

Los Angeles Section

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OFFICERS'S MESSAGE

Seema C. Shah-Fairbank, P.E., Ph.D., M.ASCE
Los Angeles Section President

President's Message



Forest fires have historically been a natural part of our ecosystem, they have helped clear and open the forest floor. In an ideal world forest fires would burn slowly allowing native plants to release their seeds and repopulate an area with new growth. In addition, fires can rejuvenate the soil, eliminate invasive species, and destroy localized sources of diseases in plants, animals and insects.

However, since the 1900s man has suppressed fire. This has resulted in non-native species flourishing and fuel accumulating (leaves, branches, etc.) within the forest. This accumulation of fuel has been dried out by the long periods of drought associated with climate change. Additionally, development has moved farther and farther into fire prone areas increasing risk associated with wildfires. Individually, these may be manageable, but together they result in server fires burning hotter, faster and more devastative than ever before.

In the recent decades the severity of fire threat, has grown significantly as development expands and climate induced droughts are prolonged. The 2020 fire season (since October 2020) has resulted in approximately 4 million acres or 4% of the State of California land mass being burnt, making it the largest wildfire season in history (CAL FIRE). Regardless of where you live within the Los Angeles Section boundary, you have felt the effects of the poor air quality, if not more devastating losses. Long term, there is more land management and fire protection efforts required because these devastating fires are occurring more frequently.

The initial damage, as a result of wildfires, to our infrastructure is apparent; however, additional post-fire damage can continue to occur as we enter the winter months. Fires burn nature's soil binding matrix and vegetative canopy increasing the erosion potential within a watershed, which results in landslides and debris laden flooding (i.e., non-Newtonian debris flow) poses an immediate and dramatic risk to adjacent communities. Current measures to combat landslides and debris flows include, grass seeding, mulching, intensive log and wattle erosion barriers and drainage improvements on roads and trails. As civil engineers we need to work directly with the US Forest Service's Burned Area Emergency Rehabilitation (BAER) teams and Cal Fire in strategically developing long-term solutions to the devastating effects of wildfires.

As engineers we need to be proactive in how we prepare for fires. This includes using sustainable and resilient materials in construction of our infrastructure. Working with utilities on strategically shutting down powerlines in high wind areas. Using UAVs to delineate the burn zones, which can help as input data in modeling. Use climate change models to predict the location and severity of intensive precipitation events and perform hazard assessments to predict landslides. Additionally, we need to assess ecological, water quality, and flood risk management hazards that result from extreme fires. It is time for us to strategically stabilize slopes and design debris basins and flood risk reduction channels to accommodate debris laden storm flows associated with post fire debris flows. This requires advance modeling capabilities to ensure that we can accurately predict the quantity of debris and delineate the zone of influence.

This cannot be done alone, it requires a multidisciplinary team of scientists, architects, ecologists, foresters, landscape architects, engineers, firefighters and many more to work together to solve the threat associated with extreme fires.

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Welcome to Region 9!

by Kenneth H. Rosenfield, P.E., F. ASCE, ENV SP, ASCE Region 9 (California) Director, Chair, Region 9 Board of Governors



I begin, and will end, this article with a heartfelt thank you to all ASCE Members! I have the distinct and humbling honor to have been newly sworn in as your Region 9 Director for a three-year term. I am here to represent you and to lead your Board of Governors; creating a bridge between the Society Board of Direction and all of our respective local entities, the Sections, Branches, Younger Member Groups, Student Groups, Life Member Groups and Institutes. Each October

begins the new ASCE fiscal year and we have entered the '21 Fiscal Year which covers the period of October 1, 2020 through September 30, 2021. This is going to be a great year for our membership, for advocacy, for collaboration, for education, and for improved communications!

My role as Director follows the great lead of those that came before me and the good stewardship model of this organization. Most recently, Kwame Agyare was our Director and he was fully committed to ASCE as well as being passionate about our Region. Thank you, to Kwame for his leadership! I have been fortunate to also associate with the other previous Region 9 Directors; Jay Higgins, Jennifer Epp and Chuck Spinks, through which I have learned much.

Becoming the Region 9 Director was not envisioned when I became active through my membership with ASCE. I was a student member in college, at the University of California, Irvine, and always maintained my membership after graduation. For many years, I was a "passive" member; I enjoyed attending lunch and learn sessions presented by the Orange County Branch, but did not seek to volunteer. When subsequently asked to volunteer for this Branch as Secretary and Newsletter Editor in 2005, I accepted because we have a great organization with many terrific accomplishments; I wanted to extend our important work of enhancing member value. I was elevated through the seats of the Board, Treasurer, Vice President, and became Branch President in 2008. I found volunteering for our organization personally fulfilling and positive for our profession. I then volunteered to serve the Region and became the Chair of the Transportation and Development Committee from 2010 to 2015. During this time, I was selected to become a presidential officer in the Los Angeles Section and held the position of Section President in 2014. I then was selected to be a Region 9 Governor At-large for a three-year term beginning in late 2015. At the completion of that term, I became the Chair of the Region's Government Relations Committee and, this past year, held the position of Region 9 Vice-Chair.

