



# CapitolVoice

Sierra Club California —Your Voice in the State Capitol

## Are the Infrastructure Bonds Good or Bad for the Environment?

by Jim Metropulos and Bill Allayaud

Infrastructure has been the buzzword in the Capitol during the early part of this year. As various plans for building and rebuilding California's transportation, flood control, educational and housing structures emerged, Sierra Club California tried to green the bond proposals as much as possible. With the help of legislative leaders, we succeeded in staving off the most destructive projects, like new dams.

Now the Legislature and Governor have sent four bonds to the November ballot, and our experts are busy analyzing their impacts on our air, water, and open space, so that our all-volunteer conservation committees can decide whether to take positions on these measures

Recognizing that important aspects of California's infrastructure have been deteriorating, last year Senate leader Don Perata carried a bill creating a \$13 billion infrastructure bond. Governor Schwarzenegger picked up the mantle of infrastructure investment and proposed \$68

billion of bonds in January's State of the State address. Throughout March and into April, Senate and Assembly leaders and the Governor conducted a lengthy series of negotiations about the proposed bonds.

Governor Schwarzenegger's initial proposal included money for dams, but no money for cleaning up contaminated sources of drinking water. His plan included money for 1,500 miles of additional freeways, but little money for transit and no money for parks and wildlife protection. The Republican caucus, meanwhile, made their support for any bond measure contingent upon the rollback of environmental reviews. The leader of the Senate, Don Perata, countered these dodgy proposals with a much more environmentally-friendly package, including money for smart growth planning, transit, affordable housing, along with fixing the roads and levees. He did this while fending off the attacks on environmental laws by the Republicans and rejecting any new dams. For his part, Speaker of the Assembly Fabian Nunez argued that affordable housing and improving our schools was critical.

Your Sierra Club California lobbying team was very active in the Capitol when the Senate and Assembly committees were meeting on these issues and while many backroom deals were being engineered. We made it very clear that we would strongly oppose a bond measure on the ballot, whether it was June or November that included dams,



Traffic remains one of Californian's top concerns. The bonds contain funding for improvements to roads and mass transit.

*continued on back page*



# Green Promises Aplenty

by Bill Allayaud

In my five-plus years as State Legislative Director, **I cannot remember a time with as much political intrigue as we are having right now.** The recall election of 2003 and the special election of 2005 and the two coming up this year, will consume massive amounts of resources. I cannot help but think about how that money and energy could have been spent otherwise – for example, on wetland restoration, rebuilding inner cities, and preserving more open space.

While the gerrymandering of 2000 took most of the drama out of legislative races for the decade, the Governor's race is shaping up as a donnybrook. At a disadvantage in one respect because they do not share Governor Schwarzenegger's celebrity status when he ran for Governor, the two Democratic candidates, State Treasurer Phil Angelides and State Controller Steve Westly, have impressive environmental credentials to begin their runs. Both candidates have used their current statewide positions in innovative ways to safeguard our state's air, water, coast and open space. Angelides has guided California's huge pension funds, CALPERS and CALSTRS, into green investments in smart growth and clean technology. Westly has taken on the auto companies on global warming and the power companies on marine life protection.

These two gentlemen came to Sierra Club California, both hoping to get our coveted endorsement. It is a fact that after groups like the nurses and firefighters, the Sierra Club name is most trusted by voters when looking for advice about elections. After looking at their records and what they promise, the Club overwhelmingly decided to endorse both of them. As Sierra Club California chair Alan Carlton said, **we think either one would make the greenest Governor California has ever had.**

To our surprise, *the Governor chose not to even pursue a Sierra Club endorsement; he did not return our written questionnaire or schedule an interview.* Yet, Mr. Schwarzenegger continues to tout himself as the State's greenest Governor ever. If you want to see how we judged him based on his first two years, go to our website at [www.sierraclubcalifornia.org](http://www.sierraclubcalifornia.org) where there is a clear link to our evaluation. We found that **he is very green for a Republican, but so-so on an objective basis.** His latest environmental initiative, on global warming, is typical – embrace the need to act, but act in a manner that is not bold and will not turn off the campaign contributors.

