CALAFCO Daily Legislative Report as of Wednesday, August 07, 2013

(Mullin D) Sustainable communities.

Current Text: Amended: 7/3/2013 pdf html

Introduced: 2/19/2013 Last Amended: 7/3/2013

Status: 7/3/2013-Read second time and amended. Re-referred to Com. on APPR.

2Year	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered	l
Dead	1st House					2nd F	louse		Conc.	Enrolled	vetoed	Chaptered	l

Calendar:

8/12/2013 10 a.m. - John L. Burton Hearing Room (4203) SENATE APPROPRIATIONS, DE LEÓN, Chair

Summary:

The Strategic Growth Councill is required to manage and award grants and loans to a council of governments, metropolitan planning organization, regional transportation planning agency, city, county, or joint powers authority for the purpose of developing, adopting, and implementing a regional plan or other planning instrument to support the planning and development of sustainable communities. This bill would make a local agency formation commission eligible for the award of financial assistance for those planning purposes.

Attachments:

CALAFCO Support Letter_03_12_13

Position: Sponsor

Subject: Sustainable Community Plans

CALAFCO Comments: This would allow LAFCos to apply directly for grants that support the preparation of sustainable community

strategies and other planning efforts.

(Gordon D) Health care districts: community health needs assessment. **AB 678**

Current Text: Amended: 4/15/2013 pdf html

Introduced: 2/21/2013 Last Amended: 4/15/2013

Status: 7/8/2013-From committee: Do pass and re-refer to Com. on APPR. with recommendation: to consent calendar. (Ayes 9. Noes

0.) (July 3). Re-referred to Com. on APPR.

2Year	Desk	Policy	Fiscal	Floor					Conf.	Enrolled	Vetoed	Chaptered
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Calendar:

8/12/2013 10 a.m. - John L. Burton Hearing Room (4203) SENATE APPROPRIATIONS, DE LEÓN, Chair

Summary:

Would require that the health care district conduct an assessment, every 5 years, of the community's health needs and provide opportunities for public input. Commencing January 1, 2019, the bill would require the annual reports to address the progress made in meeting the community's health needs in the context of the assessment. This bill contains other related provisions and other existing

Attachments:

CALAFCO Letter of support April 17, 2014

Position: Support

Subject: LAFCo Administration, Service Reviews/Spheres

CALAFCO Comments: This bill requires Health Care Districts that do not operate their own hospital facilities to create every 5 years, an assessment of the community health needs with public input. The bill requires LAFCos to include in a Municipal Service Review (MSR) the Health Care District's 5-year assessment.

AB 743 (Loque R) The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

Current Text: Amended: 6/11/2013 pdf html

Introduced: 2/21/2013 Last Amended: 6/11/2013

Status: 8/5/2013-In Assembly. Concurrence in Senate amendments pending. May be considered on or after August 7 pursuant to

Assembly Rule 77.

2Year	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
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Calendar:

8/8/2013 #27 ASSEMBLY UNFINISHED BUSINESS CONCURRENCE IN SENATE AMENDMENTS

Summary:

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 authorizes a local agency formation commission to approve, after notice and hearing, a petition for a change of organization or reorganization of a city, if the petition was initiated on or after January 1, 2010, and before January 1, 2014, and waive protest proceedings entirely if certain requirements are met. This provision applies only to territory that does not exceed 150 acres. This Bill would delete the January 1, 2014, date and make conforming changes. This bill contains other related provisions and other existing laws.

Attachments:

CALAFCO Letter of Support May 23, 2013 CALAFCO Letter of support April 10, 2013

Subject: Annexation Proceedings, CKH General Procedures

CALAFCO Comments: As amended, this bill removes the sunset date provision to waive protest proceedings for certain island

annexations

Unincorporated islands are more costly and inefficient for counties to administer as opposed to the local municipality. A sunset date was initially established on this ability to encourage the use of the provision and was extended to allow cities and LAFCOs additional time to implement island annexation programs. The unforeseen economic downturn over the past five years has significantly hampered the initial progress, and with the sunset ready to expire at the beginning of next year, cities and LAFCos have yet to complete the work that the law intended them to do. Over the twelve year period since the law was established, hundreds of islands have been annexed, yet hundreds more remain.