While serving various positions at the Branch, Section and Region, I became educated and trained on advocacy including its importance to civil engineering, our profession and infrastructure. ASCE does and can advocate on positions of public policy and infrastructure investment. Our organization provides excellent training for anyone interested in this effort. In fact, every member should become an

advocate for these causes. You can start by simply becoming a Key Contact at [ASCE.org/keycontacts](https://www.asce.org/keycontacts).

I volunteered for a Society level committee becoming a member of the State-Government Relations Committee (SGR) with other volunteers from around the Country for a four-year period. I have participated in multiple Washington DC fly-ins, Sacramento fly-ins, became an Advocacy Captain and was selected to move from the SGR to the Society level Public Policy Committee. I recently completed the year at the position of Chair of the Public Policy Committee, through which, on a rotating three-year return cycle, all 166 ASCE Policy Statement are reviewed and updated. My experience as a volunteer with ASCE has been very satisfying because enhancing our profession is not only good for civil engineering but good for the public health, safety and welfare. I urge you to join in this experience, do not wait for someone to ask you to fill a position. Locate your local officers and offer to volunteer in any way needed. You will not regret it!

In the coming months, your Region 9 Board will be updating our Strategic Plan to align it with the ASCE mission, vision and goals. Fundamentally, our purpose is to help you get the most out of your ASCE membership. We will work to improve communications, update our digital presence, foster the growth and influence of our profession and advocate for sustainable and resilient infrastructure. As we complete the planning efforts, I will provide you with a progress report.

To help achieve the Region's goals, the Region has, in addition to the Director, six Governors - one for each of the Region's four Sections, and two At-Large Governors. Your Governors and their roles on the Board are as follows:

- Elias Karam (Vice-Chair), Governor from the Sacramento Section
- Rune Storesund (External Secretary), Governor from the San Francisco Section
- Tapas Dutta, Governor from the Los Angeles Section
- Jeff Cooper (Treasurer), Governor from the San Diego Section
- MJ Hashimi (Internal Secretary), Governor-at-Large (Los Angeles Section)
- Christine Rice, Governor-at-Large (Los Angeles Section)

One of the responsibilities of our Governors is to visit with the Sections, Branches, Younger Member Groups, Student Chapters, Institute Chapters, and Life Member Groups to gain an understanding of their needs and challenges. The Region is happy to help in any way we can. We are your link to the Society's Board of Direction and can bring to the attention of the Society Board any issues that may require action. For your Governors to learn more about your successes, needs, and challenges, please invite a Governor to your next event. The Governor's contact can be found on the Region 9 website, <http://regions.asce.org/region9>. You are also welcome to contact me to attend an event, to address any questions, or to convey an idea you believe will benefit the members in your local organization. My direct contact information is below. The Region 9 Governors and I would like the opportunity to assist you in making your organization and activities a success.

The Covid-19 pandemic has impacted us all at a professional and personal level. I trust and hope that you are all well and will remain so until this is under control. The pandemic has not seemed to reduce our respective workloads, however, as I speak with my peers, I am told everyone is as busy as ever. We have adjusted to working remotely or in staggered shifts in the office environment while adopting new hygiene standards. We are a remarkable and resilient group of professionals that can tackle any problem. Congratulations to everyone for making the adjustment to this unprecedented situation!

The pandemic did have an impact on Region 9 operations in that our 14th annual in-person California Infrastructure Symposium (CAIS), jointly held with the Sacramento Section, had to be cancelled in March and rescheduled as a virtual event that was held on September 25. The annual Awards Event, typically held in conjunction with the CAIS, was also changed to a virtual event and held on the afternoon of September 24. The Awards Event was well received, all award winners received their plaques along with “five minutes of fame” as a part of the presentations. Many thanks to Awards Chair Adam Killinger, Kwame Agyare, Anne Ettley and all Awards Committee members for this successful event!

The planning efforts for the CAIS, led by Mike Konieczki, past Sacramento Section President, were remarkable and outstanding. Thanks to Darren Mack, Tapas Dutta, Jafar Faghih, Anne Ettley, Richard Markuson, Kwame Agyare and many others for the outstanding efforts to shift the format of this event and make it a success. Well over 200 ASCE members and students participated in the all-day symposium which presented a great lineup of keynote speakers, transportation track speakers and water track speakers. Our sponsors stayed committed to the event and many thanks to them, as well! Please watch for announcements as planning is now underway for the 15th annual CAIS to be held jointly with the Los Angeles Section in 2021.