*It is clear that the environment will be a big issue in this election.* All three candidates are talking about global warming, smart growth, and coastal protection. When the dust clears in the Westly-Angelides race, the winner will declare that Schwarzenegger is too beholden to special interests. In turn, Schwarzenegger will cite his environmental credentials. But for a change, the environment *will* be an issue presented to the voters.

As our lead story indicates, our staff has been busy dealing with the infrastructure bond measures. Let me point out another over-arching issue for us in 2006 – global warming. The Governor is at least talking about it, and Assemblymember Fran Pavley and Speaker Fabian Nunez are ramping up legislation that will be a bold step to curb greenhouse gas emission.

We look forward to your continued support of Sierra Club California so that we can continue to represent you on these and other critical issues.



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# Clean Money for a Clean Environment

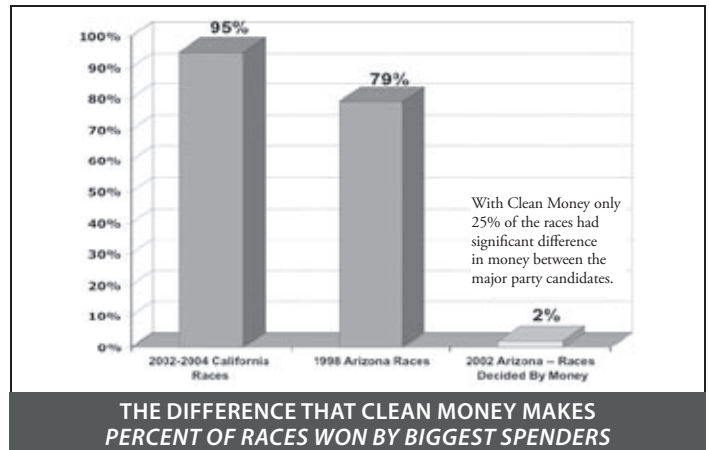
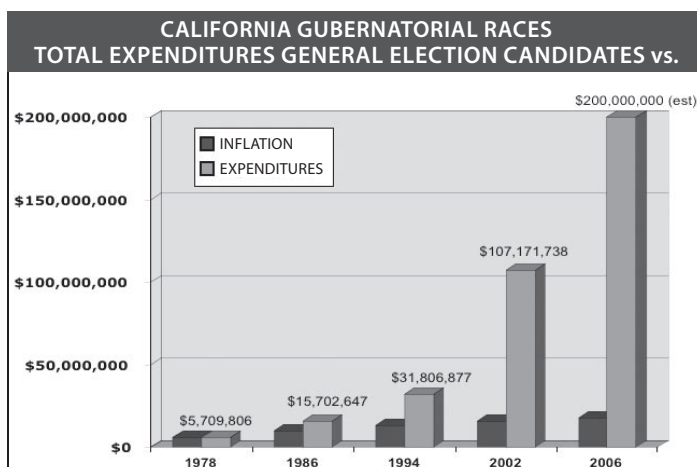
By Bill Magavern and Trent Lange

With political corruption scandals bursting out everywhere from San Diego to Texas to Washington, D.C., Californians now have a real opportunity to turn the tables on polluters and developers by weakening the dominance of big money campaign contributors. AB 583, the California Clean Money and Fair Elections Act, is the best hope in years for a fundamental change that would finally give the environment a more level playing field in Sacramento. To the surprise of many, Assemblymember Loni Hancock's bill has already passed the State Assembly; now it needs the approval of the Senate and Governor before it can be put on the ballot for a vote of the people.

You know the problem: Environmentalists are frequently up against developers and corporations that contribute millions of dollars to political campaigns. Environmentally-friendly candidates often can't get elected because they don't have enough money to compete against corporate-backed candidates.

In Sacramento, good environmental bills are often killed by legislators or a governor that have received large campaign contributions from the polluters or developers we're fighting — sometimes the very same day they kill our bills.

Clean Money public funding of election campaigns would drain the swamp of corruption by providing competitive amounts of public campaign funds to candidates who voluntarily limit their campaign spending and show a broad base of support. In cases where non-participating candidates or attack ads by outside groups exceed Clean Money expenditure limits, additional public funds are



provided to Clean Money candidates so that they always have a level playing field.

