

# Clean Water Action's 2011-2012 California Legislative Scorecard

## A Clean Water Perspective on the 2011-2012 Legislature

The 2011–2012 legislative session was marked by several clean water victories. A ban on the use of bisphenol-A in childrens' products passed and was signed into law in 2011 (AB 1319). The Legislature and Governor agreed that everyone has a right to safe and affordable water, and approved the Human Right to Water bill (AB 685) at the close of the 2012 session. A series of bills to help small, disadvantaged communities gain access to safe drinking water was also passed as part of a package of Human Right to Water bills. Important bills to protect groundwater (AB 359, AB 2174) and promote alternative water supplies (SB 244, AB 849, AB 1750) passed with broad support.

Some important water protection measures failed. A bill that would have taken the first steps to protect groundwater from fracking (AB 591) was weakened so significantly by powerful oil industry lobbyists that it lost our support when it reached the Senate. The industry also blocked bills we supported to place a moratorium on fracking (AB 972) and to provide notice to landowners before fracking operations take place on or very near their property (SB 1054).

Clean Water Action's top legislative priorities in the 2011-2012 session were to:

- Address contaminated drinking water for small and disadvantaged communities
- Protect groundwater from further contamination
- Eliminate toxics in consumer products
- Eliminate polystyrene food packaging and disposable plastic bags statewide
- Protect public health and the environment from threats posed by "fracking"

Legislators were very supportive of the Human Right to Water package, but toxic and plastic pollution reduction bills faced much stiffer opposition due to well-funded lobbying campaigns waged by the plastics industry, the California Restaurant Association, and the American Chemistry Council.



Industry opponents also used California's budget deficit and unemployment rate to challenge fundamental environmental protections such as a proposed ban on polystyrene foam food containers (SB 568). They supported several measures to weaken the California Environmental Quality Act (CEQA) and to limit the power of the regional water boards to regulate polluted runoff.

## Looking Forward to 2013

The new Democratic supermajority in the Legislature has renewed discussion of the \$11.14 billion water bond, originally slated for the 2010 ballot but delayed twice already. Any changes to the bond require a 2/3 vote of the legislature, as well as approval by the Governor. Serious discussions are now beginning about how that bond could be changed prior to its appearance on the 2014 ballot. Fracking will continue to be a major issue in the legislature, with several bills proposed that would require oil companies to report the pollution they cause and the chemicals they use in their operations. Following on the Human Right to Water victory, legislative leaders have committed to promoting a suite of bills intended to improve access to safe drinking water for all Californians.

## Clean Water Legislators of 2011-2012!

The following Legislators of 2009-2010 attained an exemplary score (90% or better):

### ASSEMBLY:

**Michael Allen**  
**Tom Ammiano\***  
**Toni Atkins**  
**Wesley Chesbro**  
**Jerry Hill**  
**Jared Huffman\***  
**Bill Monning**  
**Mariko Yamada\***

### SENATE:

**Mark DeSaulnier**  
**Noreen Evans\***  
**Loni Hancock**  
**Christine Kehoe**  
**Mark Leno**

*\*indicates a 100% voting record.*

Three of these members will not be returning to the Legislature in 2013: Jared Huffman has been elected to Congress, Michael Allen was defeated in his re-election campaign, and Christine Kehoe was forced to retire due to term limits.

Two members have changed houses, as both Jerry Hill and Bill Monning have been elected to the State Senate.

## How the Governor Scored on Clean Water

Of the 16 bills in this Scorecard, 13 reached the Governor. He agreed with Clean Water Action's position on 11 bills, giving him a score of 85%, a solid B grade. For comparison, Governor Brown's predecessor received a D on Clean Water Action's 2009-2010 scorecard.

## READING THE SCORECARD

Legislators who voted on the bills in this Scorecard consistent with Clean Water Action's position were graded as follows:

90-100%	=	A
80-89%	=	B
70-79%	=	C
55-69%	=	D
0-54%	=	F

Votes that agreed with our position are marked with a "+" sign, and those opposed with a "-". A legislator whose absence was noted in the Daily Journal was listed as excused, and their absence was not counted against them. On the other hand, if a legislator was present at the Capitol but chose not to cast a vote (listed as "NV" in the scorecard) it was counted as a negative. Most bills are voted on twice in their house of origin (due to amendments in the second house); this scorecard uses the final vote in each house. There are no cores for bills that didn't make it to the floor of at least one house.