ASCE is currently in our membership renewal period. Membership is a great value for all of the services that are provided with your annual fee. Don't forget to also support your local Section and Institutes through membership. ASCE is offering a membership referral program with rewards for facilitating new member sign ups. The program is called the “Member get a Member” drive. Refer nonmembers and earn gift cards for anyone that signs up. To access this program, go to [ASCE.org/mgam](https://www.asce.org/mgam). Most importantly, now is the time to renew your membership. I have done so, please join me today.

My priorities for my term include enhancing our membership numbers. We are all stronger as a team and a voice for civil engineering with more members. This fosters betterments for the profession and all civil engineers. In Region 9, we have over 18,000 members which represents over 10% of all of the ASCE members. Yet, many civil engineers in California are not members of ASCE. ASCE is the preeminent professional civil engineering organization and works very hard for you to protect our profession, repel threats to licensure, push legislatures for investments in infrastructure and addresses many public policy issues of importance for the public health, safety and welfare. We hold paramount our Code of Ethics, we invest in ourselves through educational offerings, we offer many technical publications and self-learning opportunities through our Institutes, we offer leadership training, leadership opportunities and we offer comradery and friendship amongst our peers. I intend to reach out to all civil engineers in California and implore them to join this great organization. I ask you to join me in this effort.

I am very thrilled to be representing you and look forward to the near future when we can meet again face to face. I wish you all the best, thank you, again, for your support in my term as Director. Feel free to reach out to me for any needs at KennethRosenfield.ASCE@gmail.com or call me on my mobile phone at (949) 322-8560.

2020 California Infrastructure Symposium

by Michael Konieczki, PE, D.WRE, M.ASCE, 2020 California Infrastructure Symposium Chair, Sacramento Section Past-President



Fellow ASCE Members and Infrastructure Enthusiasts, We did it! On September 25th, the 2020 California Infrastructure Symposium (CAIS) was held with over 200 Engineers, Policy Makers, Academics, and Students in virtual attendance. Thanks to all of you that registered for the event. I hope you enjoyed the amazing presentations from our speakers on this year's theme: Driving the Economy Forward with Infrastructure.

My personal, unending gratitude to the entire Symposium Committee. Thanks to their tireless efforts in the COVID-19 chaos of this year,

we were able to pivot from our planned in-person event in April, to an extremely successful virtual event in 6 short months. It took a huge amount of volunteer hours to coordinate with speakers, develop procedures, and modify format to a pull this all off.

Another key to the 2020 CAIS's success was the tremendous generosity and understanding of our sponsors. The dedication to ASCE and continued commitment to the 2020 CAIS given the required change in “venue” are extremely commendable. Thank you to all our sponsors.

A special thanks to Anthony Hernandez of HDR, Anne Lynch of GHD, and Tino Maestas of Odin Construction for volunteering their time and moderating our sessions. These three had the hardest jobs of

the day; introducing our speakers and keeping the sessions running on time. Thanks again for the great work.

I trust that each of you that attended the Symposium this year found it well worth it. I hope you plan on attending the 2021 CAIS when it is co-hosted by Region 9 and Los Angeles Section. I for one will be there.

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ASCE Installs New Code of Ethics

ASCE has updated the primary document that guides and protects decisions made by civil engineers around the world.

At its quarterly meeting Oct. 26, the ASCE Board of Direction approved the suggested changes to the Society's Code of Ethics, marking the first wholesale update of the code since 1974. The changes went into effect immediately.

"It has been a while since we had a comprehensive review of our Code of Ethics, so it was time that we did one," said ASCE 2020 President K.N. Gunalan, Ph.D., P.E., D.GE, F.ASCE. "The new code language is simple, inclusive, and hopefully comprehensive in terms of our understanding of the engineering practice. More importantly, it lists an engineer's obligation by specific priority so that there is no confusion or conflict."

At first glance, the most obvious difference is one of brevity. ASCE's new code of ethics word count is about a quarter of that of the previous document. However, Brock Barry, Ph.D., P.E., F.ASCE, a professor at the United States Military Academy and chair of the Task Committee on the Code of Ethics, said fewer words should not be mistaken for less meaning.

"I would note that while the format and structure of the Code of Ethics has changed, the heart of the prior code is still in place," Barry said. "All of the topics embodied in the prior code can be found in the new code. The new code is more clear and more concise."

The task committee began its work to revise the code in October 2018, updating the board several times and incorporating feedback from members along the way.

The new code emphasizes usability and enforceability, modernizing the language while dispensing with the previous document's canon model. Instead, the new code creates a hierarchy of stakeholders within an engineer's ethical responsibilities.

"Canons-based codes were very much in vogue for a period of time," Barry said. "Many of our sister professional organizations have moved away from the use of a canons-based model. They fail to resonate well with values-based cultures. And they tend to not be intuitive or easy to use. That can lead to significant gray areas in which an engineer is unable to determine which canon takes precedence in the event of an ethical conflict between stakeholders."

