the scope, duration and frequency of Public Safety Power Shut-off events in 2021. Energy Safety identified specific objectives for continued improvement, including:

- Analyze root causes and trends for SCE's reported increases in total ignition rates, particularly wire-to-wire contacts;
- Provide a concrete list of goals with implementation dates for covered conductor joint effectiveness studies;
- Confirm risk-spend efficiency (RSE) estimates with third party independent experts and calculate RSE for emerging initiatives; and
- Increase PSPS thresholds on hardened circuits to realize the benefits of such investments, or explain why and by when it will raise such thresholds.

The draft decision on PG&E's 2022 WMP Update, however, was delayed to no later than September 30th to allow time for PG&E to address several critical issues raised in a comprehensive revision notice issued by OEIS. Of note, Energy Safety directed PG&E to remedy issues, including:

- Documenting the causes of, or direct lessons learned from, PG&E-ignited catastrophic wildfires;
- Reporting on the amount of grid design and system work being completed in top-risk areas;
- Providing planned undergrounding locations beyond 2023, and demonstrate that it is currently prepared to meet its ambitious undergrounding goals;
- Preparing a more aggressive plan to address its significant backlog of repairs and the poor health of its infrastructure;
- Maturing plans to mature its vegetation management, inspection capabilities;
- Providing sufficient evidence to support its extensive use of Enhanced Powerline Safety Settings; and
- Disaggregating data on its system hardening initiatives, such as parsing out individual mitigations (covered conductor, traditional hardening, etc.), targets, costs, and risk-spend efficiency data, to measure achievement and make comparisons across utilities.

Furthermore, Energy Safety found that PG&E is far behind targeting undergrounding in top risk circuits when compared to its peers. SCE is targeting 91.3 percent and 100 percent of its undergrounding scope in the top 20 percent in 2022 and 2023, respectively. PG&E set a 2021 goal that 80 percent of its distribution system hardening work would occur in its top risk categories, the highest-risk areas based on risk model output;

however, it only achieved 52.5 hardened distribution miles (25%) on its top 20% highest ranked circuits. PG&E has been ordered provide details of, and commit to, a more aggressive 2022–2024 goal of locating undergrounding in its top 20 percent risk-ranked circuits, on par with its peers and was admonished to not include any undergrounding associated with fire rebuild miles. While PG&E must include a more detailed timeline for undergrounding, they were not specifically ordered to reconcile cost projections. For example, according to PG&E’s own calculations, overhead hardening has greater risk-spend efficiency scores than undergrounding. The following tables illustrate the data provided.

PG&E’s 2021-2023 System Hardening Plans

2021-2023 System Hardening Actuals/Forecast Mileage Summary	Top 20% Risk	Fire Rebuild	PSPS Mitigation	Other Miles	Total Overall Portfolio
Mileage (Actuals/Forecast)	893.1	222.6	52.7	178.6	1346.9
Percentage by category	66%	17%	4%	13%	100%

PG&E’s 2022-2023 Undergrounding Plans

2022-2023 Undergrounding Forecast Summary	Top 20% Risk	Fire Rebuild	PSPS Mitigation	Other Miles	Total Overall Portfolio
Mileage	174.6	149.7	20.6	9.4	354.3
Percentage by category	49.3%	42.3%	5.8%	2.6%	

Meanwhile, public stakeholders are reviewing Small and Multi-Jurisdictional Utilities (SMJU) 2022 WMP Updates. The remaining schedule relating to 2022 WMP Updates is as follows¹:

Date	Event
Thursday, June 2, 2022	Energy Safety Publishes Draft Decision for SCE
Wednesday, June 22, 2022	Public Comments on SCE Draft Decision Due
Monday, June 20, 2022	Public Comments on SMJU WMP Updates Due
Monday, June 27, 2022	Reply Comments on SMJU WMP Updates Due
Tuesday, July 5, 2022	Reply Comments on SCE Draft Decision Due
Thursday, August 4, 2022	Energy Safety Publishes Draft Decisions for SMJUs
Wednesday, August 24, 2022	Public Comments on SMJU Draft Decisions Due
Wednesday, August 31, 2022	Reply Comments on SMJU Draft Decisions Due
By September 30, 2022	Energy Safety Publishes Draft Decision for PG&E
TBA	Public Comments on PG&E Draft Decision Due