Additionally, the bill was amended to reset the effective island creation date from January 1, 2000 to January 1, 2014 thus allowing smaller islands of less than 150 acres created after 2000 to be annexed under these provisions. Many of these current islands remained as remnants of larger substantially surrounded island areas that had irregular boundaries or were affected by the annexation of territory for newer development.

AB 1427 (Committee on Local Government) Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

Current Text: Enrollment: 8/1/2013 pdf html

Introduced: 4/1/2013 Last Amended: 4/30/2013

Status: 8/1/2013-Enrolled and presented to the Governor at 4:45 p.m.

2Year	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
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Summary

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (act), provides the sole and exclusive authority and procedure for the initiation, conduct, and completion of changes of organization and reorganization for cities and districts. This bill would specify that the definition excludes any independent special district having a legislative body consisting, in whole or in part, of ex officion members who are officers of a county or another local agency or who are appointees of those officers other than those who are appointed to fixed terms. This bill contains other related provisions and other existing laws.

Attachments:

CALAFCO Letter of Support_April 2013

CALAFCO Letter of support as amended_May 2013

Position: Sponsor

Subject: CKH General Procedures

CALAFCO Comments: Cortese-Knox-Hertzberg Omnibus bill.

SB 56 (Roth D) Local government finance: property tax revenue allocation: vehicle license fee adjustments.

Current Text: Amended: 6/11/2013 pdf html

Introduced: 1/7/2013 Last Amended: 6/11/2013

Status: 6/19/2013-From committee: Do pass and re-refer to Com. on APPR. (Ayes 7. Noes 0. Page 1449.) (June 19). Re-referred to

Com. on APPR.

	2Year	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
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Summary:

Beginning with the 2004-05 fiscal year and for each fiscal year thereafter, existing law requires that each city, county, and city and county receive additional property tax revenues in the form of a vehicle license fee adjustment amount, as defined, from a Vehicle License Fee Property Tax Compensation Fund that exists in each county treasury. Current law requires that these additional allocations be funded from ad valorem property tax revenues otherwise required to be allocated to educational entities. This bill would modify these reduction and transfer provisions, for the 2013-14 fiscal year and for each fiscal year thereafter, by providing for a vehicle license fee adjustment amount calculated on the basis of changes in assessed valuation. This bill contains other related provisions and other existing laws.

Attachments:

CALAFCO Letter of support April 10, 2013

Position: Support

Subject: Financial Viability of Agencies, Tax Allocation

CALAFCO Comments: This bill reinstates revenues through ERAF (backfilled by the state general Fund) for cities incoporating after 2005 and annexations of inhabited territories.

SB 772 (Emmerson R) Drinking water.

Current Text: Introduced: 2/22/2013 pdf html

Introduced: 2/22/2013

Status: 5/3/2013-Failed Deadline pursuant to Rule 61(a)(2). (Last location was G. & F. on 3/11/2013)

2Year	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
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Summary:

Would require the State Department of Public Health or the local health agency, where applicable, annually to provide the address and telephone number for each public water system and state small water system to the Public Utilities Commission and, as prescribed, to a local agency formation commission. This bill contains other related provisions and other existing laws.

Attachments:

CALAFCO Letter of Opposition April 10, 2013

Position: Oppose

Subject: LAFCo Administration, Service Reviews/Spheres

CALAFCO Comments: Requires LAFCos as part of a MSR, to request information from identified public or private entities that provide wholesale or retail supply of drinking water, including the identification of any retail water suppliers within or contiguous to the responding entity. Further requires LAFCos to provide a copy of the SOI review for retail private and public water suppliers to the Public Utilities Commission and the state department of Public Health.

2

AB 21 (Alejo D) Safe Drinking Water Small Community Emergency Grant Fund.

Current Text: Amended: 2/14/2013 pdf html

Introduced: 12/3/2012 Last Amended: 2/14/2013

Status: 6/27/2013-From committee: Do pass and re-refer to Com. on APPR. (Ayes 9. Noes 0.) (June 26). Re-referred to Com. on

APPR.

2Year	Desk	Policy	Fiscal	Floor	Desk Policy Fiscal Floor 2nd House				Conf.	Enrolled	Vetoed	Chaptered
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Calendar:

8/12/2013 10 a.m. - John L. Burton Hearing Room (4203) SENATE APPROPRIATIONS, DE LEÓN, Chair

Summary:

Would authorize the Department of Public Health to assess a specified annual charge in lieu of interest on loans for water projects made pursuant to the Safe Drinking Water State Revolving Fund, and deposit that money into the Safe Drinking Water Small Community Emergency Grant Fund, which the bill would create in the State Treasury. The bill would authorize the department to expend the money for grants for specified water projects that serve disadvantaged and severely disadvantaged communities, thereby making an appropriation.