The new Code of Ethics preamble states, "Members of the American Society of Civil Engineers conduct themselves with integrity and professionalism, and above all else protect and advance the health, safety, and welfare of the public through the practice of civil engineering."

The stakeholder priorities follow – beginning with society on through the natural and built environment, the profession, clients and employers, and peers. This allows civil engineers to clearly articulate

their ethical responsibility to each. The stakeholder model also means that topics such as the canon added in 2017 that required fair and equal treatment for all are integrated throughout the code, instead of being isolated in one section of the document.

Another key factor motivating review of the code in 2018 was the notion that technological changes since 1974 were putting the previous version at risk of going out of date. The new code then focuses on behavioral intent, rather than creating a list of prescriptive rules, in hopes of allowing the ethical principles to weather any future industry changes.

Notably, the language in the code also is positive as opposed to a list of rules and regulations.

"We avoided the term 'not' as much as possible," Barry said.

Other important features of the new Code of Ethics:

- Heightened obligation for reporting for bribery, fraud, and corruption.
- Emphasis on health and safety "in the workplace" for the first time.
- Strengthened language on an engineer's ethical responsibility to "adhere to the principles of sustainable development."
- Removed outdated language on product endorsements and other advertising speech.

Barry, in addition to thanking the task committee's members, addressed the board at the meeting by encouraging the Society to continue to revise and improve this new Code of Ethics.

"While I had the honor to champion the new Code of Ethics," Barry reiterated later, "you will never hear me claim that it is perfect. Having a system in place to conduct a comprehensive review on a regular cycle will help ensure that the living document is continuing to evolve with the profession."



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LA Section Newsletter Article - November

by ASCE at UCLA, Yuen Lenh, President



As ASCE at UCLA begins our 2020-2021 academic year, we are excited to welcome back our returning members and eager to meet our new members! Recently, our officers brainstormed a new mission statement to define our purpose with our current circumstances in mind. The meaning behind our new mission statement, "Adapting to succeed in changing environments by uplifting community, leadership, and acceptance," is that regardless of these unprecedented times, ASCE at UCLA is working harder than ever to give our members any technical, academic, and emotional support they may need.

Despite the virtual setting, we continue to host a lot of great events including company info sessions, workshops, and socials. We have also planned for our annual Fall Networking Night and Career Fair to be hosted virtually on a platform called Gatherly. As for our twelve technical projects, many of our project managers have decided to focus their Fall quarter workdays on educating members on software usage and design concepts. ASCE at UCLA is also hosting the Pacific Southwest Conference (PSWC) this year. Our PSWC committee has adjusted their plans to fit a virtual format, but we are certain that it will still be an incredible conference.

Some activities of note. For our professional events, we organized many company information sessions where companies came to present about what they do to our students, began our Alumni Day in the Life speaker series where we invited our alumni to come

and talk about what a day in their job looks like, and hosted career workshops to give our members resume feedback and prepare them for our upcoming Networking Night and Career Fair. We have also been working with UCLA's CalGeo, ITE, and EERI-SEAOSC to organize our "What is Engineering?" series where a few of our upperclassmen students and alumni talk about environmental, water resources, geotechnical, structural, and transportation engineering to help our underclassmen get a better understanding of the different civil engineering tracks.

In order to increase our outreach to new students, we have been working with UCLA's Introduction to Civil and Environmental Engineering (CEE 1) course. For this collaboration, our project managers planned and organized workshops where they teach students about a technical or software skill that is relevant to their project. For example, our Seismic Design and Steel Bridge project managers taught students the basics of SketchUp at their workshop. These workshops are spread throughout the Fall quarter. Attendance at one of these project workshops as well as one ASCE professional event was made required to pass the CEE 1 course.

On the more social side, we have hosted a few game night socials and kickstarted our mentorship program. With over 100 sign-ups for our mentorship program, mentors and mentees were paired with each other and placed in one of four families to compete all year long to see which family is the most active. For the month of November, our mentorship families will be competing with each other in a steps/exercise competition through an app called Active for Good, a donation-based company which provides food for malnourished communities through the user's exercise. We are very excited about this friendly competition and our other events to come!

"Failure to Act" Report Released

Every four years, the American Society of Civil Engineers (ASCE) publishes The Report Card for America's Infrastructure, which grades the current state of national infrastructure categories on a scale of A through F. Since 1998, America's infrastructure has earned persistent D averages, and the failure to close the investment gap with needed maintenance and improvements has continued. When the next Report Card for America's Infrastructure is released in 2017, it will provide an updated look at the state of our infrastructure conditions, but the larger question at stake is the implication of D+ infrastructure on America's economic future.