De-Energization Proceeding

While next steps in this proceeding have not been announced, CPUC staff continue to work on an unofficial compendium of PSPS guidelines and rules, which will help provide

¹ Only utilities that have service territories in rural counties are reflected. For more information, see www.energysafety.ca.gov. To view the 2022 WMP docket, please visit <https://efiling.energysafety.ca.gov/Search.aspx?docket=2022-WMPs>

clarity for all stakeholders considering much of the rules governing the execution of PSPS events are found in multiple, and separate, CPUC Resolutions and Decisions.

Affordability Proceeding

On October 21, 2021, RCRC became a formal party to a proceeding to *Establish a Framework and Process for Assessing the Affordability of Utility Service*. Many consumers, local governments, and advocacy groups have long complained about rapidly rising electricity costs. Some of the more recent cost increases have been the result of long-overdue infrastructure upgrades and vegetation management work necessary to reduce the risk of utility wildfire ignition; however, others result from many of the state's climate change and related policy objectives. The CPUC is using this proceeding to evaluate policy solutions to reduce customer rate impacts in the coming years. While RCRC is not a party to, nor currently engaged in, any of the IOU General Rate Cases, RCRC will be engaging in this proceeding because its policy ramifications could extend far beyond those individual rate cases and have far more pronounced impacts on a broad base of customers in rural communities.

On May 20th, the CPUC released a ruling that contemplates establishing a new fixed charge for customers living in high fire threat districts and effectively shift more of the costs of utility wildfire mitigation activities onto communities in need of safety-related infrastructure upgrades. While RCRC has subsequently raised concerns with the Governor's office and CPUC staff on such a proposal, a more recent ruling has walked back establishing such charges and policy considerations. RCRC is in close collaboration with the lead Commissioner to identify public outreach opportunities in rural counties with key county leaders to discuss affordability and other rural infrastructure impacts such as utility safety culture assessments and climate adaptation measures.

Microgrids and Resiliency Proceeding

The \$200 million Microgrid Incentive Program will provide, on a pilot basis, reliability and resiliency opportunities to communities during electric outages, thereby minimizing service disruptions and allowing critical infrastructure and other connected households to remain energized in the large investor-owned utility service territories. Resiliency planning is a current focus of the proceeding. Next steps, such as a staff proposal, have yet to be announced.

Rule 20 Undergrounding Proceeding

RCRC became a formal party to this proceeding in late April 2021. The Rule 20A program uses ratepayer funds to, upon request, underground overhead power lines and was originally created to address the aesthetic impacts of the power lines and their equipment. Local projects are completed through work credits that are allocated to communities based on the number of meters in that jurisdiction, which is generally more favorable to urban areas. The next phase of this proceeding, which has yet to get underway, is expected to contemplate expanding the Rule 20A program to mitigate wildfire risk from overhead lines.

Renewables Portfolio Standard Program Proceeding

In October 2020, RCRC was granted party status in a rulemaking on the Renewable Portfolio Standards (RPS) Proceeding, spurred by a petition filed by the Center for Biological Diversity and a few other environmental groups to make it more difficult for

biomass energy facilities to participate in the state's Bioenergy Market Adjusting Tariff (BioMAT) program. The BioMAT program requires utilities to procure electricity from small bioenergy projects, including biomass facilities that utilize fuels from high hazard zones. RCRC is monitoring this proceeding while it contemplates adjudicating this petition.

Biomethane Proceeding

Senate Bill 1440 (Ch. 739, Statutes of 2018) authorizes the CPUC to adopt biomethane procurement targets or goals for the gas utilities it regulates, and Senate Bill 1383 (Ch. 395, Statutes of 2016) sets a target to reduce methane emissions of Short-Lived Climate Pollutants (SLCPs) from landfill operations by 40 percent below 2013 levels by 2030. This biomethane will displace some of the natural gas utilities supply to their customers. RCRC and ESJPA became joint parties in January 2022 to the proceeding on biomethane standards and requirements to leave the door open for our solid waste facilities to meet SB 1383 procurement requirements and allow biomethane production facilities co-located at landfills to increase on-site energy generation using biogas.