The Assembly and Senate Districts listed in the scorecard reflect those in effect during the 2011-2012 legislative session. These numbers have changed based on the redistricting that took effect for the 2012 elections cycle.



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NAME	Party and District	HUMAN RIGHT TO WATER					SUSTAINABLE WATER SUPPLIES			SCORE and GRADE
		Human Right to Water (AB 685) CWA SPONSORED	Language Access; Water Quality Violations (AB 938) CWA SPONSORED	Funding access; Very Low-Income Communities (AB 983) CWA SPONSORED	Expanding Eligibility for Wastewater Funding (AB 1221) CWA SPONSORED	Local Planning; Utilities for Low-Income Communities (SB 244) SUPPORT	Groundwater Recharge Zones (AB 359) SUPPORT	Gray Water (AB 849) SUPPORT	Rainwater Harvesting (AB 1750) SUPPORT	
CWA POSITION:		SUPPORT	SUPPORT	SUPPORT	SUPPORT	SUPPORT	SUPPORT	SUPPORT		
<b>ASSEMBLY</b>										
Achadjian	R 33	-	+	+	+	-	+	+	+	47% F
Alejo	D 28	+	+	+	+	+	+	+	+	80% B
Allen	D 7	+	+	+	+	+	+	+	+	93% A
Ammiano	D 13	+	+	+	+	+	+	+	+	100% A
Atkins	D 76	+	+	+	+	+	+	+	+	93% A
Beall	D 24	+	+	+	+	+	+	+	+	87% B
Berryhill	R 26	-	+	+	+	-	+	+	+	53% F
Block	D 78	+	+	+	+	+	+	+	+	87% B
Blumenfield	D 40	+	+	+	+	-	+	+	+	80% B
Bonilla	D 11	+	Excused	+	+	-	Excused	Excused	+	64% D
Bradford	D 51	+	+	+	+	+	+	+	+	80% B
Brownley	D 41	+	+	+	+	+	+	+	+	87% B
Buchanan	D 15	+	+	+	+	-	+	+	+	73% C
Butler	D 53	+	+	+	+	+	+	+	+	87% B
Calderon, C.	D 58	+	+	+	+	+	+	+	+	80% B
Campos	D 23	+	+	+	+	+	+	+	+	80% B
Carter	D 62	+	+	+	+	+	+	+	+	80% B
Cedillo	D 45	+	+	+	+	+	+	+	+	80% B
Chesbro	D 1	+	+	+	+	+	+	+	+	93% A
