# AGENDA ASSEMBLY BUDGET SUBCOMMITTEE NO. 3 ON RESOURCES

# ASSEMBLYMEMBER VIRGINIA STROM-MARTIN, CHAIR

Monday, May 17, 1999 State Capitol, Room 437 4:00 p.m.

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# 0555 SECRETARY FOR CALEPA

#### **ISSUE 1: MAY REVISION**

The Governor's May Revision includes the following adjustments:

- An increase of \$168,000 (General Fund) to implement pilot programs to determine the effectiveness of the International Standards Organization (ISO) 14000.
- An increase of \$150,000 (General Fund) to shift the funding for the Santa Susana Advisory Panel from the Department of Health Services to CalEPA.

COMMENTS:
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The ISO 14000 is a set of voluntary standards and guidelines to help businesses and organizations incorporate sound environmental management systems into their operations. ISO 14000 encourages businesses to incorporate performance-based standards to improve environmental performance at a lower cost than existing regulations. There are related proposals for the Air Resources Board, California Integrated Waste Management Board, State Water Resources Control Board, and the Department of Toxic Substances Control.

The Santa Susana Field Laboratory site is no longer in use, but significant amounts of radioactive and toxic substances were used when the site was in operation. The Governor's original budget included funding in the Department of Health Services for an advisory panel and to determine the feasibility of studying the health effects of potential contamination from the laboratory on the neighboring community. It has since been determined the CalEPA would be the most appropriate agency for these activities.

# 3360 CALIFORNIA ENERGY COMMISSION

#### **ISSUE 1: MAY REVISION**

The Governor's May Revision proposes \$1.2 million from the Energy Resources Programs Account to provide 15 positions to review energy facility siting applications.

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COMMENTS:	

Due to restructuring of the State's energy industry, the Commission has received more applications to site power plants than initially planned at the time of the Governor's original budget proposal.

The proposed increase will allow the Commission to complete the energy facility siting application process within the statutory limit.

# 3480 DEPARTMENT OF CONSERVATION

#### **ISSUE 1: MAY REVISION**

The Governor's May Revision proposes the following changes:

- ➤ \$1.2 million (General Fund) to increase the enforcement of the State's laws governing timber harvesting plan inspections as well as other timber harvesting related activities in the North Coast.
- ➤ \$2.26 million (California Beverage Container Recycling Fund) to upgrade the Payment and Report Processing System which processes payments, fees, and grants for the California Beverage Container Recycling Program.
- ➤ \$186,000 (\$55,000 for the General Fund) to install a third connection cable and data outlets in the new CalEPA building.
- ➤ A shift of \$431,000 from local assistance to state operations for the Agriculture Land Stewardship Program.

COMMENTS:
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In addition to the funding for the Department of Conservation for enforcement of timber harvesting activities, there are related proposals with the Department of Forestry and Fire Protection, Department of Fish and Game, and the State Water Resources Control Board. The proposals result from the Governor directing the Secretary of Resources to increase enforcement of timber harvesting activities in the North Coast.

# 3540 DEPARTMENT OF FORESTRY AND FIRE PROTECTION

#### **ISSUE 1: MAY REVISION**

The Governor's May Revision includes the following changes:

- ➤ \$1.7 million (General Fund) to increase the enforcement of the State's laws governing timber harvesting plan inspections as well as other timber harvesting related activities in the North Coast.
- > \$2.1 million (\$1.8 million General Fund) and six positions to implement the respiratory protection regulations and guidelines issued by the California Occupational Safety and Health Administration.
- ➤ \$2.1 million (Forest Resources Improvement Fund (FRIF)) and Budget Bill Language to provide matching grant funds pursuant to the Governor's "Trees for the Millennium" Initiative.
- A funding shift of \$347,000 for the Environmental License Plate Fund to the Forest Resources Improvement Fund for the Forest Pest Management Program.
- ➤ \$2.6 million (FRIF) and Budget Bill Language for the Resources Agency initiative to improve assessment and planning efforts in coastal watersheds by integrating the activities of different state agencies, assisting local governments with watershed restoration efforts, and working with regional stakeholder groups.

COMMENTS:	
COMMENTS.	

