

## STAFF SUMMARY FOR OCTOBER 14, 2020

**3. EXECUTIVE DIRECTOR'S REPORT****Today's Item****Information** ☐**Action** ☒

Receive updates from the executive director and possible action.

- (A) Consider request to allow research under a DFW-issued scientific collecting permit in Administrative Kelp Bed No. 3 in San Diego County, leased by KNOCEAN Sciences

**Summary of Previous/Future Actions (N/A)****Background*****Justice, Equity, Diversity and Inclusion***

The world is evolving in response to the social unrest and demands for greater equity and diversity, and FGC is no exception; FGC's core values compel us to respond, adapt, be more transparent, innovate, collaborate, and continuously improve in our efforts to engage and support a broad and diverse constituency. FGC executive staff has continued weekly learning sessions to expand our understanding of justice, equity, diversity and inclusion (JEDI) issues, and recently expanded the learning sessions to the full team. Consistent with FGC's direction, staff is scoping and drafting a plan for determining the elements of a JEDI plan and how best to engage commissioners, stakeholders, DFW, and the public; staff expects to have a draft plan for FGC consideration at the Dec 2020 FGC meeting.

In recognition of the changing times, and acknowledgment the 150-year history of our organizations, President Sklar and DFW Director Bonham recently co-authored a column for the latest issue of *Outdoor California* (Exhibit 1).

***Decision-Making and Priorities***

The number of topics coming before the three FGC committees has increased in recent years, contrasted against the reality of diminished staff capacities and increasing biological and administrative challenges. Yet, "What is important is seldom urgent and what is urgent is seldom important." Made famous by Dwight D. Eisenhower, though admittedly not his own words, the concept is a familiar one, especially during times when staffing and resources are limited.

The sense of importance and urgency is typically magnified when a topic is considered in isolation; when stacked with a full suite of potential topics, the magnification may diminish. As noted in Aug 2020, to help identify the most important workload, FGC staff is developing a tool to differentiate between those topics that are most important and urgently needed or those that are more conditional by applying a series of criteria. Sample criteria might include:

- Status of, and risk to, wildlife populations and other natural resources;
- regulatory deadlines, harvesting seasons, or other time-sensitive considerations;
- the estimated amount of time and work necessary to resolve the issue; and
- FGC and DFW staff capacities.

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Staff suggests that committee priorities be reexamined during the respective committee update at each FGC meeting and seeks FGC input on potential criteria for such examination. Using input received today, a more fully developed proposal will be presented at the Dec 2020 FGC meeting.

### ***FGC Delegations and Administrative Kelp Bed No. 3***

#### ***Delegations***

At its Jun 2020 meeting, FGC approved a number of delegations to its executive director related to regulations, adjudicatory matters, ongoing and pending litigation, the California Environmental Quality Act, contracts and procurement, interagency and external affairs, and general administration.

Your executive director took two significant actions in Aug and Sep 2020 under FGC's delegations, both related to the California Environmental Quality Act (CEQA):

1. Filed a negative declaration for the proposed changes to inland sport fishing regulations with the Office of Planning and Research State Clearinghouse (SCH # 2020090186) on Sep 9, 2020 for a 30-day public review; the notice was also provided to county clerks for public posting and posted on the FGC website.
2. Determined that the proposed recreational and commercial groundfish regulation changes are exempt from CEQA, pursuant to the statutory exemption in California Fish and Game Code Section 7078(e), and filed a notice of exemption with the Office of Planning and Research State Clearinghouse.

#### ***Authorization for Research in Leased Administrative Kelp Bed No. 3***

FGC has authority to lease to any person the exclusive privilege to harvest kelp in any kelp bed, defined administratively in regulation (California Fish and Game Code Section 6700, and Title 14 Section 165.5). Standard lease terms define the use for which harvest is authorized in the bed, and require that a lessee obtain written FGC consent before using or permitting the lease area to be used for any other purpose.

DFW has approached FGC regarding a researcher at SeaWorld, San Diego, who seeks to harvest giant kelp under a scientific collecting permit (SCP) in an area that overlaps with Administrative Kelp Bed No. 3, which is leased to KNOCEAN Sciences, Inc. While DFW has authority to issue SCPs (pursuant to California Fish and Game Code sections 1002 and 1002.5, and Title 14 Section 650), DFW cannot issue the SCP until FGC provides written consent.

DFW has determined that the proposed harvest would not pose a resource concern and has obtained written consent from lessee KNOCEAN Sciences, Inc. for the use. Consistent with the lease terms, DFW seeks FGC written consent in order to enable DFW to approve collection under the SCP (see Exhibit 3 for DFW memo, kelp bed 3 lease, and email correspondence).

Staff has identified this situation as a further example of a delegable task, considered administrative in light of the oversight provided by DFW in issuing SCPs that normally do not engage FGC. The Jun 2020 FGC-approved delegations list related to contracts and procurement does not include providing authorization required under specific lease terms.

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FGC may wish to consider granting the executive director authority to provide written FGC consent in the future through an action to revise the list of delegations; staff will bring proposed amendments to the Dec 2020 FGC meeting for initial consideration.

### ***Staffing***

With the long-term assignment of one of our regulatory analysts to COVID-19 tracing and a general reduction of staff time due to the personal leave program, staff continues to be challenged to address priority issues and be prepared to effectively take up sudden or unexpected additions to our workload. A good example of this is the hastily-scheduled stand-alone FGC meeting to take up the candidacy status of western Joshua tree. The ensuing emergency take provision created an additional workload, not only for FGC and FGC staff, but also DFW and its staff. To be better prepared to address such incidents, increasing capacity is a priority.