Conway	R 34	-	-	+	+	-	-	+	+	40% F
Cook	R 65	-	-	+	+	-	+	+	+	40% F
Davis	D 48	+	Excused	+	+	+	Excused	Excused	+	75% C
Dickinson	D 9	+	+	+	+	+	+	+	+	87% B
Donnelly	R 59	-	-	+	Not Voting	-	-	+	+	33% F
Eng	D 49	+	+	+	+	+	+	+	+	87% B
Feuer	D 42	+	+	+	+	+	+	+	+	87% B
Fletcher	R 75	+	+	+	+	-	+	+	+	67% D
Fong	D 22	+	+	+	+	+	+	+	+	87% B
Fuentes	D 39	Not Voting	+	+	+	+	+	+	+	73% C
Furutani	D 55	+	+	+	+	+	+	+	+	73% C
Gaines	R 4	-	-	+	+	-	-	+	+	40% F
Galgiani	D 17	+	+	+	+	+	+	+	+	67% D
Garrick	R 74	-	-	+	+	-	-	+	+	40% F
Gatto	D 43	+	+	+	+	+	+	+	+	87% B
Gordon	D 21	+	+	+	+	+	+	+	+	87% B
Gorell	R 37	-	Excused	Excused	Excused	Excused	Excused	Excused	+	50% F
Grove	R 32	-	-	+	+	-	-	+	+	33% F
Hagman	R 60	-	-	+	+	-	-	+	+	40% F
Halderman	R 29	-	-	+	+	-	-	+	+	33% F
Hall	D 52	+	+	+	+	Not Voting	+	+	+	67% D
Harkey	R 73	-	-	+	+	-	-	+	+	33% F
Hayashi	D 18	+	+	+	+	+	+	+	+	80% B
Hernandez	D 57	+	+	+	+	+	+	+	+	79% C
Hill	D 19	+	+	+	+	+	+	+	+	93% A
Huber	D 10	-	+	+	+	+	+	+	+	67% D
Hueso	D 79	+	+	+	+	+	+	+	+	80% B
Huffman	D 62	+	+	+	+	+	+	+	+	100% A
Jeffries	R 66	-	+	+	+	-	-	+	+	40% F
Jones	R 77	-	-	+	+	-	-	+	+	47% F
Knight	R 36	-	-	+	+	-	-	+	+	40% F
Lara	D 50	+	+	+	+	+	+	+	+	80% B
Logue	R 3	-	-	+	+	-	Not Voting	+	Not Voting	27% F
Lowenthal, B.	D 54	+	+	+	+	+	+	+	+	87% B
Ma	D 12	+	+	+	+	+	+	+	+	80% B
Mansoor	R 68	-	-	+	+	-	-	+	+	40% F
Mendoza	D 56	+	+	+	+	+	+	+	+	79% C
Miller	R 71	-	-	+	+	-	-	+	+	33% F
Mitchell	D 47	+	+	+	+	-	Not Voting	+	+	73% C
Monning	D 27	+	+	+	+	+	+	+	+	93% A
Morrell	R 63	-	-	+	+	-	-	+	+	33% F
Nestande	R 64	-	+	+	+	-	+	+	+	53% F
Nielsen	R 2	-	-	+	+	-	-	+	+	40% F