Arizona and Maine, where Clean Money systems have been operating for six years, have proven it works. Voters' choices increased, as more qualified candidates, especially women and minorities, were able to run for office. Clean Money candidates now hold nearly 80% of the legislature in Maine and 10 out of 11 statewide offices in Arizona, including the governor's office. Voter turnout and participation has increased significantly as confidence in government has risen.

Not surprisingly, legislators elected with Clean Money in Arizona and Maine have much better environmental voting records than legislators elected with private money. Legislators in Maine who used Clean Money scored nearly twice as high on the League of Conservation Voters scorecard as those who did not.

We need the same reform in California. If passed, AB 583 would put a similar full Clean Money system on the ballot, giving voters a historic chance to change the system. The bill is now in the State Senate, where big money opponents will desperately try to stop a reform they know will make politicians accountable to the voters instead of to them. We can't let them stop it. Californians need to demand this sweeping reform — a reform that will finally let the voters — and their concern about the environment — take control of politics.

If we want clean air and clean water, we have to have Clean Money. That's why Sierra Club California strongly endorses AB 583, and urges you to help us pass it.

Take action by writing and calling Senate President Pro Tem Don Perata and your own Senator to urge them to support AB 583. Go to [www.CAclean.org](http://www.CAclean.org) to use its easy online letter-writing and faxing tool, sign the petition, and get calling information.

Graphs courtesy of Trent Lange, California Clean Money Campaign

# Legislative Highlights

Although we work on literally hundreds of bills each year, we generally sponsor a small handful. For sponsored bills we are responsible for writing the language, negotiating amendments, obtaining media coverage, getting them past the Senate and Assembly and signed by the Governor. Here are a few of the bills we're sponsoring for you this year.

## TOP BILLS TO PASS IN 2006

**California Global Warming Solutions Act of 2006, AB 32** (*Núñez/Pavley*). This bill, authored by Assembly Speaker Fabian Núñez and Assemblymember Fran Pavley, would institute a statewide cap on greenhouse gas emissions and require mandatory tracking and reporting of emissions. The Air Resources Board would implement the cap, reducing California's emissions in 2020 to 1990 levels. The Bush Administration's refusal to act, in spite of all the scientific evidence, makes it important for California to take the lead in curbing global warming pollution. An enforceable cap would create the market signal needed to unleash our world-famous innovative entrepreneurs and enable the state to lead the clean energy technology revolution. AB 32 has already won the support of concerned health advocates, religious leaders and business owners.

**Smoking Vehicles, AB 1870** (*Lieber*). Currently, a vehicle emitting plumes of particulate-laden smoke from its tailpipe can pass Smog Check. AB 1870 would help clean up our air by including a simple smoke test into Smog Check, as recommended by the Air Resources Board and Bureau of Automotive Repair.

Believe it or not, it is now possible for a car to pass Smog Check even if it is emitting visible smoke from its tailpipe. A new bill, AB 1870, introduced by Assemblymember Sally Lieber (D-Mountain View) and co-sponsored by Sierra Club California, would close this smelly loophole by incorporating a smoke test into Smog Check.

Scientific studies have shown that breathing tiny particles can cause heart disease and early death. Cars, especially smoking cars, are a major source of those particulates. In fact, one study found that emissions from a smoking vehicle were as harmful as the collective emissions from 75 well-maintained cars. "The bill recently passed the Assembly on a bi-partisan vote, and is now in the Senate.

**Water Conservation in Landscaping Act, AB 1881** (*Laird*). This bill would implement the recommendations of the state's landscape water use efficiency taskforce.

California is a land of beautiful and varied landscapes that greatly enhance our quality of life. However, irrigating these landscapes uses almost 3 million acre-feet of water a year. In fact, almost half of total residential water used in California is for outside the home.

AB 1881 by Assemblymember Laird (D-Santa Cruz) will implement the recommendations of a 2005 statewide taskforce on landscape water use, of which Sierra Club California was a member. The bill will restrict the wasting of water by overspray and runoff, set performance standards for irrigation equipment and labeling requirements, require the use of dedicated water meters for large landscapes and strengthen enforcement of local city and county ordinances on landscape water use.