Efforts have begun to recruit for a seasonal clerk; this position will help staff in a wide array of basic clerical and administrative tasks, from records management and filing of documents to preparing and posting items to the FGC webpage. Staff expects to hold interviews in the coming weeks.

Staff participated in interviews for next year's California Sea Grant State Fellow. After a robust initial screening process, staff conducted numerous encouraging interviews. This is the fourth year that FGC has participated in the program and this year's candidate pool continues to impress. The fellow is expected to start in early 2021.

Staff recently received good news that DFW identified a vacant position for the long-awaited tribal advisor and liaison position. Efforts are underway to transfer the position and associated funding to FGC so that recruitment efforts can begin as soon as possible.

### ***Legislative Matters***

DFW provided a report on state bills of interest to DFW during the last legislative session, including the final status of each (Exhibit 4). FGC staff identified state legislation that may affect FGC's resources and workload or be of interest, but relies heavily on colleagues at DFW to monitor and track legislation.

Sep 30 was the last day for Governor Newsom to sign or veto bills passed by the California State Legislature. In the final days of session, only a single bill in FGC's list of interest passed and was then signed by Governor Newsom, AB 1949 (*Boerner Horbath*) *Fisheries: California Ocean Resources Enhancement and Hatchery Program*. The legislature adjourns Nov 30 and will convene the 2021-22 session on Dec 7.

### **Significant Public Comments**

1. Concerns with AB 1175 related to a ban on importing or possessing certain African species (often referred to as trophy hunting) are shared through a CalMatters article, *Ban on Hunting Trophies Risks Funding for Healthy African Ecosystems* (Exhibit 4). Note that AB 1175 did not reach the governor's desk.

## STAFF SUMMARY FOR OCTOBER 14, 2020

**Recommendation**

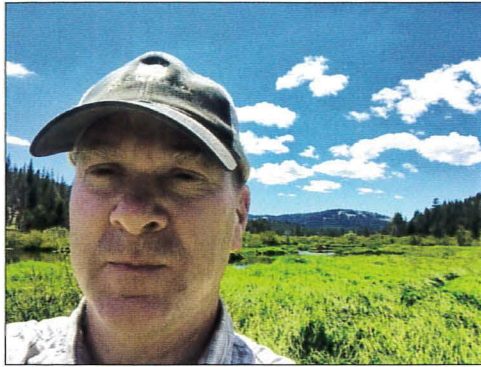
**FGC staff:** Approve the request to allow giant kelp harvest for research purposes by Sea World, San Diego under a DFW-issued SCP in Administrative Kelp Bed 3 in San Diego County, and direct staff to provide written authorization.

**Exhibits**

1. [Column by FGC President Sklar and DFW Director Bonham, \*Outdoor California\*, published Sep 2020](#)
2. [Staff Report on Staff Time Allocation and Activities, dated Oct 5, 2020](#)
3. [DFW memo and attachments regarding allowing research take in Administrative Kelp Bed No. 3, received Oct 7, 2020](#)
4. [DFW final legislative report for the 2019-20 session, dated Oct 1, 2020](#)
5. [Email and attachment from Kathy Lynch, Lynch & Associates, received Aug 27, 2020](#)

**Motion/Direction**

Moved by \_\_\_\_\_ and seconded by \_\_\_\_\_ that the Commission approves the request for KNOCEAN Sciences, Inc. to allow giant kelp removal by SeaWorld, San Diego in Administrative Kelp Bed No. 3 for purposes prescribed through a scientific collecting permit issued by the California Department of Fish and Wildlife.



DIRECTOR CHARLTON H. BONHAM  
CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE



PRESIDENT ERIC SKLAR (WITH WIFE, ERICA SKLAR)  
CALIFORNIA FISH AND GAME COMMISSION

# Acknowledging our Sesquicentennial

## 1870-2020

**H**istorically, anniversaries are celebrated as a commemoration of achieving something special. A pause button against the flow of time—a recognized point in time to stop and praise a date, to make note of longevity. Anniversaries are like when you were a kid growing up and your parents had you stand up straight so they could score a hashmark where the top of your head lined up on the wall. They'd measure from the floor to the mark to show you how tall you were and how much you'd grown.

Throughout this year, the California Department of Fish and Wildlife and the California Fish and Game Commission have marked our 150<sup>th</sup> anniversary of managing and stewarding California's wildlife and natural habitats. As important a milestone as this is for us, a surreal feeling attaches itself to the celebration as we find ourselves in strange times—extraordinary times, really.

We are a state, a nation, a world in the midst of the coronavirus pandemic. For several months, our lives have been shaken with a realignment that has changed our existence. Simultaneously, we're seeing social unrest unparalleled in generations. The United States has struggled from its very beginning on issues of equity and justice—and what it means to ensure those values truly, finally for all, no matter the individual. In these already trying times, we're witnessing what may be our collective best chance for a more perfect union.

While we marked April as the official month for a joint sesquicentennial, the anniversary will forever be linked to our place in time right now. We should consider this time as a testament to how we respond. How do we take what we've learned and how we've grown over the last 150 years, combined with what we have adapted to in 2020, and continue trying to achieve our mission to save nature for everyone safely and equitably?