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<i>CWA POSITION:</i>		<i>SUPPORT</i>	<i>SUPPORT</i>	<i>SUPPORT</i>	<i>SUPPORT</i>	<i>SUPPORT</i>	<i>SUPPORT</i>	<i>SUPPORT</i>		
<b>ASSEMBLY</b>										
Norby	R 72	-	-	+	+	-	+	+	+	40% F
Olsen	R 25	-	-	+	+	+	-	+	+	40% F
Pan	D 5	+	+	+	+	Not Voting	+	+	+	73% C
Perea	D 31	+	+	+	+	+	+	+	+	80% B
Perez, J.A.	D 46	+	+	+	+	+	+	+	+	80% B
Perez, V.M.	D 80	+	+	+	+	+	+	+	+	73% C
Portantino	D 44	+	+	+	+	+	+	+	+	87% B
Silva	R 67	-	-	+	+	-	-	+	+	40% F
Skinner	D 14	+	+	+	+	+	+	+	+	87% B
Smyth	R 38	-	-	+	+	-	+	+	Not Voting	33% F
Solorio	D 69	+	+	+	+	+	+	+	+	67% D
Swanson	D 16	+	+	+	+	+	+	+	+	87% B
Torres	D 61	+	+	+	+	+	+	+	Not Voting	73% C
Valadao	R 30	-	-	+	+	-	-	+	+	33% F
Wagner	R 70	-	-	+	+	-	-	+	+	40% F
Wieckowski	D 20	+	+	+	+	+	+	+	+	87% B
Williams	D 35	+	+	+	+	+	+	+	+	87% B
Yamada	D 8	+	+	+	+	+	+	+	+	100% A
<b>SENATE</b>										
Alquist	D 13	+	+	+	Excused	+	+	+	+	86% B
Anderson	D 36	-	-	+	+	-	-	+	+	40% F
Berryhill, Tom	R 14	-	+	+	+	-	+	+	+	50% F
Blakeslee	R 15	Excused	+	+	+	-	+	+	+	71% C
Calderon, Ron	D 30	-	Not Voting	+	+	+	+	+	+	53% F
Cannella	R 12	-	+	+	+	-	Not Voting	+	+	47% F
Corbett	D 10	+	+	+	+	+	+	+	+	87% B
Correa	D 34	-	+	+	+	+	-	+	+	60% D
deLeon	D 22	Excused	+	+	+	+	+	+	+	86% B
DeSaulnier	D 7	+	+	+	+	+	+	+	+	93% A
Dutton	R 31	-	-	+	+	-	-	+	+	33% F
Emmerson	R 37	-	+	+	+	-	-	+	+	43% F
Evans	D 2	+	+	+	+	+	+	+	+	100% A
Fuller	R 18	-	-	+	+	-	-	+	+	47% F
Gaines	R 1	-	-	+	+	-	-	+	+	33% F
Hancock	D 9	+	+	+	+	+	+	+	+	93% A
Harman	R 35	-	Excused	+	+	-	Excused	Excused	+	50% F
Hernandez	D 24	+	+	+	+	+	+	+	+	73% C
Huff	R 29	-	-	+	+	-	-	+	+	53% F
Kehoe	D 39	+	+	+	+	+	+	+	+	93% A
La Malfa	R 4	-	-	+	+	Not Voting	-	+	+	40% F
Leno	D 3	+	+	+	+	+	+	+	+	93% A
Lieu	D 28	+	+	+	+	+	+	+	+	87% B
Liu	D 21	+	+	+	+	+	+	+	+	87% B
Lowenthal, A.	D 27	+	+	+	+	+	Not Voting	+	+	80% B
Negrete McLeod	D 32	+	+	+	+	-	+	+	+	80% B
Padilla	D 20	+	+	+	+	+	+	+	+	80% B
Pavley	D 23	+	+	+	+	+	+	+	+	87% B
Price	D 26	+	+	+	+	+	+	+	+	87% B
Rubio	D 16	+	+	+	+	Not Voting	+	+	+	67% D
Runner	R 17	-	Excused	+	+	-	Excused	Excused	Excused	33% F
Simitian	D 11	+	+	+	+	+	+	+	+	87% B
Steinberg	D 6	+	+	+	+	+	+	+	+	87% B
Strickland	R 19	-	+	Not Voting	+	-	-	+	+	43% F
Vargas	D 40	+	+	+	+	+	+	+	+	73% C
Walters	R 35	-	-	+	+	-	-	+	+	33% F
Wolk	D 5	+	+	+	Not Voting	+	+	+	+	80% B
Wright	D 25	+	+	+	+	+	+	+	+	73% C
Wyland	R 38	-	-	+	+	-	+	+	Excused	43% F
Yee	D 8	+	+	+	+	+	+	+	+	80% B
<b>OUTCOME:</b>		<i>Signed into Law</i>	<i>Signed into Law</i>	<i>Signed into Law</i>	<i>Signed into Law</i>	<i>Signed into Law</i>	<i>Signed into Law</i>	<i>Signed into Law</i>	<i>Signed into Law</i>	

