



 [The Planning and Conservation League](#)

## PCL INSIDER: News from the Capitol

### (ALMOST) END-OF LEGISLATIVE SESSION RECAP

#### *2012 Session Ending Largely Where We Began; Fate of Key Bills Still Pending*

The 2012 legislative session appears to be ending much the way it started – without a lot done on environmental issues, which should not be seen as a major surprise. With a still struggling economy and a tumultuous election season (that is seeing California's first-ever open primaries combined with newly drawn districts and the chaos of term limits), there was not much of an appetite for meaningful environmental initiatives in 2012. While we can report some victories as the session sees its final day, much of PCL's (and other groups') efforts have instead focused on playing defense, staving off attacks on many of the positive reforms we've seen over the past years and decades. **The fate of several key bills, however, is still up in the air, and can use your help!** To commemorate the end of the Republican National Convention, we'll focus this end-of-session recap on ***The Good, the Bad and the Ugly (and 'the Empty Chair')***.

#### **The Good**

The most positive development this legislative session was what wasn't done – namely, the gutting of CEQA that was proposed in [SB 317](#) (Rubio). In all, we were successful in staving off almost all attacks on CEQA this session, which is remarkable considering how things looked just a couple weeks ago. It is unfortunate that the best we can say is that we preserved California's preeminent environment law from attacks, some of which never should have been introduced the last weeks of session. But the importance of this victory – and the hard work that PCL, CLCV and a host of other environmental, community and labor groups put in – cannot be overstated.

Another big 'win' was the passage of [AB 685](#) (Eng), part of the Human Right to Water package (whose name speaks for itself), as well as staving off efforts to streamline permitting for energy-intensive and ocean-damaging desalination facilities (AB 2595, Hall).

As of this writing, two bills looking to make positive reforms to the California Fish and Game - [SB 1148](#) (Pavley) and [AB 2402](#) (Huffman) – look like they will pass, though results are not yet final and could use your support.

Earlier this session, we were also able to kill a bill that would have made it harder for public agencies, like the California Coastal Commission or State Lands Commission, to halt overdevelopment on lands which they regulate (AB 2226).

Lastly, efforts to undermine AB 32 (the Global Warming Solutions Act), including measures that would have reduced or perhaps even eliminated hundreds of millions of dollars in funding for greenhouse gas emission reductions through cap-and-trade auctions, also appear to have been stopped.

#### **The Bad**

One disappointment this session was the lack of any real attempt to better manage California's waters. The major developments were the Legislature's punting (again) on the \$11.14B [water bond](#) in July, the Governor's announcement of his support for the ill-conceived [peripheral tunnels](#) to address Delta water issues, and the lack of any major reforms aimed at sustainable water planning for the state. Overall, we expect a much bigger water push in the year ahead, including more work around Delta planning, formalizing steps on a 2014 water bond, and revising legislation aimed at promoting water reclamation (AB 2398, Hueso) and other sustainable water strategies.

Other issues that are currently pending but could fall into the 'Bad' category include failure to address plastics pollution – see more below.

### ***The Ugly***

Perhaps even more disappointing than the Legislature's failure to address water was a similar reticence to push big and small ideas on a cleaner energy future. Several bills aimed at better regulating Hydraulic Fracturing (a.k.a. '**Fracking**'), including measures ranging from public notice of chemicals used to an outright moratorium on the practice, failed to clear the Legislature.

Two measures to promote solar – AB 1990 and SB 843 – may also be on life support, and we encourage further outreach to your representatives in these final hours of session (*more below*).

### ***...And the Empty Chair***

Ok, we couldn't resist.

In this instance, 'the Empty Chair' represents what is still unknown – either the fate of a particular bill that is still being heard, or whether the impact of certain legislation will be positive or negative.

Many key environmental bills are still being considered as the final hours of session wind down.

It looks like we may see another year without sensible statewide policies to address the impacts of plastics on our ocean and communities. Specifically, neither [SB 568](#) (Lowenthal), which would phase out the use of polystyrene foam (a.k.a. Styrofoam) at food establishments by 2016, or [AB 298](#) (Brownley), which would prohibit grocery stores and convenience stores from providing plastic single use bags to customers after 2015, look like they will pass out of the Legislature. We encourage final calls to members to push these two important bills. Luckily, regardless of the outcome of SB 568 and AB 298, many cities and counties are already passing local ordinances aimed at curbing single-use bags and polystyrene; but legislation will help create a more consistent statewide approach to plastic pollution.

Equally disappointing is the possible fate of Assemblymember Fong's "Solar for All" bill ([AB 1990](#)), which would create a pilot program to install solar in California's most impacted and disadvantaged communities. After making it through the Assembly, it appears AB 1990 may stall in the Senate, thanks largely to a last-minute all-out assault from utilities fighting the measure. Senator Wolk's SB 843, The "Community-Based Renewable Energy Self-Generation Program", is another good bill that needs help in the last few hours of session.

Lastly, the fate of several bills seeking to direct how funds gathered from AB 32 cap-and-trade auction revenues will be spent to achieve measurable greenhouse gas (GHG) reductions, is also unknown. PCL is supporting several pieces of legislation that can work in concert to allocate funds to a variety of GHG-reducing projects, ranging from investing in greening schools ([SB 1572](#), Pavley); providing at least 10% of revenues to California's most impacted and disadvantaged communities ([SB 535](#), de León); and funding a variety of energy efficiency and clean energy programs, sustainable land-use and transportation projects, and natural resource protection ([AB 1532](#), J. Pérez).

**Don't talk to an empty chair - make your voice heard on these measures by contacting your [state representatives](#) immediately!**

**Also, follow @PCLeague on [Twitter](#) for up-to-the-minute updates and calls to action on these and several other bills.**

With the 2012 Legislative Session nearly wrapped up, we can say we staved off a lot of measure that could have seriously undermined environmental protections. We even saw some positive measures passed, which was no small accomplishment considering the factors working against our issues. We must next turn our attention to the Governor – providing a strong push to sign those measures he should, and hopefully veto those bills that threaten our natural resources and communities. After that, we must turn our attention quickly to 2013, where PCL hopes to work with an ever-growing coalition of partners to provide proactive solutions to California's, land, water, energy, and transportation future!

## **SAVE THE DATE: ANNOUNCING PLC 2013 SYMPOSIUM**

Please join PCL on January 12, 2013 for our annual Environmental Symposium, to be held this year at The University of California Davis School of Law.

As always, PCL Executive Director Bruce Reznik will be on hand to discuss the 'state of the environment' in the Capitol, and scores of other presenters will discuss the hot environmental topics of the day

More information about the event, including how to sponsor or attend the Symposium, will be available soon. As UC Davis's King Hall is a smaller venue than we've had in the past few years, it will be more important than ever to get your sponsorships and tickets early!



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