SGIP Proceeding

In August 2020 RCRC became a party to a new Self-Generation Incentive Program (SGIP) Proceeding to further develop and refine policies, procedures, and rules for emerging distributed energy resources and electric resiliency projects. The SGIP is funded by ratepayers of PG&E, Southern California Edison, and San Diego Gas and Electric. Next steps in this proceeding are to be announced.

Emergency Disaster Relief Program Proceeding

The Emergency Disaster Relief Program Proceeding adopts comprehensive disaster-related consumer protection measures for electric, gas, communications, and water utility customers. RCRC participated in the proceeding's development of rules for wireless and wireline communications resiliency in Tier 2 and Tier 3 High Fire Threat Districts by requiring 72-hour backup power. Having no outstanding issues to be considered within its scope, the CPUC is expected to close this proceeding at an upcoming meeting.

Communications Issues

California Advanced Services Fund Proceeding

The California Advanced Services Fund (CASF) provides financial grants to qualified service providers to construct broadband infrastructure needed to deploy high speed internet service in unserved and underserved areas. This proceeding is currently focused on implementing legislation and budget trailer bills, such as the \$50 million Local Agency Technical Assistance Program (LATA), as well as the \$750 million Broadband Loan Loss Reserve Fund (LLR).

On June 7th, a ruling inviting additional stakeholder feedback on a modified staff proposal to the CASF Broadband Infrastructure Grant Account was released. Among other changes, the staff proposal's modifications to the Infrastructure Account program can be summarized to:

- Revise the sunset date to December 31, 2032, with the goal of approving funding for infrastructure projects that will provide broadband access to no less than 98 percent of California households in each consortia region;

- Revise the definition of “unserved area” to an area for which there is no facility-based broadband provider offering at least one tier of broadband service at speeds of at least 25 megabits per second (mbps) downstream, 3 mbps upstream, and a latency that is sufficiently low to allow real-time interactive applications, considering updated federal and state broadband mapping data;
- Give “priority” to projects in unserved areas where internet connectivity is available only at speeds at or below 10 mbps downstream and 1 mbps upstream or areas with no internet connectivity;
- Revise project “eligibility” for grant awards to infrastructure capable of providing broadband access at speeds of a minimum of 100 mbps downstream and 20 mbps upstream, or the most current broadband definition speed standard set by the Federal Communications Commission, whichever broadband access speed is greater, to unserved areas or unserved households.

RCRC is currently reviewing all proposed modifications in the ruling and will remain engaged.

Broadband Deployment Proceeding

This proceeding will consider how key issues, strategies, incentives, and standards can improve open access for multiple carriers in deploying wireline and wireless infrastructure in rural areas, as well as investigate the role investor-owned utilities can play in deploying broadband services to communities lacking access to download speeds of 100 Mbps.

This Broadband Proceeding is the primary venue to implement the federal funding account and rules for last-mile broadband, established by Senate Bill 156 (Chapter 112, Statutes of 2021), the landmark measure that provided \$6 billion for broadband infrastructure, including \$3.25 billion to construct a statewide open-access middle mile network, and a \$1 billion rural set aside for last-mile network construction. As previously discussed, other provisions of this legislation, the LATA and LLR programs, are being implemented through the CASF proceeding.

Minimum Service Quality Standards Proceeding

On April 26th, RCRC was granted formal party status to the new *Order Instituting Rulemaking Proceeding to Consider Amendments to General Order 133*. Specially, this proceeding will consider changes to minimum service quality standards of Voice Over Internet Protocol (VoIP), wireless, and broadband service and examines existing enforcement protocols to improve substandard service. Currently, CPUC General Order 133 sets minimum service quality standards for legacy Plain Old Telephone Service (POTS) providers. As new technology became more prolific, rural counties have experienced a myriad of poor service quality issues that have compounded over time including a lack of redundancy for VoIP, insufficient wireless coverage, and inadequate broadband speeds that impact educational outcomes, commerce and telehealth opportunities. During the COVID-19 pandemic, service disruptions to public meetings broadcasts effectively prevented several local agencies from taking timely, transparent action on the people’s business pursuant to open meetings laws. Furthermore, while the CPUC currently permits investments in lieu of penalties to remedy service quality deficiencies, the resulting progress has largely been deemed ineffective and will be called into question as part of the scope of the proceeding.