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NAME	Party and District	POLLUTION PREVENTION				RIGHT TO KNOW		CEQA ROLLBACKS		SCORE and GRADE
		BPA Ban; Children's Products (AB 1319)	Fertilizer Use Reduction Assistance (AB 2174) CWA SPONSORED	Polystyrene Take-out Food Containers (SB 568) CWA SPONSORED	Banning Lead in Jewelry (SB 646)	Fracking (AB 591)	Well Logs; Public Information (SB 1146)	CEQA: LA Stadium (SB 292) OPPOSED BY CWA	CEQA: Select Reform (AB 900) OPPOSED BY CWA	
CWA POSITION:		SUPPORT	SUPPORT	SUPPORT	SUPPORT	SUPPORT	SUPPORT	OPPOSE	OPPOSE	
<b>ASSEMBLY</b>										
Achadjian	R 33	-	+	-	-	-	-	-	-	47% F
Alejo	D 28	+	+	Not Voting	+	+	-	-	-	80% B
Allen	D 7	+	+	+	+	+	-	+	-	93% A
Ammiano	D 13	+	+	+	+	+	+	+	+	100% A
Atkins	D 76	+	+	+	+	+	+	-	-	93% A
Beall	D 24	+	+	+	+	+	-	-	-	87% B
Berryhill	R 26	-	+	-	-	-	-	+	-	53% F
Block	D 78	+	+	+	+	+	Not Voting	-	-	87% B
Blumenfield	D 40	+	+	+	+	+	-	-	-	80% B
Bonilla	D 11	+	+	Not Voting	Excused	+	-	-	-	64% D
Bradford	D 51	+	+	Not Voting	+	+	-	-	-	80% B
Brownley	D 41	+	+	+	+	+	-	-	-	87% B
Buchanan	D 15	+	+	Not Voting	+	+	-	-	-	73% C
Butler	D 53	+	+	+	+	+	-	-	-	87% B
Calderon, C.	D 58	+	+	-	+	+	-	-	-	80% B
Campos	D 23	+	+	-	+	+	-	-	-	80% B
Carter	D 62	+	+	-	+	+	-	-	-	80% B
Cedillo	D 45	+	+	-	+	+	-	-	-	80% B
Chesbro	D 1	+	+	+	+	+	-	+	-	93% A
Conway	R 34	-	+	-	+	-	-	-	-	40% F
Cook	R 65	-	+	-	Not Voting	-	-	-	-	40% F
Davis	D 48	+	+	Not Voting	+	+	-	-	-	75% C
Dickinson	D 9	+	+	+	+	+	-	-	-	87% B
Donnelly	R 59	-	Not Voting	-	-	-	+	+	-	33% F
Eng	D 49	+	+	+	+	+	-	-	-	87% B
Feuer	D 42	+	+	+	+	+	-	-	-	87% B
Fletcher	R 75	-	+	Not Voting	+	-	+	-	-	67% D
Fong	D 22	+	+	+	+	+	-	-	-	87% B
Fuentes	D 39	+	+	-	+	+	-	-	-	73% C
Furutani	D 55	+	+	-	Not Voting	+	-	-	-	73% C
Gaines	R 4	-	+	-	-	-	-	+	-	40% F
Galgiani	D 17	Not Voting	+	-	+	Not Voting	-	Not Voting	-	67% D
Garrick	R 74	-	+	-	-	Not Voting	+	-	-	40% F
Gatto	D 43	+	+	+	+	+	-	-	-	87% B
Gordon	D 21	+	+	+	+	+	-	-	-	87% B
Gorell	R 37	Excused	+	-	Excused	Excused	Excused	Excused	Excused	50% F
Grove	R 32	-	+	-	-	Not Voting	-	-	-	33% F
Hagman	R 60	-	+	-	-	-	+	-	-	40% F
Halderman	R 29	-	Not Voting	-	-	-	-	+	-	33% F
Hall	D 52	+	+	-	Not Voting	+	-	-	-	67% D
Harkey	R 73	-	+	-	-	-	-	Not Voting	-	33% F
Hayashi	D 18	+	+	-	+	+	-	-	-	80% B
Hernandez	D 57	+	Excused	Not Voting	+	+	-	-	-	79% C
Hill	D 19	+	+	+	+	+	+	-	-	93% A
Huber	D 10	+	+	-	Not Voting	+	-	-	-	67% D
Hueso	D 79	+	+	Not Voting	+	+	Not Voting	-	-	80% B
Huffman	D 62	+	+	+	+	+	+	+	+	100% A
Jeffries	R 66	-	+	-	-	Not Voting	-	-	-	40% F
Jones	R 77	-	+	-	-	-	+	+	-	47% F
Knight	R 36	-	+	-	-	-	-	+	-	40% F
Lara	D 50	+	+	-	+	+	-	-	-	80% B
Logue	R 3	-	+	-	-	-	-	-	-	27% F
Lowenthal, B.	D 54	+	+	+	+	+	-	-	-	87% B
Ma	D 12	+	+	-	+	+	-	-	-	80% B
Mansoor	R 68	-	+	Not Voting	-	-	Not Voting	+	-	40% F
Mendoza	D 56	Excused	+	-	+	-	-	-	-	79% C
Miller	R 71	-	+	-	-	-	-	-	-	33% F
Mitchell	D 47	+	+	+	+	+	-	-	-	73% C
Monning	D 27	+	+	+	+	+	-	+	-	93% A
Morrell	R 63	-	+	-	-	-	-	Not Voting	-	33% F
Nestande	R 64	-	+	-	-	-	+	-	-	53% F
Nielsen	R 2	-	+	-	-	-	-	+	-	40% F