In addition to the funding for the Department of Forestry and Fire Protection for enforcement of timber harvesting activities, there are related proposals with the Department of Conservation, Department of Fish and Game, and the State Water Resources Control Board. The proposals result from the Governor directing the Secretary of Resources to increase enforcement of timber harvesting activities in the North Coast.

The "Trees for the Millenium" initiative will provides grants to schools, cities, and other public entities throughout the State for urban forestry tree planting projects and innovative approaches for tree maintenance.

# 3600 DEPARTMENT OF FISH AND GAME

#### ISSUE 1: MAY REVISION - TIDELANDS OIL REVENUE

The Governor's May Revision proposes to (1) repeal Section 6217 of the Public Resources Code, through Trailer Bill Language, (2) deposit all tidelands oil revenue into the General Fund, (3) eliminate all of the special funds and accounts set up to receive tidelands oil revenues, and (4) provide \$11.6 million in General Funds to provide the same funding levels included in the Governor's January budget for programs funded with Tidelands Oil Revenue.

For the Department of Fish and Game, this results in a General Fund increase of \$8 million for grants to cities, counties, other public entities, and nonprofits for various habitat restoration and watershed planning and education projects. The Governor's January budget provides this funding from the Salmon and Steelhead Trout Restoration Account.

In addition, the Governor now proposes to fund the Marine Life Management Act with \$2.2 million from the General Fund, rather than the Marine Life & Marine Reserve Account.

# COMMENTS:

In addition to the programs the Governor provides General Funds for to backfill reduced tidelands oil revenues, there are other accounts, such as the Parks Deferred Maintenance Account and the Natural Resources Infrastructure Fund, that would receive tidelands oil revenues in years in which the revenues are higher.

Under the Governor's proposal, however, the programs funded from such accounts will have to compete with all other General Fund needs in order to receive funding.

The Subcommittee has already augmented the budget by \$5.5 million for the Marine Life Management Act, so the Governor's proposal to provide funding for the act is duplicative.

#### ISSUE 2: MAY REVISION - OTHER

The Governor's May Revision proposes the following changes:

- ➤ \$450,000 (\$438,000 Fish and Game Preservation Fund (FGPF) and \$12,000 General Fund) for abatement of lead in 34 residences at nine sites owned by the Department of Fish and Game.
- Funding shift of \$510,000 from the FGPF and \$64,000 from the Oil Spill Prevention and Administration Fund to the Fish and Wildlife Pollution Account for inland pollution response and administration.

COMMENTS:	
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In addition to the funding for the Department of Fish and Game for enforcement of timber harvesting activities, there are related proposals with the Department of Conservation, Department of Forestry and Fire Protection, and the State Water Resources Control Board. The proposals result from the Governor directing the Secretary of Resources to increase enforcement of timber harvesting activities in the North Coast.

# **3680 DEPARTMENT OF BOATING AND WATERWAYS**

#### **ISSUE 1: MAY REVISION**

The Governor's May Revision proposes the following changes:

- > \$26.7 million (Harbors and Watercraft Revolving Fund (HWRF)) and Trailer Bill Language to provided planning and construction loans for public small craft harbors.
- ➤ \$3 million (HWRF) and Trailer Bill Language to provide loans to private recreational marina operators.
- ➤ Reappropriation of the liquidation period for a \$4 million private marina loan for improvements to the Sunset Harbor Marina in Orange County.

COMMENTS:	

The Secretary for Resources recently undertook a study to determine the appropriateness of expending public funding to provide below market interest loans to the private sector. The Secretary concluded the program benefits recreational boating in the State and helps in providing public access to the State's waterways.

#### **ISSUE 2: BEACH EROSION**

Throughout California's coastal areas, beaches are in need of restoration due erosion and sand depletion. As a result, public enjoyment of beaches is harmed and local economies are damaged.

Coastal tourism provides over 500,000 jobs, \$11 billion in direct spending, and \$1 billion in state revenue.

# COMMENTS:

The total need for beach erosion projects throughout the State stands at approximately \$105 million. One proposal calls for a \$35 million augmentation over the next three years to cover the full amount.

At this time, it would not be prudent for the Subcommittee to approve such a large augmentation. The Subcommittee, should, however, consider augmenting the budget by \$3.5 million.