**Landfill Financial Responsibility, AB 2296** (*Montañez*). This bill would protect public health and safety and taxpayers' dollars by requiring that future costs of closed private landfills be covered by the landfill operators, not by government.

Sierra Club California has co-sponsored AB 2296, authored by Assemblymember Cindy Montañez (D-San Fernando), to protect both our environment and taxpayer dollars from leaking landfills. The bill, which is also backed by Cheryl Peace of the California Integrated Waste Management Board and by the Teamsters union, would require the companies that own garbage dumps to set aside sufficient funds to pay for all necessary maintenance and corrective action for as long as the landfill could threaten public health and safety or the environment.

**Energy Efficiency, AB 2021** (*Levine*). This bill would require all electric and natural gas utilities to meet energy efficiency savings targets established by the California Energy Commission and the California Public Utilities Commission (PUC). While the PUC has set energy efficiency goals for the investor-owned utilities, such as PG&E and Southern California Edison, municipal utilities, such as Los Angeles Department of Water and Power, lack similar goals. Since municipal utilities provide 27% of the state's electricity needs, they should also contribute to meeting statewide energy efficiency goals.

**Flood Control Liability, AB 3050** (*Assembly Judiciary Committee*). This bill would make local governments liable with the state to the extent that they have increased state exposure to liability for property damages by approving new developments in previously undeveloped areas subject to flooding. The bill would encourage local planning agencies to give greater consideration to the potential consequences of approving new developments in areas that may not offer adequate flood protection.

**Forestry Reform, SB 1310** (*Kuehl*). This bill would require large timber companies to prove their logging is sustainable and protects fish, wildlife and water quality, and would expand a program for small landowners, while improving environmental standards.

Senator Kuehl is carrying a Sierra Club sponsored bill to improve forest protections in California. SB 1310 would require the largest logging companies in the state to prepare Sustained Yield Plans which assess the impacts of logging operations across their ownership. Under current law, companies like Sierra Pacific Industries, which plans to clearcut one million acres in the Sierra, are not required to disclose and assess impacts at the ownership level.

The bill also expands a program for small landowners. A Non-industrial Timber Management Plan (NTMP) allows a small landowner who agrees not to clearcut to prepare a long term management plan, rather than individual logging plans. By reducing the cost of future logging plans, and eliminating clearcutting, NTMPs make it easier to do the type of forestry that the Sierra Club likes to see. SB 1310 makes a number of small changes to the program, and increases the size limit from 2,500 acres to 10,000 acres.

**Conservation Easement Registry, SB 1360** (*Kehe*). Currently there is no centralized database documenting conservation easements purchased by the State of California. This bill would require the Resources Agency to establish a public registry of all conservation easements held by or required by the State or purchased with State grant funds on or after January 1, 2000.

**Kids in the Outdoors, SB 1649** (*Alarcón*). We are committed to getting kids into the outdoors for an environmental education experience, in particular those kids that are from inner-cities or poor school districts. The Sierra Club Foundation has funded programs that have given a quarter of a million kids an outdoor environmental experience that they would not have had otherwise. We think it is time that the State of California have such a program permanently embedded in an agency. Therefore, we are proudly sponsoring Senator Alarcón's (D- San Fernando Valley) legislation, that would have the State Department of Parks and Recreation giving grants to public schools and private nonprofits to kids get outside and learning. In addition to a variety of environmental groups, law enforcement and educators support this bill. And we can report good news – the bill passed the Senate Education Committee on a bi-partisan, unanimous vote.



Orange County Sheriff Mike Corona is a active supporter of our programs to get youth into the outdoors.

Most of these bills will need help to get off the Assembly floor. Please join our email Action Alert system to receive timely alerts. [www.SierraClubCalifornia.org](http://www.SierraClubCalifornia.org)

# Legislative Highlights

Every year there are hundreds of bad bills introduced that would undermine the environmental protections we rely on for public health, clean air and water, habitat protection and our quality of life. It takes vigilance and a professional presence in Sacramento to prevent these efforts from unraveling the protections we often take for granted. Taking care of these chronic attacks is a major part of what Sierra Club California does for you.