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		BPA Ban; Children's Products (AB 1319)	Fertilizer Use Reduction Assistance (AB 2174) CWA SPONSORED	Polystyrene Take-out Food Containers (SB 568) CWA SPONSORED	Banning Lead in Jewelry (SB 646)	Fracking (AB 591)	Well Logs; Public Information (SB 1146)	CEQA: LA Stadium (SB 292) OPPOSED BY CWA	CEQA: Select Reform (AB 900) OPPOSED BY CWA	
CWA POSITION:		SUPPORT	SUPPORT	SUPPORT	SUPPORT	SUPPORT	SUPPORT	OPPOSE	OPPOSE	
<b>ASSEMBLY</b>										
Norby	R 72	-	Not Voting	-	-	-	-	+	Not Voting	40% F
Olsen	R 25	-	+	-	-	-	-	-	-	40% F
Pan	D 5	+	+	-	+	+	+	-	-	73% C
Perea	D 31	+	+	-	+	+	+	-	-	80% B
Perez, J. A.	D 46	+	+	-	+	+	+	-	-	80% B
Perez, V.M.	D 80	+	+	-	+	Not Voting	+	-	-	73% C
Portantino	D 44	+	+	+	+	+	+	-	-	87% B
Silva	R 67	-	+	-	-	-	-	+	Not Voting	40% F
Skinner	D 14	+	+	+	+	+	+	-	-	87% B
Smyth	R 38	-	+	-	-	-	-	-	-	33% F
Solorio	D 69	Not Voting	+	-	Not Voting	+	+	-	-	67% D
Swanson	D 16	+	+	+	+	+	+	-	-	87% B
Torres	D 61	+	+	-	+	+	+	-	-	73% C
Valadao	R 30	-	+	-	-	Not Voting	+	-	-	33% F
Wagner	R 70	-	+	-	-	-	-	-	+	40% F
Wieckowski	D 20	+	+	+	+	+	+	-	-	87% B
Williams	D 35	+	+	+	+	+	+	-	Not Voting	87% B
Yamada	D 8	+	+	+	+	+	+	+	+	100% A
<b>SENATE</b>										
Alquist	D 13	+	+	+	+	-	+	-	-	86% B
Anderson	D 36	-	+	-	-	-	-	-	+	40% F
Berryhill, T.	R 14	-	Excused	-	+	-	-	-	-	50% F
Blakeslee	R 15	-	+	+	+	-	-	-	+	71% C
Calderon, R.	D 30	-	+	-	+	-	-	-	-	53% F
Cannella	R 12	-	+	-	+	-	-	-	-	47% F
Corbett	D 10	+	+	+	+	-	+	-	-	87% B
Correa	D 34	+	+	-	+	-	Not Voting	-	-	60% D
deLeon	D 22	+	+	+	+	-	+	-	-	86% B
DeSaulnier	D 7	+	+	+	+	-	+	+	-	93% A
Dutton	R 31	-	+	-	-	-	-	-	-	33% F
Emmerson	R 37	Not Voting	Excused	-	+	-	-	-	-	43% F
Evans	D 2	+	+	+	+	-	+	+	+	100% A
Fuller	R 18	-	+	-	+	-	-	-	+	47% F
Gaines	R 1	-	+	-	-	-	-	-	-	33% F
Hancock	D 9	+	+	+	+	-	+	+	+	93% A
Harman	R 35	Excused	+	+	Excused	-	-	-	-	50% F
Hernandez	D 24	Not Voting	+	Not Voting	+	-	+	-	-	73% C
Huff	R 29	Not Voting	+	-	+	-	-	+	+	53% F
Kehoe	D 39	+	+	+	+	-	+	+	-	93% A
La Malfa	R 4	-	+	-	Not Voting	-	-	-	+	40% F
Leno	D 3	+	+	+	+	-	+	+	-	93% A
Lieu	D 28	+	+	+	+	-	+	-	-	87% B
Liu	D 21	+	+	+	+	-	+	-	-	87% B
Lowenthal, A.	D 27	+	+	+	+	-	+	-	-	80% B
NegreteMcLeod	D 32	Not Voting	+	+	+	-	+	-	-	80% B
Padilla	D 20	+	Not Voting	+	+	-	+	-	-	80% B
Pavley	D 23	+	+	+	+	-	+	-	-	87% B
Price	D 26	+	+	+	+	-	+	-	-	87% B
Rubio	D 16	+	+	-	+	-	Not Voting	-	-	67% D
Runner	R 17	Excused	Excused	Excused	Excused	-	Excused	-	-	33% F
Simitian	D 11	+	+	+	+	-	+	-	-	87% B
Steinberg	D 6	+	+	+	+	-	+	-	-	87% B
Strickland	R 19	-	+	-	+	-	Excused	-	-	43% F
Vargas	D 40	+	+	Not Voting	+	-	Not Voting	Not Voting	-	73% C
Walters	R 35	-	+	-	-	-	-	-	Not Voting	33% F
Wolk	D 5	+	+	Not Voting	+	-	+	+	-	80% B
Wright	D 25	Not Voting	+	+	+	-	-	-	-	73% C
Wyland	R 38	-	+	-	+	-	-	-	-	43% F
Yee	D 8	+	+	+	+	-	-	-	-	80% B
<b>OUTCOME:</b>		<b>Signed into Law</b>	<b>Signed into Law</b>	<b>Passed by Assembly; Failed in Senate</b>	<b>Signed into Law</b>	<b>Held in Senate Appropriations Committee</b>	<b>Failed on Senate Floor Vote</b>	<b>Signed into Law</b>	<b>Signed into Law</b>	