The Failure to Act report series answers this key question—how does the nation's failure to act to improve the condition of U.S. infrastructure systems affect the nation's economic performance? In 2011 and 2012, ASCE released four Failure to Act reports in a series covering 10 infrastructure sectors that are critical to the economic prosperity of the U.S.

These reports were followed by a fifth, comprehensive final report, Failure to Act: The Impact of Infrastructure Investment on America's Economic Future, which addressed the aggregate economic impact of failing to act in more than one sector. The purpose was to provide an aggregate analysis of the economic implications for the U.S. of continuing its current investment trends in multiple infrastructure categories. Failure to Act: Closing the Infrastructure Investment Gap for America's Economic Future is an update to the Failure to Act comprehensive report; it addresses the current infrastructure gaps between today's needs and investment and how they will affect the future productivity of industries, national competitiveness, and future costs to households.

More information on this document here: <https://www.asce.org/failuretoact/>.

Sacramento Section Update

Supporting Student Scholarships During the Pandemic

by Megan LeRoy, PE, President, Sacramento Section



On a smoky and warm morning, in the beginning of October, volunteers from ASCE Sacramento Section and Odin Construction set up for the annual Golze Golf Tournament at The Ridge Golf Course in Auburn California. In the midst of the pandemic and wildfires, tournament attendees donned face coverings and signed waivers acknowledging the health risks posed by COVID-19. In addition to the standard check-in procedures, hand sanitizer, gloves, and masks were available to participants for their use. The

goodie bags also included some sanitizing wipes. Neither of these items took away from the tournament festivities nor the attendees continued support of the student scholarship fund. The tournament was shorter this year as there was no indoor banquet after the day of golf. Fewer golfers were in attendance compared to last year's tournament but attendees seemed enthusiastic to spend the day away from their computers supporting student scholarships. Many companies who chose not to send golfers to the tournament still contributed financially to the event's success.

The tournament is organized and run by Louay Owaidat with Odin Construction Solutions, Denise Dutra Maloney with Maloney Construction, and Brad Quon with Construction Testing Services. Under their outreach and direction, the tournament was extremely successful. I had the opportunity to sell raffle tickets with Denise

Dutra Maloney. She was amazing at convincing golfers to purchase raffle tickets for the raffle prizes. Countless hours behind the scenes went into this successful event. Many tournament sponsors and attendees had attended the event in previous years. There were many familiar faces at check-in though recognizing them was more challenging with face coverings.

This tournament supports the Alfred R. Golze Scholarship Fund, which provides scholarships to college students in the Sacramento Section. Scholarship recipients are ASCE student chapter members attending California State University, Chico; California State University, Sacramento; University of California, Davis; and University of the Pacific. Last year, the event raised over \$100,000 and supported 21 student scholarships. This year, the tournament attendees committed \$115,000 in scholarship funds. Louay, Denise, Brad, and the Alfred R. Golze Committee continue to support students who have shown academic achievement and are active members of their ASCE Student Chapter. Mark your calendars for the first Thursday of October 2021 for our 15th annual golf event benefiting student scholarships. Our goal is to raise \$150,000 next year!

For more information the Sacramento Section, please visit <https://asce-sacto.org/> or contact Megan LeRoy, PE, President, Sacramento Section, at mleeroy@ksninc.com or at asce@asce-sacto.org.

Nominations Are Open For the Following Position:

One (1) Region Governor From the San Diego Section



ASCE Region 9 invites nominations for one (1) Region 9 Governor from the San Diego Section for a three-year term beginning October 1, 2021. To be considered for this position, you must be a Society member in Good Standing and have an Address of Record within the Region being

represented. It is encouraged that nominees also have prior service as a Branch, Section or Institute officer, member of a Section or Branch committee, or a member of a Society-level Committee with demonstrated leadership skills. This position is subject to election during the annual ASCE election cycle.

To apply for this positions, submit the following documents by the deadline of December 1, 2020, to 1) Yazdan Emrani, P.E., Region 9 Nominating Committee Chair, at YEmrani@GlendaleCA.gov and to 2) Patricia Montgomery, Managing Director, Executive and Board Operations, ASCE, at PMontgomery@ASCE.org:

- A Letter of Intent to apply for this elected office
- Signed Governor Commitment document (contact Yaz Emrani for form)
- Biographical Statement, not to exceed 200 words
- Vision Statement, not to exceed 200 words
- Any endorsements
- Color head shot photograph

Nominees will be requested to attend an interview before the Region 9 Board of Governors in January 2021, at a location (or by virtual means), time and date to be set. For questions or application templates, please contact Yaz Emrani at yemrani@glendaleca.gov

Redlands Passenger Rail Project

by Mohammad El Hocheimi, PE



On September 9th ASCE SBR YMF hosted our first virtual joint presentation with LA YMF. Our theme was "How Civil Engineering Connects Communities." Nathan Ortega from RailPros gave us a glimpse of SBCTA's Redlands Passenger Rail Project, a project changing the Inland empire by truly connecting communities and bringing people together. Nine miles of light rail connecting Downtown San Bernardino Metrolink station to a proposed new station at the University of Redlands. ASCE SBR YMF and LA congratulates to all the raffle winners, and thanks to everyone who participated in the event. Until next time keep engineering!