Well... we believe it is on us to act, and it is beyond due. Talking is important. Uncomfortable discussions are necessary. But, it's time to act. As director of the department and president of the commission, we commit to a future of inclusion,

equity and racial justice. We are collaboratively working to make structural changes to address racial inequity and to deconstruct institutional barriers.

In our own effort to become more informed, we turned to a recent assessment by the Audubon Society—“*Diversity and the Conservation Movement*”—which has this to say as the first paragraph in its introduction:

Throughout its history, the mainstream conservation movement in the United States has mainly attracted a narrow segment of the population—primarily white, wealthier Americans. This demographic prevails today... This failure to include other segments of society is a serious limitation. It reduces the reach and impact of all groups working in conservation—from non-profit organizations to foundations to government agencies. All too often, it also means that the support of nature and conservation by people from diverse backgrounds—and the toll of environmental problems on less wealthy communities—is neglected or ignored.

If people don't see themselves doing a thing, or identify with someone in a particular occupation, they don't pursue it. This means not pursuing recreational opportunities like hiking, hunting and fishing. It means not pursuing conservation careers, and not only in scientific fields, as the department is home to a law enforcement division of almost 500 colleagues who help protect California's environment.

Our future at the department, at the commission, and in California is inclusiveness, equitability and openness to all. If just a small slice of the humans on this planet believe themselves to be part of the outdoors and the natural world, then only a small slice of us will be the ones trying to help make it last.

So, we will learn from experts, plan for and then create long-term changes embedding equity into commission and department culture, policies and practices. We are looking at ways to change our approaches to hiring and increasing the diversity of our candidate pools. We will teach and train current staff about implicit bias, how to recognize it and how to consciously adjust perspectives. Those of us in the narrow slice that have had the most power in the conservation movement will need to share that power. And more, much more.

We as a country, as a community, as people, must take the steps necessary to change institutional systems that support or cause injustice, inequity, racism and discrimination of all types. That figurative hash-mark on the wall showing how much we've grown over 150 years also shows we haven't grown enough in this respect. We can and will do better.

Eventually, the unrest will recede as the leading news story. Eventually, the pandemic will be beaten. But if we really take this moment for what it is, and pause to reflect on the goals that align with our core values of fairness, equity, freedom of speech and assembly, and justice, our hopes are high for the next 150 years.

As a milestone, our sesquicentennial is an important point in time to stop, reflect on the interwoven histories of the department and commission, and honor how far we've come. We've done some amazing things since those early days. It started with working to ensure the proper management of every wild animal and every acre of wilderness on our watch. Our charge has since grown to creating a more climate resilient planet. We must also acknowledge that we've made mistakes. Now is the time to break down barriers, to include those who haven't yet connected to our mission and learn why, and to create bridges that will help heal us and the planet, and all the species and habitats residing here. 🐘

# California Fish and Game Commission

## Staff Report on Staff Time Allocation and Activities

*October 5, 2020*

Given the challenges that Commission staff is facing, we are again reminded of the importance of how staff time is allocated. The recent service-based budgeting project further emphasized the need to prioritize workload given that the Commission does not have sufficient staffing and funding to meet its mission. While all the work of the Commission is important, insufficient resources requires prioritizing some activities over others.

This report identifies where time was allocated in general activity categories, trends in staff time allocation, and examples of the specific activities in which staff engaged during the months of August and September 2020.

### General Time Allocation

Task Category	August Staff Time	September Staff Time
Regulatory Program	10%	14%
Non-Regulatory Program	4%	6%
Commission/Committee Meetings	37%	16%
Legal Matters	4%	5%
External Affairs	7%	6%
Special Projects	5%	7%
Administration	21%	25%
Leave Time	15%	21%
Unfilled Positions	6%	5%
Total Staff Time <sup>1</sup>	110%	107%

<sup>1</sup> Total staff time is greater than 100% due to overtime

### Trends

Overall, task category allocation is relatively stable when compared to the previous two months. Administrative responsibilities related to the COVID-19 pandemic are ongoing, resulting in the sustained levels in the “administration” category. Staff continues to respond to high priority demands and modify staff activities as a result of the pandemic as it identifies other important tasks that are lesser priority and can be temporarily set to the side; this virtual reality is expected to be the norm for the foreseeable future.

With the onset of COVID-19, staff adjusted Commission meeting processes and procedures to the virtual format and continues to make adjustments with our new audio-visual and webcasting contractor, including researching ways to more closely align official meeting minutes with the format used pre-COVID.



### **Sample of Activities for August 2020**

- Prepared for and conducted two publicly noticed meetings (August 18 Tribal Committee; August 19-20 Commission)
- Began preparations for two publicly noticed meetings (September 17 Wildlife Resources Committee; September 22 Commission)
- Responded to requests from the California Natural Resources Agency (CNRA), the California Government Operations Agency, and the California Department of Fish and Wildlife (CDFW) for data and information related to the COVID-19 pandemic
- Participated in weekly COVID-19 task force calls with CNRA and directors of other state agencies in the natural resource family
- Continued analysis of California Law Revision Commission's proposed changes to California Fish and Game Code
- Participated in Marine Protected Areas Statewide Leadership Team meeting
- Participated in Commercial Kelp Harvest South Pt. Montara Science Forum
- Coordinated with CDFW through executive staff and operations committee meetings, and participated in CDFW all-DFW broadcast
- Participated in California State Lands Commission strategic plan interviews
- Participated in wildlife conservation and wildlife behavior webinars
- Conducted bullfrog/non-native turtles stakeholder meetings