## Clean Water Action's Scorecard Bills

### Human Right to Water

**AB 685 (Eng)** establishes in California statute the right of every Californian to sufficient water for basic human needs. This bill was introduced in early 2011 (after being vetoed by Governor Schwarzenegger in 2009), but stalled in the Legislature for over a year due to water agency concerns about its implementation. A strong effort on the part of the Safe Water Alliance — a coalition of social justice organizations, including Clean Water Action — led to passage of the bill in the final week of the legislative session. As part of the Human Right to Water Package, Clean Water Action and its allies concurrently sponsored four other bills intended to fulfill the intent of **AB 685**. The 2011 package included **AB 938 (VM Perez)**, requiring translation of emergency drinking water quality notices for non-English speakers; **AB 983 (Perea)**, making it easier for very low-income communities to compete for scarce state funding for drinking water improvements; **AB 1221 (Alejo)**, allowing non-traditional water systems (tribes, cooperatives or other not-for-profits) to qualify for funding for water or wastewater projects; and **SB 244 (Wolk)**, requiring that the needs of unincorporated communities be included in county and some municipal planning efforts.



entering our environment and our bodies in the first place, and that is why we prioritize activities that achieve this goal. CWA sponsored or supported several bills designed to reduce toxics in our environment. These efforts were often hindered by entrenched special interests that want the public to continue to bear the costs of pollution.

Clean Water Action has successfully advocated for local polystyrene food ware bans and currently more than 70 cities and counties across California have taken action to eliminate foam from food service establishments. Clean Water Action sponsored a state-wide phase-out of foam containers: **SB 568 (Lowenthal)**. Foam packaging litters streets and incurs significant taxpayer costs for clean-up. Foam is the second most common type of debris on California's beaches and comprises 15% of the litter in storm drains. Due to its lightweight composition and ability to easily break into smaller pieces, foam litter gets widely dispersed in waterways where it threatens marine life. Styrene, the monomer used in making polystyrene, is also "reasonably anticipated" to be a human carcinogen according to the U.S. Department of Health and Human Services National Toxicology Program, and leaches into food and beverages from polystyrene food packaging.

Unfortunately, the plastics industry, led by the American Chemistry Council and Dart Container (Solo Cups), spent lavishly<sup>1</sup> and lobbied shamelessly to persuade legislators to oppose this bill, which was defeated in the State Assembly. Clean Water Action also supported a measure (**AB 298, Brownley**) to encourage re-usable bags as a replacement for single use plastic bags, but the plastics industry succeeded in preventing that bill from getting out of committee.

Several prevention bills did pass: **AB 1319 (Butler)** a long-awaited bill to ban bisphenol-A (BPA) in children's products — this was a huge victory! CWA joined with agricultural interests to pass **AB 2174 (Alejo)** which directs the use of fertilizer fees to help educate farmers on reducing their use; and **SB 646 (Pavley)** improves the enforcement of the state's ban on lead and cadmium in jewelry.