State Investments and Legislative Update

by Richard Markuson, CA Region 9 Legislative Advocate



How Often do Governors Say No to Bills Passed by the California Legislature?

In a typical year, the Legislature sends anywhere from 870 to 2,143 bills to the Governor for consideration. However, in 2020, the Legislature passed only 428 bills, which makes this year an outlier when comparing bill outcomes with past years. Of the 428 bills Governor Newsom considered this year, 137 were Senate bills, and 291 were Assembly bills. In total, he signed 372 into law and vetoed

56 bills. This is a veto rate of 13.08% for his second year in office.

The number of vetoes for 2020 is the fourth lowest of all the years reviewed in this report, beginning in 1967. The three years with the lowest number of vetoed bills were under Governor Jerry Brown (1982, 1981, 1978). In 1982, he rejected just 30 of the 1,674 bills he considered, representing a veto rate of 1.79%. Five of the six years with the highest percentage of vetoed bills (2008, 2010, 2009, 2004, 1998) were with Republican governors and Democratic majorities in both legislative houses (the exception was Governor Davis in 2000). Governor Schwarzenegger holds the record for the highest percentage of bills vetoed in a year, 35.17% in 2008. He vetoed more than a quarter (26.4%) of the 7,461 bills he considered over his seven years. Schwarzenegger signed the lowest average number of bills per year (784 per year over seven years).

While the Legislature can override a governor's veto by a two-thirds vote in both houses, this action is rare and has not occurred since 1980. During the 1979–80 session, the Legislature overrode the Governor's veto of two bills and eight items in the budget bill. Before that, the Governor's veto had been overridden on only two occasions since 1973. Source: State Senate Office of Research.

CEQA Reform Jennifer Hernandez, an attorney in the San Francisco office of **Holland and Knight**, studied lawsuits filed under CEQA from 2010 and published her findings in a 2018 edition of the *Hastings Environmental Law Journal*. Among her conclusions, "CEQA lawsuits provide California's anti-housing holdouts – the political minority of as few as one anonymous party – with a uniquely effective litigation tool to simply say 'no' to change. By filing a CEQA lawsuit alleging that the (local) agency approving the project has made a mistake in analyzing one or more of the nearly 100 impact issues that must be addressed after nearly 50 years of evolving regulatory and judicial interpretations of CEQA, this political minority can slow projects or stop them altogether." In her report, Hernandez found:

- 59% of CEQA lawsuits target housing, public service/infrastructure projects, and agency plans/regulations.
- Most CEQA lawsuits target projects in urban population centers, not rural or remote natural preserve areas.
- Most CEQA lawsuits target infill projects in existing communities, not "greenfield" projects on undeveloped lands.
- Infill housing remains a top target of CEQA lawsuits.

At a 2019 hearing on CEQA, the Planning and Conservation League (PCL), an original sponsor of the implementing CEQA legislation in the early 1970s, agreed that the current CEQA process is "challenged" and believed that the time had come to reform CEQA without reducing the benefits it provides.

Let's look at the CEQA Bills signed and two the Governor vetoed: Newsom signed SB 288 (Wiener D-San Francisco) that will provide a CEQA exemption to sustainable transportation projects — public transportation, bike safety, and pedestrian projects; SB 974 (Hurtado D-Hanger) that exempts from CEQA projects that primarily benefit a small disadvantaged community water system by improving the water system's water quality, and AB 2731 (Gloria D-San Diego) that authorizes the San Diego Association of Governments (SANDAG) to obtain site control to support the redevelopment of the Old Town Center site, including a transit and transportation facilities project, in the City of San Diego before completing the environmental review for those actions.

The Governor vetoed AB 3005 (Rivas D-Hollister) that would have expedited permitting and contracting requirements to facilitate the replacement of the Leroy Anderson Dam and Reservoir (Anderson Dam) in Santa Clara Valley. Newsom said (in part) "the bill sets unrealistic timelines for state entities to expedite deliverables" and "it is problematic to set a precedent for a special process and timeline for one project that may undermine the quality of review by departments. Furthermore, a public works project of this magnitude will have significant environmental impacts, and therefore, review through the full CEQA process is necessary." Rivas wrote of the veto, "I am deeply disappointed to see AB 3005 returned with a veto from Governor Newsom. My constituents and the greater Silicon Valley region are at risk of a catastrophic flood from a large earthquake due to the current conditions of the Anderson Dam. AB 3005 would have expedited the dam's seismic retrofit project and was vital to [sic] ensuring the water supply and environmental benefits for the region expeditiously. The safety of my constituents is my highest priority..."