### **Sample of Activities for September 2020**

- Prepared for and conducted two publicly noticed meetings (September 17 Wildlife Resources Committee and September 22 Commission)
- Began preparations for one publicly noticed meeting (October 14 Commission)
- Responded to requests from CNRA, the California Government Operations Agency, and CDFW for data and information related to the COVID-19 pandemic
- Participated in biweekly COVID-19 task force calls with CNRA and directors of other state agencies in the natural resource family
- Began the process to develop a justice/equity/diversity/inclusion plan
- Attended annual meeting of the Association of Fish and Wildlife Agencies
- Attended the Cultural Justice for Tribes Summit sponsored by California tribal historic preservation officers and the State Historic Preservation Officer
- Assisted CNRA in reviewing ten proposals for two marine protected area communication contracts
- Coordinated with CDFW through executive staff and operations committee meetings, and participated in CDFW staff broadcast meeting with CDFW director
- Participated in wildlife conservation and wildlife behavior webinars and a Secretary Speaker Series event
- Participated in implicit bias awareness training
- Participated in multi-agency meeting: Pre-existing Structures in MPAs Working Group
- Began recruitment activities for seasonal clerk and Sea Grant State Fellow 2021
- Conducted bullfrog/ non-native turtles stakeholder meetings



- Responded to survey request from CNRA on workplace telecommute needs for the new resources building

## **Sample Tasks for the General Allocation Categories**

### ***Regulatory Program***

- Coordination meetings with DFW to develop timetables and notices
- Prepare and file notices, re-notices, and initial/final statements of reasons
- Prepare administrative records
- Track and respond to public comments
- Consult, research and respond to inquiries from the Office of Administrative Law
- Facilitate CEQA document review, certification of findings, and filing with state clearinghouse.

### ***Non-Regulatory Program***

- DFW partnership, including jointly developing management plans and concepts
- Process and analyze non-regulatory requests
- Develop, review and amend Commission policies
- Research and review adaptive management practices
- Review and process California Endangered Species Act petitions

### ***Commission/Committee Meetings and Support***

- Research and compile subject-specific information
- Review and develop policies
- Develop and distribute meeting agendas and materials
- Agenda and debrief meetings
- Prepare meeting summaries, audio files and voting records
- Research and secure meeting venues
- Develop and distribute after-meeting memos/letters
- Make travel arrangements for staff and commissioners
- Conduct onsite meeting management
- Process submitted meeting materials
- Provide commissioner support (expense claims, office hours, etc.)
- Process and analyze regulatory petitions

### ***Legal Matters***

- Public Records Act requests
- California Law Review Commission
- Process appeals and accusations
- Process requests for permit transfers
- Process kelp and state water bottom leases
- Litigation
- Prepare administrative records

### ***External Affairs***

- Engage and educate legislators, monitor legislation
- Maintain state, federal and tribal government relations
- Correspondence
- Respond to public inquiries
- Website maintenance

### ***Special Projects***

- Coastal Fishing Communities
- Fisheries Bycatch Workgroup
- Streamline routine regulatory actions
- Strategic planning
- Aquaculture best management practices
- Document accessibility
- Service-based budgeting

### ***Administration***

- Staff training and development
- Purchases and payments
- Contract management
- Personnel management
- Budget development and tracking
- Health and safety oversight and COVID-19 responses
- Internal processes and procedures
- Document archival

### ***Leave Time***

- Holidays
- Sick leave
- Vacation or annual leave
- Jury duty
- Bereavement
- Contact tracing

## Memorandum

Date: September 11, 2020

Received 10/7/2020;  
Original signed copy on file

To: Melissa Miller-Henson  
Executive Director  
Fish and Game Commission

From: Charlton H. Bonham  
Director

Subject: **Item for the October 14-15, 2020, Fish and Game Commission Meeting:  
Research Use Allowance of KNOCEAN Sciences, Inc. Kelp Bed Lease 3, San  
Diego County**

During the June 20, 2018 Fish and Game Commission (Commission) meeting, the Commission granted KNOCEAN Sciences, Inc. (KNOCEAN) a five-year lease renewal of Administrative Kelp Bed 3 (Kelp Bed), for the exclusive harvest of Giant Kelp (*Macrocystis pyrifera*) for commercial purposes pursuant to Fish and Game Code (FGC) 6700.

Although KNOCEAN has the exclusive privilege to harvest Giant Kelp in Kelp Bed 3, the Commission may allow the removal of Giant Kelp for other uses per FGC 6708 and Kelp Bed lease condition 14 (see attached executed lease). The Commission has previously approved Dr. Matthew Edwards, San Diego State University to perform research activities involving Giant Kelp in KNOCEAN leased Kelp Bed 3.

SeaWorld, San Diego has requested to take Giant Kelp in the Kelp Bed 3 for enrichment and animal welfare use. Giant Kelp will be used as natural environment enrichment for the pinnipeds, cetaceans, fish, and invertebrates. In addition, Giant Kelp will be provided as a food source for invertebrate species housed at the facility. Although it is possible for SeaWorld, San Diego to harvest Giant Kelp outside of Kelp Bed 3, the available harvest sites add significant travel time (1-3 hours) and present safety concerns due to heavy surf and swell.

Activities of SeaWorld, San Diego will be reviewed and, as appropriate, permitted through a Scientific Collecting Permit (SCP). KNOCEAN has provided written agreement for the proposed Giant Kelp removal by SeaWorld, San Diego in Kelp Bed 3 (see attached email).