### CEQA Rollbacks

In 2009, the Legislature passed a bill (**ABX3 81, Hall**) waiving environmental review and land use planning requirements for a proposed football stadium in the City of Industry. Legisla-

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### Sustainable Water Supplies

Clean Water Action places a priority on sustainable water supplies — that is, ensuring that Californians manage the existing water supply in a manner that protects public health and the environment both now and in the future. The following sustainable water supply bills passed in this session. **AB 359 (Huffman)** requires that groundwater recharge areas be identified and incorporated into local planning documents. Groundwater will play an ever larger role in California's water supply portfolio as climate change reduces our snowpack.

Another key factor in adapting to climate change is the development of local sustainable water supplies — particularly to serve urban areas that depend upon water that is exported from other parts of the state. **AB849 (Gatto)** directed state agencies to update regulations to promote the use of gray water, while **AB1750 (Solorio)** revises regulations to eliminate barriers to stormwater capture projects.

### Pollution Prevention

Cleaning up California's waterways is core to CWA's mission. It is much more effective, however, to prevent pollution from

<sup>1</sup>The American Chemistry Council spent nearly \$750,000 lobbying on this and other issues in the 2011–2012 session, while Dart Container Corporation spent more than \$325,000.

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tive leaders assured members of the environmental community that this was a special circumstance that would not set a precedent for future exemptions. Our skepticism proved to be well-founded, when, in the last days of the 2011 session, not one but two similar bills passed out of the legislature.

**SB 292 (Padilla)**, amended 11 days before the end of the legislative session, grants “expedited” environmental review to a downtown Los Angeles football complex. The Legislature has now granted special treatment for two football stadiums in the LA area — an area with no football team! **AB 900 (Buchanan)** — a gut and amend bill passed just *one day* before the end of the legislative session — allows the Governor to identify specific projects that would be on a fast-track CEQA process. This bill has a sunset date of January 2015.

Legislative leaders have promised that “CEQA reform” will be a priority of 2013-2014 Legislature. Environmental groups are closely engaged in this discussion to ensure that any changes to this law preserve the public’s right-to-know about the impacts of local projects and ensure that the environmental impact of projects continue to be identified and mitigated.

### Right to Know

Knowledge is power — that’s why Clean Water Action fights to make sure that the public has the right to know about potential threats to their health and the environment. It’s also why polluting industries fight to prevent information from being collected and made public.

As an example, Senator Pavley has twice attempted, with **SB 263** in 2011 and **SB 1146** in 2012, to eliminate an outdated statute that makes it illegal to make drilling logs for water supply wells public. These logs provide essential information that helps the public — and others who share the groundwater — better understand what is happening to groundwater aquifers. These logs are public information in every state but California, and Clean Water Action strongly supported the bill. In 2011, **SB 263** was gutted by opposition tactics, therefore CWA supported the Governor’s veto; in 2012, **SB 1146** (the same bill in substance) failed on the Senate floor.

Hydraulic fracturing, also called “fracking,” is a well stimulation process by which a mixture of water, sand or ceramic beads, and chemicals are injected into the earth under great pressure. This pressure fractures underground geologic for-



mations so that oil or gas can flow to the surface. CWA, which has offices in several states where fracking is rampant, recognizes the potential harm that fracking in oil and gas mining operations poses to California’s groundwater and drinking water. At least 40% of Californians depend on groundwater for domestic use and groundwater is also a major source of irrigation water. Wastewater discharges contaminated with oil and fracking process chemicals also threaten surface water quality. The Division of Oil, Gas, and Geothermal Resources (DOGGR) is legally obliged to protect public health and the State’s natural resources from oil and gas drilling impacts, but they lack specific regulations on fracking. The state has failed to keep track of where fracking is occurring, to determine what chemicals are being used, or to develop regulations to control its impacts on drinking and irrigation water and public health. **AB 591 (Weickowski)** sought to close this regulatory gap by requiring DOGGR to map wells where fracking is being used, provide public access to those maps, and to create a complete list of any chemicals or components used in fracking processes.

Unfortunately, the oil and gas industry mounted a massive campaign to weaken **AB 591** significantly after its passage in the Assembly. Haliburton in particular succeeded in maintaining exceptional secrecy regarding chemicals used in fracking and the bill lost our support. The bill never made it out of the Senate Appropriations Committee and failed. Similarly, industry blocked **SB 1054 (Pavley)** which would have required advance notification to neighboring landowners and water users before fracking could begin. The bill was defeated on the Senate floor.