He also vetoed SB 757 (Allen D-Santa Monica) to establish specified procedures for the administrative and judicial review of the environmental review and approvals granted for the Twenty-Eight by '28 Initiative pillar projects located in the County of Los Angeles. Newsom said, "While I support efforts to accelerate transit projects that reduce greenhouse gas emissions and reduce miles traveled, enactment of this bill is contingent on the successful statutory extension of the AB 900 statute by SB 995, which unfortunately failed passage in the Legislature." This illustrates the danger of linking your bill to one of another author.

Annual Legislation Review on Bills followed by Region 9:

CEQA

SB 288 (Wiener D) will provide a CEQA exemption to sustainable transportation projects — public transportation, bike safety, and pedestrian projects **SIGNED**.

SB 757 (Allen D) Would have established specified procedures for the administrative and judicial review of the environmental review and approvals granted for the Twenty-Eight by '28 Initiative pillar projects in the County of Los Angeles. Requires subcontractors at every tier to use a skilled and trained workforce to perform all work on the project or contract unless there is a PLA in place. **VETOED**. Newsom said: "The provisions of this bill are contingent on the enactment of Senate Bill 995 by Senator Atkins, which did not successfully pass in the Legislature. While I support efforts to accelerate transit projects that reduce greenhouse gas emissions and reduce miles traveled, enactment of this bill is contingent on the successful statutory extension of the AB 900 statute by SB 995, which unfortunately failed passage in the Legislature."

SB 974 (Hurtado D) Exempts from CEQA projects that primarily benefit a small disadvantaged community water system by improving the water system's water quality, water supply, or water supply reliability; by encouraging water conservation; or by providing drinking water service to existing residences within a disadvantaged community where there is evidence of contaminated or depleted drinking water wells. **SIGNED**.

Design/build

AB 2932 (O'Donnell D) Allows the City of Long Beach to use the design-build contracting process to award contracts for curb ramps that are compliant with the Americans with Disabilities Act. **SIGNED**.

Housing

AB 1561 (Garcia, Cristina D) Requires cities and counties to evaluate the impact of government actions on the cost of housing and associated impacts to minority communities and extends by 18 months, the time frame for the expiration, effectuation, or utilization of a housing entitlement for any housing entitlement that was issued before, and was in effect on, March 4, 2020, and will expire before December 31, 2021. **SIGNED**

Seismic safety

AB 100 (Committee on Budget) establishes the Alfred E. Alquist Seismic Safety Commission as a separate unit within the Office of Emergency Services. The bill would reduce the number of commissioners from 20 to 15 and provide that the Governor appoint 10 of the 15 commissioners, with two commissioners appointed by the Legislature and three commissioners serving as representatives of specified state agencies. The bill would establish the background qualifications for the commissioners. The bill would also expand the number of public entities that provide regular updates to the commission regarding earthquake preparedness and seismic safety activities. **SIGNED**

Sustainability

AB 2800 (Quirk D) Existing law requires the Natural Resources Agency to update its climate adaptation strategy, known as the Safeguarding California Plan, by July 1, 2017, and every three years after that, by coordinating adaptation activities among lead state agencies in each sector. This bill eliminates the sunset on the Climate-Safe Infrastructure Working Group. **SIGNED**

Transportation

AB 2038 (Committee on Transportation) Transportation omnibus bill. This bill makes several non-substantive, non-controversial changes to provisions of law related to transportation. Specifically, this bill: 1) Makes conforming changes in language related to parking offenses; 2) Removes a reference to an obsolete code section and replaces it with a relevant reference; 3) Deletes an outdated reporting requirement; 4) Repeals provisions related to a two-year pilot program. **SIGNED**

AB 2285 (Committee on Transportation) Makes various non-controversial changes to transportation-related statutes. **SIGNED**

Water

AB 3005 (Rivas D) Expedites permitting and contracting requirements to facilitate the replacement of the Leroy Anderson Dam and Reservoir (Anderson Dam). **VETOED** Newsom said: "Notwithstanding the importance of completing projects at the Anderson Dam, the bill sets unrealistic timelines for state entities to expedite deliverables. This will require staff to be diverted away from other critical projects throughout the state that are going through the CEQA process. Although the Anderson Dam projects are a key element of dam safety, it is problematic to set a precedent for a special process and timeline for one project that may undermine the quality of review by departments. Furthermore, a public works project of this magnitude will have significant environmental impacts, and therefore, review through the full CEQA process is necessary."