The Department of Fish and Wildlife (Department) recommends approval of the Giant Kelp removal activities requested by SeaWorld, San Diego in Kelp Bed 3. Upon Commission approval, Eric Otjen with SeaWorld San Diego will submit a request to the Department to modify their existing SCP.

If you have any questions regarding this item, please contact Dr. Craig Shuman, Marine Regional Manager at (916) 373-5491.

Attachments

Melissa Miller-Henson, Executive Director  
Fish and Game Commission  
September 11, 2020  
Page 2

cc: Stafford Lehr, Deputy Director  
Wildlife and Fisheries Division  
[Stafford.Lehr@wildlife.ca.gov](mailto:Stafford.Lehr@wildlife.ca.gov)

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Saint Helena  
**Jacque Hostler-Carmesin**, Vice President  
McKinleyville  
**Russell E. Burns**, Member  
Napa  
**Peter S. Silva**, Member  
Jamul  
**Samantha Murray**, Member  
Del Mar

STATE OF CALIFORNIA  
Gavin Newsom, Governor

## Fish and Game Commission



*Wildlife Heritage and Conservation*  
*Since 1870*

**Melissa Miller-Henson**  
**Acting Executive Director**  
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fgc@fgc.ca.gov  
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July 25, 2019

Anthony Copp, PhD  
Chief Executive Officer  
KNOCEAN Sciences, Inc.  
6614 Darbrook Drive  
Dallas, TX 75254

Dear Mr. Copp:

Enclosed for your records is the signed, fully executed lease agreement between KNOCEAN Sciences, Inc. and the California Fish and Game Commission for Kelp Bed No. 3, California Department of General Services Lease No. K-2895.

If you have questions or concerns regarding your lease, please feel free to contact David Thesell of my staff at (916) 654-9903.

Sincerely,

Melissa Miller-Henson  
Acting Executive Director

Enclosure

cc: Kirsten Ramey, Program Manager, State Managed Marine Finfish, California  
Department of Fish and Wildlife, [Kirsten.Ramey@wildlife.ca.gov](mailto:Kirsten.Ramey@wildlife.ca.gov)

**LEASE GRANTING THE EXCLUSIVE  
PRIVILEGE OF HARVESTING KELP AT KELP  
BED NO. 3**

THIS LEASE GRANTING THE EXCLUSIVE PRIVILEGE OF HARVESTING KELP AT Bed No. 3 ("Lease") is made and entered into upon execution, by and between KNOCEAN Sciences, Inc., ("Tenant") and the California Fish and Game Commission ("State") with reference to the following facts:

**RECITALS**

**WHEREAS**, Fish and Game Code Section 6700 authorizes State to lease to any person the exclusive privilege to harvest kelp in any designated kelp bed if it determines that such lease is in the public interest; and

**WHEREAS**, Tenant desires to lease Kelp Bed No. 3 to harvest kelp for nutraceutical and cosmeceutical products and functional food ingredients; and

**WHEREAS**, State desires to enter into a lease agreement for the exclusive privilege to harvest kelp in any designated kelp bed if it determines that such lease is in the public interest; and

**WHEREAS**, On April 11, 2012, State awarded a lease for Kelp Bed No. 3 to Tenant for a period of five years; and

**WHEREAS**, On July 11, 2013 the lease was executed and term commenced; and

**WHEREAS**, On November 27, 2017, Tenant requested to renew Lease in accordance with its terms;

**NOW THEREFORE**, On June 20, 2018, State awarded lease for Kelp Bed No. 3 to Tenant and approved terms and conditions for the Lease contained herein.

**TERMS AND CONDITIONS**

1. **LEASE.** State hereby grants to Tenant the exclusive privilege to harvest kelp in Kelp Bed No. 3 upon and subject to the terms and conditions of this Lease.
2. **DESCRIPTION.** This Lease covers those areas comprising approximately 2.58 square miles as Kelp Bed No. 3 as described in Title 14, California Code of Regulations, Section 165.5(j).
3. **TERM.** This Lease is for a term ("Term") commencing on the date last signed below November 14, 2018 and ending five years after, November 13, 2023, unless renewed or sooner terminated in accordance with its terms.

4. **MODIFICATION OR TERMINATION.** Fish and Game Code Section 6700 requires that any exclusive lease to harvest kelp, granted by State, must be in the public interest, as determined by State. In addition, Fish and Game Code 6654 provides that "If, at any time, the Commission finds that the harvesting of kelp will tend to destroy or impair any kelp bed or beds, or parts thereof, or tend to impair or destroy the supply of any food for fish, the Department shall serve on every person licensed to harvest kelp a written notice that the kelp bed or beds, or parts thereof, shall be closed to the kelp bed or beds, or parts thereof, shall be closed to the harvesting of kelp for a period not to exceed one year." Upon written notice from State, based upon the foregoing authority and describing the concern prompting the notice, Tenant shall comply with any direction therein to reduce or cease any or all activities, until such time as State can determine whether the continuation of any or all activities initially permitted by the Lease remains in the best interest of the public.

5. **ROYALTY.** In addition to any kelp harvesting license fee required, Tenant shall pay State a royalty rate of \$3.00/ton of wet kelp harvested from the leased area.