Staff Recommendation

RCRC staff will continue to participate in these proceedings and related issues that have profound impacts on RCRC member counties.

Attachments

- RCRC Open CPUC Proceedings List

RCRC OPEN CPUC PROCEEDINGS LIST

PROCEEDING	PROCEEDING NUMBER*	FORMAL PARTY STATUS DATE	DESCRIPTION
1. De-Energization/PSPS	<u>R.18-12-005</u>	March 18, 2019	Examines the practice of de-energizing power lines in dangerous conditions to prevent utility-caused wildfire ignitions.
2. Emergency Disaster Relief Program	<u>R.18-03-011</u>	November 13, 2019	Relief and system resiliency for electrical, natural gas, water, sewer and telecommunications customers during disasters.
3. Self-Generation Incentive Program (SGIP)	<u>R.20-05-012</u>	August 20, 2020	Incentive funding for large IOU customer-level energy storage resources to reduce peak energy demand.
4. Microgrids	<u>R.19-09-009</u>	February 4, 2020	Framework for the commercialization of microgrids to achieve community resiliency.
5. California Advanced Service Fund (CASF)	<u>R.20-08-021</u>	September 15, 2020	Spurs deployment of broadband facilities in unserved and underserved areas in each broadband consortia region.
6. Renewables Portfolio Standard	<u>R.11-05-005</u>	October 21, 2020	Continues the administration and oversight of the Renewables Portfolio Standard, a procurement requirement for the states load-serving entities currently set at 60% of electricity retail sales be served by carbon-free sources by 2030.
7. Broadband	<u>R.20-09-001</u>	November 19, 2020	Takes near- and medium-term actions to deploy reliable, fast and affordable internet services to all Californians.

8. Rule 20 Undergrounding	R.17-05-010	April 23, 2021	Evaluates ratepayer-funded undergrounding of overhead power lines and equipment identified by cities and counties through a work credit-based system.
9. Affordability	R.18-07-006	October 21, 2021	Establishes a framework and process to assess the affordability of utility rate requests on electric, telecommunications, and water customers.
10. Biomethane Standards and Requirements	R.13-02-008	January 18, 2022	Implements SB 1440, requiring the CPUC to adopt biomethane procurement targets as a cost-effective means to reduce short-lived climate pollutants and other GHG emissions.
11. General Order 133	R.22-03-016	April 26, 2022	Considers changes to minimum service quality standards of Voice Over Internet Protocol (VoIP), wireless, and broadband service and examines existing enforcement protocols to improve substandard service.
Wildfire Mitigation Plans**	Energy Safety Docket	N/A	Comprehensive plans to construct, maintain and operate electrical lines and equipment to reduce the risk of wildfire.

*To access the Proceeding Docket, please click on the hyperlink provided.

**Note, the Wildfire Mitigations Plan Proceeding is no longer open at the CPUC and has migrated to the Office of Energy Infrastructure Safety (Energy Safety or OEIS)



To: Members of the RCRC Board of Directors
From: Sidd Nag, Policy Advocate
Date: June 13, 2022
Re: Water Issues Update

Summary

This memo provides an update on current issues involving California water policy.

Background

With drought in full effect, the Legislature and Administration continue to debate policy over near-term drought impacts as well as longer-term supply resiliency. In the Legislature, the majority of drought-related bills have passed out of their house of origin, and are now scheduled to be heard in second-house policy committees throughout the month of June. Meanwhile, both the Legislature and Administration have broad spending proposals that deal with drought impacts, and address other water resource policies. However, those spending proposals have mostly yet to be fully detailed, and are unlikely to be finalized before the summer legislative break in July.