## TOP THREATS IN 2006

### DEVELOPERS SCAPEGOATING ENVIRONMENTAL LAWS

Seeking to take advantage of the huge run-up in housing prices caused by record low interest rates, developers are claiming that the Coastal Act, the California Environmental Quality Act (CEQA), and other planning laws are to blame. But in a state where the median house price is about \$460,000, their arguments get traction in the Legislature. What they try to direct focus away from is that factors such as interest rates have an effect on housing prices several orders of magnitude greater than any environmental or planning law.

The builders found a receptive legislator in Senator Denise Ducheny (D-San Diego) who introduced Senate Bill 1800. This bill would blow a hole in CEQA large enough for Governor Schwarzenegger to drive one of his Hummers through. It is our highest priority bill to kill this year. Meanwhile we will work hard on finding pragmatic solutions for getting more affordable housing built, always working from a context that we must do it with smart growth.

### PROTECTING PUBLIC LANDS FROM OFF-ROAD VEHICLE ABUSE

The California Off-Highway Motor Vehicle Recreation Commission provides crucial policy guidance for the management of off-road vehicles (ORV) on public lands in California. It also provides an important forum for public input on the state's ORV Program. As ORV abuse has exploded in recent years, the Commission has worked to provide essential funds for law enforcement and restoration grants. These grants have helped to restore damaged areas, to protect pristine places from being harmed and to confine ORV use to the most appropriate locations.

Unfortunately, our public lands are threatened by two ill-conceived proposals from off-roaders and the Schwarzenegger Administration to weaken this important commission.

AB 2784 by Assemblymember Parra (D-Hanford) would eliminate the Commission entirely and AB 2337 by

Assemblymember Garcia (R-Cathedral City) would weaken the Commission by reorganizing it and giving it a mere advisory role in developing policy. We will be opposing both bills this session.

Both bills were up in the Assembly Water, Parks and Wildlife Committee on April 25, and passed out of committee. Voting for both bills were all 5 Republicans on the committee and Ted Lieu (D-Torrance), Joe Baca Jr. (D-San Bernadino) and Parra, who sits on the committee. Chair Lois Wolk (D-Davis) and Barbara Matthews (D-Tracy) voted for AB 2784 and against AB 2337.

The votes by Assemblymember Lieu on the OHV program bills and some other environmental bills are a cause for concern. His votes were disappointing as our expectations are high for him since he campaigned as strong on the environment and he pledged to be a reliable vote when he met with the environmental community just after taking office. We also note that he sits on two key committees -- Natural Resources and Water, Parks, and Wildlife. We hope Sierra Club members in his district monitor his record and meet with him to let him know how important it is to stay strong on these critical matters.

Both bills now move to the Assembly Appropriations Committee, where we hope to stop them. Otherwise it will be a big battle between environmentalists and off-roaders on the Assembly floor.



Illegal riding in ORV closure area on Tolowa Sand Spit of Lake Earl Wildlife Area.

## A GREAT RESOURCE FOR TRACKING LEGISLATION

The advent of the Internet has made it vastly easier for people outside of Sacramento to keep track of what is happening in the Legislature. If you are interested in the legislative process, it is well worth spending a few minutes at [www.legislature.ca.gov](http://www.legislature.ca.gov). Here are a few tips to get you started:

- After you've searched for a bill and gotten the result, you can *Subscribe* and be notified whenever there is action on that bill.
- The best way to find out what is happening in the Capitol on any given day is to read the Daily File, which lists relevant deadlines and committee hearings. Follow the link for *Session Information and Daily Files*, then click on the link for *Regular Session* for either the Senate or Assembly.
- Most committee hearings are broadcast live on the internet. To listen, follow the link for *Calendar and Schedules*, then *Audio and Television*. The hearings should stream via Windows Media Player. Note that hearings often start late.
- You can also search any California Code, Statute and the Constitution.

## JOIN US FOR LOBBY DAY

**August 13 & 14, 2006**

Every year as the Legislative session winds to a close, we struggle to get our priority bills passed and sent to the Governor. During this crunch time, we call on our political strength – our members – to come to Sacramento and lobby along side us.