6. **ADVANCE PAYMENT.** On penalty of lease forfeiture, commencing January 1<sup>st</sup> of each year during the term of this lease, Tenant, on or before the date due, shall pay to State a nonrefundable advance payment of \$11,610.00 for Kelp Bed No. 3. The advanced payment for Kelp Bed No. 3 is calculated by multiplying the royalty rate in Paragraph 5 herein times 2.58 square miles of bed pursuant to Title 14, California Code of Regulations, Section 165.5(j) times 1,500, computed pursuant to Title 14, California Code of Regulations, Section 165.5(g). Kelp harvested from Kelp Bed No. 3 will be credited against this advance payment at the royalty rate payable under Paragraph 5, until the deposit has been depleted. Kelp harvested in any calendar year after January 1 of the year this Lease first was entered into, in excess of the amount covered by the advance deposit for that year shall be assessed at the end of each month at the basic royalty rate in Paragraph 5. Advance payments shall be delivered to California Department of Fish and Wildlife, Administrative Services Branch, 1416 Ninth Street, 1<sup>st</sup> Floor, Sacramento, California 95814 on or before January 15. Any surplus remaining from the annual advance payment shall be credited to the following annual advance payment. Payment shall be made to State in lawful money of the United States, provided that, if any payment made by a check, draft or money order is returned to State due to insufficient funds or otherwise, State shall have the right, upon written notice to Tenant to require Tenant to make all subsequent payments in cash, or by cashier's or certified check.

7. **RENEWAL.** If State determines Tenant has complied with the terms of the Lease, the Tenant shall have a prior right to renew the Lease on terms agreed upon with State. To preserve this prior right, Tenant must request to renew this Lease by written notice to State mailed at least 120 days and not more than 180 days prior to the expiration of the current term. If such notice is not timely given, or if Tenant is not in compliance with the terms of the existing Lease, the existing Lease, including any right to renew, shall terminate upon expiration of the then current term. State and Tenant agree that if, by the date the existing Lease is to expire, the terms of any renewal lease have not been agreed to, State may cease negotiations and declare this Lease terminated with no right to renewal. Notwithstanding the foregoing, State and Tenant, at any time during the term of this Lease, may negotiate and enter into a new lease on terms agreed upon between them. In no event shall Tenant's period of occupancy under the initial term of this Lease extend beyond 20 years. Similarly, the term of any renewal of this Lease shall not exceed 20 years.



**8. LATE PAYMENT.** Payment of advance payments are timely if received by State on or before January 15. Any advance payment not received by State by January 15, regardless of whether the due date falls on a Saturday, Sunday, or holiday, will be subject to a late penalty consisting of an administrative charge, calculated at the rate of ten percent (10%) of the amount of the late payment. The parties agree that the late charge represents a fair and reasonable estimate of the costs State will incur because of late payment. Acceptance of the late charge by State shall not constitute a waiver of Tenant's default for the overdue amount, nor prevent State from exercising other rights and remedies granted under this Lease. Tenant shall pay the late charge as additional rent within 30 days of the due date of the original payment.

Any annual advance payment not received by State within ninety (90) days of January 15 shall constitute a breach of Lease, giving rise to State's remedies as set forth herein.

Payments of royalty assessments due after exhaustion of the advance payment are due by the 10<sup>th</sup> day of the month following the assessment. At the end of each calendar year, Tenant shall be assessed a late payment fee of \$100 for each month that royalty payments due to the State are received after the 10<sup>th</sup> day of the month for which they are due. Failure of Tenant to submit royalty payments due to the State by the 10<sup>th</sup> day of the month for which they are due for more than three (3) months in any calendar year shall constitute a breach of Lease, giving rise to State's remedies as set forth herein.

Upon written request by Tenant to State, demonstrating unusual or extenuating circumstances causing the late payment, State, in its sole discretion, may waive the late charge or penalty.

**9. HOLDOVER.** If the Term in Paragraph 3 expires and the Lease has not been renewed pursuant to Paragraph 6, and Tenant remains in possession of the Lease area with State's express or implied permission, Tenant shall become a tenant from month to month only, subject to all the provisions of this Lease except Paragraphs 3 and 6. During this holdover tenancy, kelp harvest may continue and paid for at the bid royalty rate in accordance with Paragraph 5. It is expressly understood that a holdover tenancy does not create any right of renewal beyond that provided by Fish and Game Code Section 6704 as set forth in Paragraph 6, and that the only purpose of a holdover tenancy is to allow continuity of use of the property while State continues to negotiate renewal terms or undertakes to issue a new lease to the highest responsible bidder pursuant to Fish and Game Code Section 6702 and Title 14, California Code of Regulations, Section 165.5. If either party desires to terminate such holdover tenancy, it shall give the other party not less than thirty days advance written notice of the date of termination.

**10. INCORPORATION BY REFERENCE.** The provisions of Chapter 6 of Division 6 of the Fish and Game Code (commencing with Section 6650) and the regulations at Title 14, California Code of Regulations Sections 165 and 165.5, are made part of this Lease by this reference. If there is a conflict between any term or condition of this Lease and any of the provision(s) incorporated by reference in it, the incorporated provision(s) shall control.

**11. INDEMNITY.** (For purposes of this Paragraph, the term, "State", shall include the California Department of Fish and Wildlife as well as the California Fish and Game Commission). Tenant hereby waives all claims and recourse against State, including the right to contribution for loss or damage to persons or property arising from, or in any way connected with or incident to this Lease, except claims arising from, and only to the extent of the gross negligence or willful misconduct of State, its officers, agents or employees.

Tenant shall notify the California Department of Fish and Wildlife Kelp Coordinator immediately in case of any serious accident, injury, or casualty on, or potentially related to, the Lease area.