Position: Watch

Subject: Disadvantaged Communities

AB 115 (Perea D) Safe Drinking Water State Revolving Fund.

Current Text: Amended: 6/17/2013 pdf html

Introduced: 1/14/2013 Last Amended: 6/17/2013

Status: 7/1/2013-In committee: Placed on APPR. suspense file.

2Year	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
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Summary:

Would authorize the State Department of Public Health to fund projects, by grant, loan, or a combination of the two, where multiple water systems apply for funding as a single applicant for the purpose of consolidating water systems or extending services to households relying on private wells, as specified. The bill would authorize funding of a project to benefit a disadvantaged community that is not the applying agency. This bill contains other related provisions and other existing laws.

Position: Watch Subject: Water

AB 543 (Campos D) California Environmental Quality Act: translation.

Current Text: Amended: 5/24/2013 pdf html

Introduced: 2/20/2013 Last Amended: 5/24/2013

Status: 7/12/2013-Failed Deadline pursuant to Rule 61(a)(10)(SEN). (Last location was E.Q. on 6/13/2013)

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Summary:

Would require a lead agency to translate, as specified, certain notices required by the California Environmental Quality Act and a summary of any negative declaration, mitigated negative declaration, or environmental impact report when a group of non-English-speaking people, as defined, comprises at least 25% of the population within the lead agency's jurisdiction and the project is proposed to be located at or near an area where the group of non-English-speaking people comprises at least 25% of the residents of that area. By requiring a lead agency to translate these notices and documents, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

Position: Watch Subject: CEQA

CALAFCO Comments: As amended, requires a lead agency to translate certain notices, summary of a negative declaration, mitigated negative declaration, or environmental impact report when the imposted community has 25% or more non-English speaking people affected by the project. The requirement is to translate these notices and summaries in the native language of those impacted. This is an unfunded mandate. While LAFCo is not typically the lead agency, there may be an occasion when they are, and this could have significant resource implications.

AB 1235 (Gordon D) Local agencies: financial management training.

Current Text: Amended: 7/1/2013 pdf html

Introduced: 2/22/2013 Last Amended: 7/1/2013

Status: 7/1/2013-Read second time and amended. Re-referred to Com. on APPR.

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Calendar:

8/12/2013 10 a.m. - John L. Burton Hearing Room (4203) SENATE APPROPRIATIONS, DE LEÓN, Chair

Summary

Would require a local agency official, in local agency service as of January 1, 2014, or thereafter, except for an official whose term of office ends before January 1, 2015, to receive training in financial management if the local agency provides any type of compensation, salary, or stipend to, or reimburses the expenses of, a member of a legislative body. The bill would provide that if any entity develops criteria for the financial management training, then the Treasurer's office and the Controller's office shall be consulted regarding any proposed course content. The bill would declare that the edification of local government officials in financial management is a matter of statewide concern, thus making it applicable to charter cities, charter counties, and charter cities and counties.

Position: Watch

Subject: LAFCo Administration

CALAFCO Comments: Requires that if a local agency provides any type of compensation, salary, or stipend to, or reimburses the

expenses of, a member of the legislative body, the member shall receive one-4 hour state mandated Financial Management training per term of office. Effective January 1, 2014 for those in office as of that date (whose term of office extends beyond January 1, 2015). Those elected to more than one legislative body may take the training one time and have it apply to all legislative bodies on which they serve. This would apply to a LAFCo Commissioner who receives a stipend or is reimbursed for expenses in the performance of their Commissioner duties.

AB 1248 (Cooley D) Controller: internal control guidelines applicable to local agencies.

Current Text: Amended: 5/24/2013 pdf html

Introduced: 2/22/2013 Last Amended: 5/24/2013

Status: 6/25/2013-From committee: Do pass and re-refer to Com. on APPR. with recommendation: to consent calendar. (Ayes 11.

Noes 0.) (June 25). Re-referred to Com. on APPR.