Each year 30-40 activists from around the state join us for a Sunday afternoon training, and then spend Monday lobbying key legislators. We focus on trying to recruit Sierra Club members from targeted swing districts, which generally means that we need more members from the L.A. area than from Berkeley.

Sierra Club California covers most costs for travel and lodging, so if you live in a swing district please join us for a couple days in August.

**For more information contact Sabrina Juarez:** [Juarez@sierraclubcalifornia.org](mailto:Juarez@sierraclubcalifornia.org) or (916) 557-1100 x107

Sierra Club California was formed 20 years ago to allow California's 13 Club chapters to speak with one strong, effective voice in Sacramento. We represent the interests of California's 200,000 Sierra Club members at the Legislature, in the Governor's office, and before state agencies.

With a political climate much more favorable to environmental protection than exists at the federal level, Sierra Club California has been instrumental in passing groundbreaking environmental protections that set the standard for the rest of the country. Initiatives started here, such as reducing greenhouse gas emissions from cars, are replicated across the country.

Despite our leadership role nationally, and the respect from legislators we receive in Sacramento, we have a difficult budget situation. We have been unable to replace two departed staff persons until our budget improves. **We receive less than \$2 dollars from each California membership and must rely on individual donations for the remainder of our budget.**

People like you make our work possible, and we thank you for your past support. But our battles and expenses continue. Please take a moment to return the enclosed envelope with whatever donation you can afford, so we can continue to represent your values in the Capitol.

- **For the most current information, please visit our website: [www.sierraclubcalifornia.org](http://www.sierraclubcalifornia.org)** •



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▲ Bonds, *continued from cover*

rollbacks of environmental reviews for levees, roads, and bridges, and not enough money for good planning, water quality, parks, and affordable housing.

As you may have noticed, most of the media coverage of the failure of the Governor and the Legislature to reach agreement for the June ballot highlighted environmental issues as one of the primary reasons why they could not finalize a deal. While we do not pride ourselves on being obstructionist, in this case, we had to be aggressive in the defense of our environment. The bond measures lock in billions of

The final package of four bonds included money for roads, transit, new school buses, air quality improvements at the ports, rebuilding bridges, affordable housing, transit oriented development, schools, urban parks, and levee repair. We are glad to report that it did not include rollbacks of our environmental laws or new dams. It has little for parks, though fortunately a parks and water quality measure backed by a coalition of environmental groups appears to be headed for the ballot.

Sierra Club California will consider taking positions on each of the four bond measures, schools, transportation,

dollar of spending over two decades, so we could not back down. And, we offered positive ideas on the contents of an infrastructure package that made sense for all Californians.

Besides direct lobbying using personal contacts, in order to help shape the debate between the Governor's and the Legislature's plans, Sierra Club California worked with more than a dozen environmental and public health groups to call attention to the critical elements missing from the plans. We published ten guiding principles, including an over-riding statement that any infrastructure

levees, and housing, as well as the water and parks initiative, this summer. There are details in each of the measures that we have to analyze, and we know that follow-up legislation is likely needed to define how the money can be spent if the voters pass them. Our job, as representatives of our Sierra Club members, is to figure out if we should oppose a bond measure if, for example, it facilitates sprawl or allows new development in flood-prone areas, or if we should support a bond if the air quality or smart growth planning provisions warrant that. Look for our recommendations in our Fall newsletter.

bond must include strong environmental protections. Our proposal states that the State should spend money to make cities more livable, buy more land for local and state parks and to preserve natural areas, and improve water quality and air quality.

Following the failed attempt to place a bond on the June ballot, Legislative leaders continued discussions without the Governor. In early May they announced that they had reached agreement on an approximately \$37 billion package, which the Legislature approved in the wee hours of May 5.

**WE'D LOVE TO  
HEAR FROM YOU!**

We'd like to know how this newsletter is helpful and how we can improve. Please give us feedback so that we can make your voice in the capitol even stronger.

Please send your thoughts  
and feedback to  
[newsletter@sierraclubcalifornia.org](mailto:newsletter@sierraclubcalifornia.org).