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# 3720 CALIFORNIA COASTAL COMMISSION

# ISSUE 1: MAY REVISION

The Governor's May Revision proposal includes the following changes:

- ➤ \$80,000 and Budget Bill Language to allow the Commission to process 37 valuable offers-to-dictate prior to their expiration.
- > \$240,000 to assist the completion of Local Coastal Plans (LCPs).
- > \$71,000 for operating expenses and equipment.

Local Governments within the coastal zone are required to complete a LCP that reflects the policies of the Coastal Act. The funding will be used to administer the existing LCP grant program and to assist the grant recipients in preparing certifiable LCPs.

# 3760 STATE COASTAL CONSERVANCY

# ISSUE 1: MAY REVISION

The Governor's May Revision includes the following changes:

- ➤ \$5,751,000 (General Fund), including \$161,000 in state operations and \$5,590,000 in capital outlay to fund the ongoing work of the Southern California Wetlands Clearinghouse.
- > Reappropriation of various local assistance grants for coastal access.

COMMENTS:
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The Southern California Wetlands Clearinghouse is a program to restore the remaining 41 coastal wetlands in Southern California.

# 3810 SANTA MONICA MOUNTAINS CONSERVANCY

#### **ISSUE 1: MAY REVISION**

The Governor's May Revision provides a fund shift of \$326,000 from the Santa Monica Mountains Conservancy Fund (SMMCF) to the Environmental License Plate Fund for the purpose of addressing the revenue shortfall in the SMMCF.

In addition, the proposal includes Budget Bill Language authorizing the transfer of any reimbursements received to the SMMCF.

COMMENTS:	

The Subcommittee provided an augmentation of \$750,000 (General Fund) to assist the Conservancy meet its operating needs.

The Department of Finance and the Conservancy should provide testimony as to whether the intent of the Subcommittee's previous action has been addressed satisfactorily by the May Revision proposals.

# 3860 DEPARTMENT OF WATER RESOURCES

#### ISSUE 1: MAY REVISION

The Governor's May Revision includes the following changes:

- ➤ \$483,000 (General Fund) to address the backlog of work related to dam safety inspections.
- > \$2 million (General Fund) to be consistent with the contractual agreement to equally share the costs of the CalFed program.
- > \$355,000 (General Fund) for two positions to support the negotiation and implementation of the Truckee River Operating Agreement.
- ➤ \$10 million to continue 20 positions to study the feasibility of integrated water storage projects north of the Delta and to establish 57 positions to begin the CalFed integrated storage system. Of the \$10 million, \$4.5 million is proposed to be used to complete the investigation of the Sites Reservoir.
- \$44 million for local flood control subventions.

COMMENTS:
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The Subcommittee approved the \$44 million for local flood control subventions at a previous hearing, therefor, the augmentation should not be approved at this point.

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#### **ISSUE 2: PORTS DREDGING**

There is a significant need for projects in California's ports in order to allow them to accommodate larger vessels and to provide quality dock facilities. It is anticipated that as much as \$147 million in federal funds will be available for ports projects over the next five years, however, the federal funds would require a match shared by the State and local port and harbor agencies.

There is an identified backlog of projects that would require approximately \$68 million in General Funds. In addition, budget year projects would require \$11.8 million in General Funds.

COMMENTS:
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Last year, the Legislature included approximately \$15 million for port projects in the budget, but these funds were vetoed from the budget. Subsequently, the appropriation was included in another bill, but that too was vetoed.

The Subcommittee should consider providing funding for the State's portion of projects in the budget year, this would be \$11.8 million.

# 3900 AIR RESOURCES BOARD

#### **ISSUE 1: MAY REVISION**

The Governor's May Revision proposal includes the following changes:

- An increase of \$104,000 (General Fund) to implement pilot programs to determine the effectiveness of the International Standards Organization (ISO) 14000.
- An increase of \$1.1 million (General Fund) for an intensive, in-depth evaluation of 400 school children in the Fresno Area to determine how specific air pollutants affect asthma.

COMMENTS:	
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The ISO 14000 is a set of voluntary standards and guidelines to help businesses and organizations incorporate sound environmental management systems into their operations. ISO 14000 encourages businesses to incorporate performance-based standards to improve environmental performance at a lower cost than existing regulations. There are related proposals for the Secretary of CalEPA, California Integrated Waste Management Board, State Water Resources Control Board, and the Department of Toxic Substances Control.