SB 559 (Hurtado D) Would have required the Department of Water Resources to report to the Legislature, no later than March 31, 2021, on federal funding approved by the United States Congress in its 2021 Congressional Budget Resolution and related appropriations bills or otherwise provided to the Friant Water Authority or other government agency to restore the capacity of the Friant-Kern Canal **VETOED** Newsom said: "This bill focuses on a single piece of conveyance and directs DWR to develop a proposal for the state to help fund this specific project. As we address California's water needs in the coming months and years, we need to evaluate, develop and identify solutions and funding that provide water supply and conveyance for the entirety of the state, not one project at a time."

Water Quality

AB 2560 (Quirk D) Requires the State Water Resources Control Board to post on its internet website and distribute through e-mail that it has initiated the development of a Notification Level (NL) or Response Level (RL) for a contaminant and the draft NL or RL along with supporting documentation. **SIGNED**

New Reports of Interest

Ellen Hanak is the director and senior fellow at the Public Policy Institute of California Water Policy Center, and Jelena Jezdimirovic is a graduate student in agricultural and resource economics at UC Davis. They write in Three lessons for California's water funding challenges in today's recession, "COVID-19 and climate extremes brought major challenges to water managers in California, and nimble fiscal solutions are needed."

U.S. Legislators and Regulators Bring New Attention to PFAS. Late summer this year has brought a surge of activity related to per- and polyfluoroalkyl substances (PFAS). The U.S. Environmental Protection Agency (EPA) research office reported at an industry conference last week that it evaluated ways to divide PFAS compounds into categories for purposes of risk assessment and risk management. This aligns with the approach supported by industry groups but conflicts with demands from environmental advocates that EPA study each compound separately. Because of the complexity and number of individual PFAS molecules, which number in the thousands, categorization would likely expedite the review process.

California Workforce Development Board released "Putting California on the High Road: A Jobs & Climate Action Plan for 2030," examines "labor conditions in the industries affected by existing state climate policies," finds "prevalence of blue-collar jobs in the key sectors that must reduce greenhouse gas emissions, such as energy, transportation, and manufacturing," recommends initiatives, such as High Road Training Partnerships, that uses funds from Prop. 39, SB 1, and other sources to build "industry-led partnerships among employers, workers and unions, local workforce development boards, and community-based organizations."

California Hydrogen Coalition has distributed a report by California Air Resources Board which outlines fuel cell electric vehicle deployment and hydrogen fuel station network development, finds that there are currently 42 open retail hydrogen fueling stations in California, moving toward the goal of 200 stations by 2025 as outlined in an executive order issued by former Gov. Jerry Brown in January of 2018, recommends "Energy Commission fully leverage all funds available for hydrogen fueling stations."

Legislative Analyst's Office released a post on "Impact of COVID-19 on State Transportation Revenues," finds that transportation maintenance and construction programs "should have sufficient budgetary reserves to sustain them in the near term," while public transit "is expected to face significant funding reductions in 2020-21 as a result of major declines in diesel sales tax revenues;" also finds that "economic impacts stemming from the pandemic have created a more favorable bidding environment, reducing the cost for some Caltrans projects in recent months."

DWR released "Water Year 2020: Summary Information" in which it finds overall precipitation in the state fell between Oct. 1, 2019, and Sept. 30, 2020, and was "below average" and while "Northern California was mostly dry, parts of Southern California experienced above-average precipitation;" it also says overall reservoir storage through Sept. 30 is projected to be 93% of average or 21.5 million-acre feet.

Appointments of Interest by the Governor:

To the California Water Commission: **Samantha F.V. Arthur**, Sacramento, Working Lands Program Director at Audubon CA since 2019; **Alexandre Makler**, Berkeley, senior vice president, western region, Calpine Corporation since 2014. To the Board of Professional Engineers, Land Surveyors, and Geologists: **Michael Hartley**, Madera, president of Bedrock Engineering Inc. since 2008; **Wilfredo Sanchez**, San Francisco, formerly senior architect at Apple Media Products and current ranger department manager at Burning Man.

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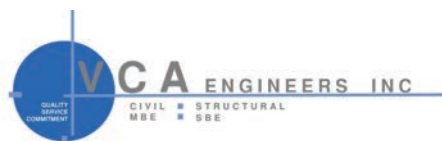
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Life Member Forum	William Lawson, P.E.	Retired	(949) 813-0270	williamlawsonpe@gmail.com
Region 9 Governor	Tapas Dutta, P.E.	CNC Engineering	(626) 956-8039	tdutta@cnc-eng.com

NEWSLETTER INFORMATION

Publisher

ASCE LA Section
Gayle Stewart
1405 Warner Ave., Suite B
Tustin, CA 92780
Phone (714) 258-8306
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E-mail: gstewart@gsecorp.org

Editor

Dr. Cris B. Liban, P.E.
LACMTA
One Gateway Plaza
Mail Stop 99-16-9
Los Angeles, CA 90012
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FAX (213) 922-6875
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