Issues

The Administration Proposes its May Revised Budget, and the Legislature Counters

Seeing even more revenues come into state collections than was predicted in January, the Newsom Administration expanded its budget proposal to include additional spending for drought response and water resources on top of its January proposed \$750 million (\$250 million of which was not committed to any specific program). Some of the expanded proposed spending includes:

- \$530 million to support water recycling and groundwater cleanup; advance drinking water and clean water projects that leverage federal infrastructure funds; and continued funding for aqueduct solar pilots.
- \$300 million in grants to urban water districts and smaller community water suppliers for drought-relief projects; along with \$223 million in funding for data, research, and public education campaigns; support local emergency drinking water response, including the purchase of water storage tanks.
- \$280 million to address fish and wildlife impacts associated with drought and climate change, and to build aquatic habitat and water resilience projects to support implementation of voluntary agreements with water suppliers.

- \$187 million to support agricultural water conservation practices; incentivize farmers to install more efficient irrigation equipment and provide on-farm technical assistance; provide direct relief to small farm operators; and support additional water conservation projects.

Meanwhile, the Legislature is largely pushing off writing a detailed budget proposal in favor of passing a budget framework that identifies broad budget priorities, but is scant on specifics. Instead of directly responding to the administration's water policy priorities outlined above, the majority of the Legislature's proposed plan for water policy is instead subsumed within a \$21 billion energy and climate item that only outlines categories of spending. However, the Legislative plan does identify some specific priorities, even if those too remain limited on details. In its plan, the Legislature proposes:

- **Dam Safety:** Provides \$100 million for dam safety projects.
- **Ocean Protection and Sea Level Rise:** Provides \$77.6 million for ocean protection and sea level rise in 2022-23 and \$300 million ongoing for nature-based sea-level rise adaptation.
- **Flood Projects:** Extends the Proposition 1E flood project extension of liquidation to ensure projects in progress may continue.
- **\$1.5 billion for purchasing and retiring senior water rights:** This proposal would presumably fund senior water rights purchases for conversion of those water rights into environmental uses.

Legislature Continues to Debate Bills, Now Under Consideration in their Second House

The majority of water-related legislation that is being tracked by RCRC has passed its house of origin, and are now under consideration in their second house. These include:

SB 1157 (Hertzburg, D-Van Nuys) – Would accelerate the state's planned reduction in indoor residential water use standards by 2025 and 2030 from 55 and 50 gallons per person daily, to 52.5 and 40 gallons per person daily. The bill passed to the Assembly after a spirited debate on the Senate floor last week.

AB 2201 (Bennett, D-Ventura) – Would require groundwater sustainability agencies to evaluate and approve applications for new well permits, in addition to a county's permitting authority, and would designate State Water Board as the reviewing agency in cases where a GSA was under probationary status. This bill is structured to largely parallel the new well permit language in the Governor's recent drought order.

AB 2451 (Wood, D-Santa Rosa) – Directs State Water Board to establish a Drought Section within the Division of Water Rights, The bill would require the state board, in consultation with the Department of Fish and Wildlife, to adopt principles and guidelines for diversion and use of water in coastal watersheds, as specified, during times of water shortage for drought preparedness and climate resiliency. The bill would require that the principles and guidelines provide for the development of watershed-level contingency plans to support public trust uses, public health and safety, and the human right to water in times of water shortage.

SB 1205 (Allen, D-Santa Monica) – Requires State Water Board to adopt regulations that provide “greater specificity” as to the methods and practices in determining water rights permits, including consideration of climate change impacts on hydrology.

AB 2106 (Rivas, D-Hollister) – Requires, on or before December 31, 2024, the state board to modernize its stormwater data collection systems, and to establish a statewide commercial, industrial, and institutional NPDES order and to publish a draft order of the statewide order for public comment on or before December 31, 2025.

AB 2108 (Rivas, D-Hollister) – Directs the Governor to appoint a member to State Water Board and regional board with environmental justice or tribal resources expertise.

Staff Recommendation

Information only. RCRC staff will continue to engage in these policy areas as necessary to ensure the concerns of RCRC member counties are addressed.