Tenant shall protect, indemnify, hold harmless, and defend State, its officers, agents or employees, against any and all claims, demands, damages, costs, expenses or liability costs arising out of the use by Tenant, including its employees and agents, of the Lease area, except for liability arising out of, and to the extent of, the gross negligence or willful misconduct of State, its officers, agents or employees for which State is found liable by a court of competent jurisdiction.

Should State be named as a defendant in any claim or legal action arising out of the use by Tenant, including its employees and agents, of the Lease area, upon tender of the claimor action by State to Tenant, the Tenant shall assume State's defense and represent State in such legal action at Tenant's expense, subject to the provisions herein.

In lieu of tender to Tenant of the claim or action against State, State may elect to represent itself, in which event, State shall bear its own litigation costs, expenses and attorney fees. Notwithstanding the foregoing, in the event State is required to represent itself because of a conflict of interest by counsel representing Tenant, then Tenant, upon demand by State, shall reimburse State for State's litigation costs, expenses and attorney fees. Costs shall include, without limitation, all attorney fees and costs, court costs, if any, costs of mediators or arbitrators, experts and consultants, and any other costs reasonably incurred in response to any claim.

**12. INSURANCE.** Tenant shall obtain and maintain in full force and effect at all times during the Lease term a policy or policies of insurance, insuring Tenant, State and all other agencies of the State of California against any and all claims or liability for bodily injury, personal injury and property damage based upon or arising out of the use, occupancy, condition or maintenance of the leasehold. Each policy shall be written on an occurrence basis, and shall identify the Lease by its assigned number. The required insurance shall meet the following requirements:

- (a) Commercial General Liability: For general aggregate, product/completed operations, personal and advertising injury, \$1 million, with a combined single limit no less than \$1 million per occurrence.
- (b) Worker's Compensation and/or Employer's Liability: In a form and amount covering Tenant's full liability as required under federal and state law.
- (c) Pollution Liability: For vessels owned, hired, scheduled or non-owned with a combined single limit no less than \$1 million per occurrence.

Evidence of Insurance: The coverage provided by Tenant shall be primary and non-contributing, and shall not limit the liability of Tenant. Tenant shall furnish to State certificate(s) of insurance reflecting the foregoing. The certificate(s) of insurance shall:

- (a) Be furnished to State, and no such policy shall be cancelable or subject to reduction of coverage or other modification except after 30 days prior written notice to State.

(b) Ensure State and all other agencies of the State of California, its officers, agents, employees and servants are included as additional insured but only insofar as the operations under the Lease are concerned.

(c) Provide that State shall not be responsible for any premiums or assessments on any policy of insurance hereunder.

(d) Comply with those standards as determined by the State of California, Department of General Services, Office of Risk and Insurance Management. In the event said insurance, or any of it, expires or lapses at any time during the term of this Lease, the Tenant agrees to provide, no later than fifteen (15) days after said expiration or lapse, written evidence of required insurance coverage from the date of loss of the earlier insurance and continuing for not less than the remainder of the term of the Lease. Tenant's failure to keep in effect at all times all insurance required by this Lease shall be grounds for termination of the Lease, in addition to any other remedies available to State.

**13. NOTICES.** Notices to the parties to this Lease shall be made in writing and may be given by delivery in person, by U.S. Mail with postage prepaid, or by receipt-confirmed facsimile to:

CALIFORNIA FISH AND GAME COMMISSION  
PO Box 944209  
Sacramento, CA 94244-2090  
Telephone: (916) 653-4899

KNOCEAN Sciences, Inc.  
6614 Darbrook Drive  
Dallas, TX 75254  
Telephone: (214) 738-7973

DEPARTMENT OF GENERAL SERVICES  
Lease Management – Lease No. L-2895  
P. O. Box 989052  
West Sacramento, CA 95798-9052  
Phone: (916) 375-4172

Notices shall be deemed given upon delivery to the addressee. If a notice is delivered to the addressee after 5:00 p.m. Pacific time, or on a Saturday, Sunday or State of California or national holiday, the notice shall be deemed given on the next business day. Either party may change in its address for notice purposes by giving written notice to the other party in the manner provided in this section.

**14. USE.** Tenant shall use the Lease area only for the purpose stated in this Lease, and such use shall be continuous from commencement of the Lease term until its expiration or termination, including any holdover tenancy.

The Lease area shall be continuously used by Tenant to conduct kelp harvest operations, in accordance with Title 14, California Code of Regulations, Sections 165 and 165.5, and all other laws and regulations. Tenant shall not use or permit the Lease area to be used in whole or in part during the term of this Lease for any purpose, other than as set forth herein, without the prior written consent of State.

The possessory interest herein given to Tenant does not exclude the general public from the Lease area, and Tenant may not unreasonably impede public access to state waters for purpose of fishing, navigation, commerce or recreation or other public trust values.

This Lease is not intended to confer third party beneficiary status to anyone benefiting from the terms of this Lease. The possessory interest is further subject to all valid and existing contracts, leases, licenses, encumbrances, and claims of title which may affect the Lease area.

This Lease provides a tenancy of a temporary nature. The parties to this Lease agree that no Relocation Payment or Relocation Advisory Assistance pursuant to the Government Code sections 7260 et seq., or any regulations implementing or interpreting such sections will be sought or provided in any form as a consequence of this tenancy.