# 3910 INTEGRATED WASTE MANAGEMENT BOARD

#### **ISSUE 1: MAY REVISION**

The Governor's May Revision proposes the following alterations:

- An increase of \$92,000 (General Fund) to implement pilot programs to determine the effectiveness of the International Standards Organization (ISO) 14000.
- An increase of \$5 million (California Tire Recycling Fund) for the implementation of Executive Order W-184-98, which requires the board to increase enforcement activities against the illegal stockpiling of waste tires and to remediate legacy waste tire piles.

COMMENTS	
COMMENTS:	

The ISO 14000 is a set of voluntary standards and guidelines to help businesses and organizations incorporate sound environmental management systems into their operations. ISO 14000 encourages businesses to incorporate performance-based standards to improve environmental performance at a lower cost than existing regulations. There are related proposals for the Secretary of CalEPA, Air Resources Board, State Water Resources Control Board, and the Department of Toxic Substances Control.

# 3930 DEPARTMENT OF PESTICIDE REGULATION

#### ISSUE 1: MAY REVISION

The Governor's May Revision proposes the following alterations:

- An increase of \$345,000 (Department of Pesticide Regulation Fund) to fund the second phase of a pesticide air monitoring study in the city of Lompoc.
- An increase of \$639,000 (General Fund) and \$1,491,000 (Department of Pesticide Regulation Fund) to evaluate the impact of pesticide contamination in surface water.

COMMENTS:	
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The funding to evaluate the impact of pesticide contamination in surface water will assist the State Water Resources Control Board to develop Total Maximum Daily Loads (TMDLs) for pesticide relate pollutants.

# 3940 STATE WATER RESOURCES CONTROL BOARD

#### **ISSUE 1: MAY REVISION**

The Governor's May Revision proposes the following alterations:

- An increase of \$3.9 million (General Fund) and 33.2 positions to develop total Maximum Daily Loads (TMDLs) for the State's impaired water bodies.
- An increase of \$707,000 (General Fund), \$1,000,000 (Underground Storage Tank Fund), and \$252,000 (Harbors and Watercraft Revolving Fund) to conduct various activities associated with the MTBE contamination and phase-out.
- A reduction in reimbursements by \$250,000 to reflect a reduction in federal passthrough grant funding for state oversight of cleanup activities at military sites under the Defense/State Memorandum of Agreement.
- An increase of \$33,995,000 (Underground Storage Tank Cleanup Fund) to fund additional claims for the cost of cleaning up contamination from underground storage tanks. The funds are available due to reversions in previous years.
- An increase of \$86,000 (General Fund) to implement pilot programs to determine the effectiveness of the International Standards Organization (ISO) 14000.

#### **ISSUE 1: OPERATIONS IMPROVEMENTS**

In their analysis, the LAO identified several shortcomings with the State Water

# Update/renewal of waste discharge requirements (WDRs) and NPDES permits

- A. \$3 million augmentation to update WDRs and renew NPDES permits.
- B. Budget bill language:

  "Of the amount appropriated by this item [item 3940-001-0001], \$3 million shall be allocated for the purposes of updating waste discharge requirements and renewing NPDES permits in accordance with the State Water Resources

Control Board's administrative procedure manual standards and federal law, respectively."

respectively.

C. Supplemental report language:

1. By January 10, 2000, the State Water Resources Control Board shall report to the Chairs of the Joint Legislative Budget Committee and Senate and Assembly fiscal committees on:

The inventory of the update and renewal of waste discharge requirements (WDRs) and NPDES permits. The report shall include, but not be limited to:

2. A listing the following:

The number of WDRs and NPDES permits which, were scheduled for renewal or update prior to July 1, 1999, but were not renewed or updated pursuant to this schedule as of July 1, 1999, and are therefore part of a "backlogged" inventory.