2Year	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
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Calendar:

8/12/2013 10 a.m. - John L. Burton Hearing Room (4203) SENATE APPROPRIATIONS, DE LEÓN, Chair

Summary:

Would require the Controller, on or before January 1, 2015, to develop internal control guidelines applicable to a local agency, as defined, to prevent and detect financial errors and fraud, based on specified standards and with input from any local agency and organizations representing the interests of local agencies. This bill would require the Controller to, by the same date, post the completed internal control guidelines on the Controller's Internet Web site and update them, as he or she deems necessary , as specified .

Position: None at this time **Subject:** LAFCo Administration

SB 181 (Committee on Governance and Finance) Validations.

Current Text: Chaptered: 7/3/2013 pdf html

Introduced: 2/6/2013 Last Amended: 5/28/2013

Status: 7/3/2013-Chaptered by the Secretary of State, Chapter Number 57, Statutes of 2013

2Year	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vatand	Chaptered	ĺ
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Summary:

This bill would enact the First Validating Act of 2013, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities. This bill contains other related provisions.

Attachments:

CALAFCO Letter of Support March 7, 2013 CALAFCO Letter of Support May 23, 2013

Position: Support

CALAFCO Comments: One of three annual acts which validate the boundaries of all local agencies.

3

AB 240 (Rendon D) Mutual water companies.

Current Text: Amended: 7/1/2013 pdf html

Introduced: 2/5/2013 Last Amended: 7/1/2013

Status: 7/2/2013-Read second time. Ordered to third reading. Re-referred to Com. on B. & F.R.

2Year	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
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Summary

Would require a board member of a mutual water company that operates a public water system to repeat the training course regarding the duties of board members every 6 years. This bill would enact the Mutual Water Company Open Meeting Act, which would apply to all mutual water companies, and would permit an eligible person to attend a meeting of a mutual water company, as those terms are defined, and to speak during the meeting, except as provided. This bill contains other related provisions and other existing laws.

Position: Watch Subject: Other

CALAFCO Comments: Enacts the Mutual Water Company Open Meeting Act and requires mutual to adopt budgets in open meetings and take public comment. Also requires mutuals to provide certain records to the public upon request.

AB 642 (Rendon D) Publication: newspaper of general circulation: Internet Web site.

Current Text: Introduced: 2/20/2013 pdf html

Introduced: 2/20/2013

Status: 5/10/2013-Failed Deadline pursuant to Rule 61(a)(3). (Last location was JUD. on 3/11/2013)

2Year	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	E		01			
Dead		1st H	louse		2nd House				Conc.	Enrolled	Vetoed	Chaptered			

Summary:

Current law requires that various types of notices are provided in a newspaper of general circulation. Current law requires a newspaper of general circulation to meet certain criteria, including, among others, that it be published and have a substantial distribution to paid subscribers in the city, district, or judicial district in which it is seeking adjudication. This bill would provide that a newspaper that is available on an Internet Web site may also qualify as a newspaper of general circulation, provided that newspaper meets certain criteria.

Position: Watch

Subject: LAFCo Administration

CALAFCO Comments: Allows for posting of agendas and meeting material on newspaper websites.

AB 792 (Mullin D) Utility user tax: exemption: distributed generation systems.

Current Text: Amended: 7/9/2013 pdf html

Introduced: 2/21/2013 Last Amended: 7/9/2013

Status: 7/9/2013-Read second time and amended. Ordered to third reading.

Ī	2Year	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
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Summary

Current law provides that the board of supervisors of any county may levy a utility user tax on the consumption of, among other things, gas and electricity in the unincorporated area of the county. This bill would exempt from any utility user tax imposed by a local jurisdiction, as defined, the consumption of electricity generated by a renewable distributed generation system that is installed for the exclusive use of a single customer.

Position: None at this time **Subject:** Public Records Act

CALAFCO Comments: Relates to public agencies who post their meeting information on their website pursuant to the Ralph M. Brown Act. In the instances where they are unable to post the agenda on the website in the prescribed timeframe due to technology difficulties, the agency is required to post the meeting agenda and information on the website as soon as the technological difficulties are resolved.

SB 184 (Committee on Governance and Finance) Local government: omnibus bill.

Current Text: Amended: 6/10/2013 pdf html

Introduced: 2/6/2013
Last Amended: 6/10/2013

Status: 8/5/2013-From consent calendar. Ordered to third reading.

