



Express opposition unless amended to SB 1: California Environmental, Public Health, and Workers Defense Act of 2019

Communications and Legislation Committee

Item 8-7

April 8, 2019

Overview of SB 1

- Intent to avoid weakening of environmental or worker protections in California from changes in federal law
- Defines federal baseline standards
- Authorizes state agencies to adopt federal baselines with as little as 30-days' notice
- Authorizes citizen suits in state court to enforce new regulations
- Sunsets on January 20, 2025

Baseline Federal Standards

Federal Statutes and Regulations	Baseline Date
Clean Air Act	Jan. 19, 2017
Clean Water Act	↓
Safe Drinking Water Act	
Endangered Species Act (ESA) & Permits	
Fair Labor Standards Act	Jan. 1, 2017
Occupational Safety and Health Act (OSHA)	↓
Federal Coal Mine Safety & Health Act	



Legislative Timeline

- SB 1 passed from Senate Environmental Quality Committee (5 Ayes, 2 Noes) on March 20
- Referred to Senate Natural Resources and Water Committee for hearing on April 9
- Will be referred to Senate Judiciary Committee for hearing likely on April 23
- Amendments anticipated prior to Senate floor vote

Staff Recommendation

- Retain state agency monitoring and reporting and recognize state's existing authority to respond
- Re-instate procedural due process so all stakeholders have opportunity to comment on new regulations
- Limit citizen suit provision and retain agencies' primary responsibility to investigate and remedy violations
- Consistent with Board principle to support regulatory compliance flexibility, promote consistency and reduce regulatory duplication

Board Options

- Option #1

- Authorize the General Manager to express opposition, unless amended, to SB 1: California Environmental, Public Health, and Workers Defense Act of 2019

- Option #2

- Take no action

Recommendation

- Option #1