- A. The number of WDRs and NPDES permits scheduled for update or renewal between 7/1/99 and 12/30/99,
- B. The number of WDRs and NPDES updated or renewed between 7/1/99 and 12/30/99, from both the backlogged inventory and those scheduled for update or renewal in 1999-00.
- C. The number of WDRs and NPDES permits scheduled for renewal or update between 1/1/00 and 6/30/00,
- D. The number of WDRs and NPDES permits updated or renewed between 1/1/00 and 6/30/00, from both the backlogged inventory and those scheduled for update or renewal in 1999-00.
- E. Projected backlog in the update and renewal of WDRs and NPDES permits as of 7/1/2000.

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- 3. Programmatic and budgetary information detailing the effect of the \$3 million augmentation of Item 3940-001-0001 on the board's ability to reduce the backlogged inventory in the update and renewal of WDRs and NPDES permits.
- 4. The extent to which the Governor's 2000-01 budget proposal addresses the backlogged inventory projected for 7/1/2000. Specifically, the report shall detail the board's plan for reducing the backlogged inventory associated with the update and renewal of WDRs and NPDES permits.
- 5. A plan for eliminating the backlogged inventory. Specifically, based on the federal requirements for NPDES permit renewals and the board's administrative procedure manual standards for the update of WDRs, the board shall detail the budget augmentation necessary to eliminate the backlog identified in subsection (f) of section (1) of paragraph (a), and recommend statutory changes or process changes that can be taken in order to eliminate the backlog. To the extent the backlog cannot be eliminated by 6/30/01, the board shall provide a timeline for eliminating the backlog. The report shall include the budgetary resources which the board would commit to eliminating the backlog in order to meet the timeline. The report shall detail the budget information on a fiscal year basis in sufficient detail to sustain a thorough fiscal analysis.
- 1. LAO Report. The Legislative Analyst shall review the board's report, as required in paragraph 1, and comment on its review by January 20, 2000. The commentary shall include, but not be limited to, the following: The use of the \$3 million augmentation. A report on the board's plans for eliminating the backlog in the update and renewal of WDRs and NPDES permits, including the board's recommendations for statutory and/or process changes. -

A. The use of the \$3 million augmentation. Did the board use the \$3 million augmentation cost-effectively? How could the \$3 million have been used more effectively? Had the \$3 million not been augmented, what would be the projected inventory on 7/1/00?

B. Recommendations for eliminating the inventory in WDRs and NPDES permits. The recommendations may include statutory or budgetary language. To the extent the California Research Bureau makes recommendations, the recommendations shall include specific statutory language relevant to the statutory code or the 2000-01 budget proposal.

# Baseline Ambient surface and groundwater quality monitoring

- A. \$6 million additional funding.
  - (1) \$3 million is provided to expand the existing toxic testing program to test all the priority watersheds identified by the State Board in its annual priority watershed list.
  - (2) \$1 million is provided to expand the existing Toxic Substances Monitoring Program and the State Mussel Watch Program and Coastal Fish Contamination Study.
  - (3) \$2 million is provided to contract with the United States Geological Service to monitor groundwater basins on a rotating basis.
- B. Budget bill language:

  Of the amount appropriated by this item [item 3940-001-0001], \$6 million is for ambient surface water and groundwater monitoring, of which \$3 million is ... (track (1) to (3) above).
- C. Supplemental report language:
  - By January 10, 2000, the State Water Resources Control Board shall report to the Chairs of the Joint Legislative Budget Committee and Senate and Assembly fiscal committees on:
    - a. The specific watersheds and coastal resources where state and regional boards have monitored ambient surface water quality monitoring has been conducted or contracted for during the three year period beginning 7/1/97. The report shall include the dates the sites were monitored, the type of monitoring, the pollutants monitored for, the results of the monitoring, and expenditures.
    - b. The specific groundwater basins where state and regional boards have monitored ambient surface water quality monitoring has been conducted or contracted for during the three year period beginning 7/1/97. The report shall include the dates the sites were monitored, the type of monitoring, the pollutants monitored for, the results of the monitoring, and expenditures.

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- c. A plan for implementing a comprehensive program for monitoring ambient surface water quality and groundwater quality, and how the Governor's 2000-01 budget proposal fits within this plan.
- As part of The 2000-01 Analysis of the Budget, the Legislative Analyst shall review and critique the report required in paragraph (1), and recommend a plan for implementing a comprehensive program for monitoring ambient surface water quality and groundwater quality. The plan shall include a specific proposal for the 2000-01 budget. The recommendation shall detail the specific amendments necessary to the Governor's 2000-01 budget proposal.