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Calendar:

8/8/2013 #92 ASSEMBLY SENATE THIRD READING FILE

Summary:

Current law requires any person who intends to offer subdivided lands within this state for sale or lease to file with the Department of Real Estate an application for a public report consisting of a notice of intention and a completed questionnaire, as specified. This bill would specify that a lot, parcel, or unit satisfies the requirement that it be improved with a completed residential structure if it is improved with a completed residential structure at the time it is conveyed by the subdivider. This bill contains other related provisions and other existing laws.

Attachments:

CALAFCO Letter of Support March 7, 2013 CALAFCO Letter of Support May 23, 2013

Position: Support

SB 359 (Corbett D) Environment: CEQA exemption: housing projects.

Current Text: Amended: 4/1/2013 pdf html

Introduced: 2/20/2013 Last Amended: 4/1/2013

Status: 6/25/2013-From committee: Do pass and re-refer to Com. on H. & C.D. with recommendation: To consent calendar. (Ayes 9.

Noes 0.) (June 24). Re-referred to Com. on H. & C.D.

2Year	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
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Calendar:

8/12/2013 1:30 p.m. - State Capitol, Room 127 ASSEMBLY HOUSING AND COMMUNITY DEVELOPMENT, CHAU, Chair

Summary:

CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. This bill would instead exempt as "residential" a use consisting of residential units and neighborhood-serving goods, services, or retail uses that do not exceed 25% of the total building square footage of the project. This bill contains other related provisions and other existing laws.

Position: Watch **Subject**: CEQA

CALAFCO Comments: This bill would exempt as "residential" a use consisting of residential units and neighborhood-serving goods, services, or retail uses that do not exceed 25% of the total building square footage of the project.

SB 436 (Jackson D) California Environmental Quality Act: notice.

Current Text: Amended: 4/3/2013 pdf html

Introduced: 2/21/2013 Last Amended: 4/3/2013

Status: 8/5/2013-Read second time. Ordered to third reading.

2Year	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered	
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Calendar:

8/8/2013 #85 ASSEMBLY SENATE THIRD READING FILE

Summary

Would require a lead agency to conduct at least one public scoping meeting for the specified projects and to provide notice to the specified entities of at least one public scoping meeting. This bill contains other related provisions and other existing laws.

Position: Watch

Subject: CEQA

CALAFCO Comments: Requires lead agencies to conduct at least one public scoping meeting for proposed projects and increases notification requirements for lead agencies.

SB 633 (Pavley D) CEQA.

Current Text: Amended: 8/6/2013 pdf html

Introduced: 2/22/2013 Last Amended: 8/6/2013

Status: 8/6/2013-Read second time and amended. Re-referred to Com. on APPR.

2Year	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
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Summary:

Would, for purposes of the new information exception to the prohibition on requiring a subsequent or supplemental EIR, specify that the exception applies if new information that becomes available was not known and could not have been known by the lead agency or any responsible agency at the time the EIR was certified as complete. The bill would authorize the office, by July 1, 2015, to draft and transmit to the secretary revisions to the guidelines to include as a categorical exemption projects involving minor temporary uses of land and public gatherings that have been determined not to have a significant effect on the environment. This bill contains other related provisions and other existing laws.

Position: Watch Subject: CEQA

SB 731 (Steinberg D) Environment: California Environmental Quality Act.

Current Text: Amended: 8/6/2013 pdf html

Introduced: 2/22/2013 Last Amended: 8/6/2013

Status: 8/6/2013-Read second time and amended. Re-referred to Com. on L. GOV.

2Year	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered	l
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Calendar:

8/14/2013 1:30 p.m. - State Capitol, Room 447 ASSEMBLY LOCAL GOVERNMENT, ACHADJIAN, Chair

Summary:

Would provide that aesthetic impacts of a residential, mixed-use residential, or employment center project, as defined, within a transit priority area, as defined, shall not be considered significant impacts on the environment. The bill would require the office to prepare and propose, and the Secretary of the Natural Resources Agency to certify and adopt, revisions to the guidelines for the implementation of CEQA establishing thresholds of significance for noise, and for the transportation and parking impacts of residential, mixed-use residential, or employment center projects within transit priority areas. This bill contains other related provisions and other existing laws.

Position: Watch **Subject**: CEQA

Total Measures: 20 Total Tracking Forms: 20

8/7/2013 1:09:26 PM