# To complete the analysis necessary to adopt the California Inland Waters Plan and the Bays and Estuaries Plan

- A. \$400,000 additional funding.
- B. Budget bill language:
  Of the funds appropriated in this item [3940-001-0001], \$400,000 is to complete the analysis necessary for the State Water Resources Control Board to adopt the California Inland Surface Waters Plan and the Bays and Estuaries Plan by July 1, 2000.

# Inspections of waste dischargers. -

- A. \$3.5 million made and the number of sites which remain uninspected.
- B. Budget bill language:
- C. Of the funds appropriated in this item, \$3 million is for inspections of NPDES and WDR permit-holders, in accordance with the Administrative Procedures Manual adopted standards, and \$500,000 to inspect stormwater discharges. The report shall quantify the number of inspections.
- D. Supplemental report language:
  By January 10, 2000, the State Water Resources Control Board shall report to the Chairs of the Joint Legislative Budget Committee and Senate and Assembly fiscal committees on the following. The report shall provide sufficient detail to sustain a thorough analysis.
  - a. The extent to which the Governor's 2000-01 budget proposal results in the inspection of Chapter 15, Non-Chapter 15, and NPDES permit-holders in accordance with Administrative Procedures Manual (APM) standards.

- b. A program and implementation schedule necessary to inspect dischargers in accordance with APM standards, and to inspect stormwater dischargers (a) annually or (b) every 5 years. In developing the program, the department shall assume a start date of 1/1/01. If the Governor's 2000-01 budget proposal does not conform to either of these schedules, the report shall detail the amendments necessary to the 2000-01 budget proposal to implement the program.
- 1. The Legislative Analyst shall critique the report required in paragraph (1) and report on its review at hearings on the 2000-01 budget.

# 3960 DEPARTMENT OF TOXIC SUBSTANCES CONTROL

#### **ISSUE 1: MAY REVISION**

The Governor's May Revision proposes the following alterations:

- An increase of \$2,224,000 (General Fund) and Budget Bill Language to shift some of the costs of state oversight of military site cleanup from federal funds to state funds to reflect a reduction in federal funding.
- An increase of \$204,000 (General Fund) to implement pilot programs to determine the effectiveness of the International Standards Organization (ISO) 14000.

COMMENTS:	

The ISO 14000 is a set of voluntary standards and guidelines to help businesses and organizations incorporate sound environmental management systems into their operations. ISO 14000 encourages businesses to incorporate performance-based standards to improve environmental performance at a lower cost than existing regulations. There are related proposals for the Secretary of CalEPA, Air Resources Board, State Water Resources Control Board, the California Integrated Waste Management Board, and the Department of Toxic Substances Control.

# 3980 OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT

#### ISSUE 1: MAY REVISION

The Governor's May Revision proposes the following alterations:

- An increase of \$841,000 (General Fund) to evaluate the health and environmental risks associated with alternative gasoline formulations.
- An increase of \$468,000 (General Fund) to determine whether existing risk assessment methods adequately address the health and safety needs of children and infants.

COMMENTS:	
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The intent of the augmentation for the evaluation of health and environmental risks associated with alternative gasoline formulations is to avoid what occurred with MTBE. That additive was added to gasoline to reduce air pollution, but it ended up contaminating groundwater and posing other environmental and health treats.

# 8570 DEPARTMENT OF FOOD AND AGRICULTURE

#### ISSUE 1: MAY REVISION

The Governor's May Revision proposes \$8.8 million to implement the "California Action Plan – Red Imported Fire Ant (RIFA)."

COMMENTS:	

The plan reflects the recommendations of the Science Advisory Panel convened after the discovery of RIFAs in Orange County and envisions a five-yeatr program to eradicate/control the pests.

The plan calls for five specific activities:

- > Public Outreach (\$905,000)
- ➤ Pest Detection/Treatment Local Programs (\$1,849,000)
- ➤ Pest Detection/Treatment Statewide (\$2,878,000)
- ➤ Pest Exclusion Interior Quarantines (\$2,021,000)
- Pest Exclusion Exterior Quarantines (\$1,118,000)