**15. CONTINGENCIES.** By entering into this lease, the Tenant understands and agrees that the exclusive right to harvest kelp within the leased bed(s) may be subject to additional restrictions or limitations imposed by subsequent action of the Fish and Game Commission.

**16. NON-DISCRIMINATION.** In its use of the Lease area, Tenant shall not discriminate against, harass, or allow harassment against any person or class of persons on the basis of race, color, creed, religion, national origin, ancestry, sex, sexual orientation, age, marital status, medical condition, disability, or any other class protected under State, Federal or local laws.

Tenant shall ensure that the evaluation and treatment of its employees and applicants for employment are free from such discrimination and harassment.

Tenant shall comply with the provisions of the Fair Employment and Housing Act (Government Code Section 12900 et seq.) and the applicable regulations promulgated thereunder (California Code of Regulations, Title 2, Section 7285.0 et seq.). Tenant shall give written notice of its obligations under this clause to labor organizations with which it has a collective bargaining or other agreement. Tenant shall include the non-discrimination and compliance provisions of this clause in all contracts to perform work under and/or in connection with this Lease.

Tenant shall be solely responsible for complying with the requirements of the Americans With Disabilities Act of 1990 (P.L. 101-336, commencing at Section 12101 of Title 42, United States Code and including Titles I, II and III), the Rehabilitation Act of 1973, and all related regulations, guidelines and amendments to both laws.

**17. DRUG-FREE WORKPLACE.** Tenant will comply with the requirements of the Drug-Free Workplace Act of 1990, as amended, and will provide a drug-free workplace by taking the following actions:

- (a) Publish a statement notifying employees that unlawful manufacture, distribution, dispensation, possession or use of a controlled substance is prohibited and specifying actions to be taken against employees for violations.
- (b) Establish a Drug-Free Awareness Program to inform employees about:
  - (1) The dangers of drug abuse in the workplace;
  - (2) The Tenant's policy of maintaining a drug-free workplace;
  - (3) Any available counseling, rehabilitation and employee assistance programs; and,
  - (4) Penalties that may be imposed upon employees for drug abuse violations.
- (c) Provide that every employee who works on the Lease area will:
  - (1) Receive a copy of the Tenant's drug-free policy statement; and,
  - (2) Agree to abide by the terms of the Tenant's statement as a condition of employment on the Lease area.

Failure to comply with these requirements may result in suspension or termination of this Lease, and Tenant may be ineligible for award of any future State Kelp Leases if the State determines that any of the following has occurred:

- (a) The Tenant has made false certification, or
- (b) Violated the certification by failing to carry out the requirements as noted above.

**18. NO WARRANTY.** This Lease is made without warranty of title, condition or fitness of Kelp Bed No. 3 for the Tenant's intended purpose or use.

**19. COMPLIANCE.** As a necessary condition for this Lease, Tenant must obtain and maintain all necessary permits and any other entitlements, including a valid Kelp Harvesting License. Tenant shall comply with all applicable federal, state and local laws, including laws relating to public health and safety, resource conservation and environmental protection.

For any leased bed(s) north of the County of Monterey, not more than 5 percent of the total weight of kelp harvested in any one day shall consist of bull kelp (*Nereocystis*).

**20. REPORTS AND RECORDS.** State may require Tenant to submit any periodic reports it deems necessary for the proper administration of State Kelp Lease at Kelp Bed No. 3.

Tenant agrees that State, the California Department of Fish and Wildlife, and the California Bureau of State Audits, or their designated representative, shall have the right to review and copy any records and supporting documentation pertaining to the performance of this Lease. Tenant agrees to maintain such records for possible audit for a minimum of three years after final payment. Tenant agrees to allow the auditor(s) prompt access to such records during normal business hours and similarly to allow interviews of any employees who might reasonably have information related to such records. Tenant agrees to include a similar right of the State to audit records and to interview staff in any sublease or contract related to performance of this Lease.

**21. CONFLICTS OF INTEREST.** Tenant warrants that no official, employee in the state civil service or other appointed state official, or any person associated with same by blood, adoption, marriage, cohabitation, and/or business relationship:

- (a) Has been employed or retained to solicit or aid in the procuring of this Lease; or
- (b) Will be employed in the performance of this Lease without the immediate divulgence of such fact to State.

In the event State determines that the employment of any such official, employee, associated person, or business entity is not compatible, Tenant shall terminate such employment immediately. For breaches or violations of this Paragraph, State shall have the right to annul this Lease without liability.

**22. EXPATRIATE CORPORATION.** Tenant hereby declares that it is not an expatriate corporation or subsidiary of an expatriate corporation, within the meaning of Public Contract Code sections 10286 and 10286.1 and is eligible to contract with State.

**23. BREACH.** The occurrence of any one of the following shall constitute a breach of this Lease by Tenant:

- (a) Failure of Tenant to make any annual advance payment within ninety (90) days of January 15;
- (b) Failure of Tenant to submit royalty payments due to the State by the 10<sup>th</sup> day of the month for which they are due for more than three (3) months in any calendar year;
- (c) Abandonment of the Lease area determined after State has followed the procedures set forth in Civil Code Section 1951.3.

Should a threat to public health or safety or to the environment be created or exist on the Lease area, State may declare an emergency event and, unless an alternative arrangement is preferable in State's discretion, may enter upon and take possession of the Lease area to remedy the emergency without prior notice and/or demand an assignment of the right to operate the Lease area. Upon entering the Lease area under this Section, State shall provide immediate notice of such action by hand delivery or fax of its declaration to Tenant.

State may retain possession of the Lease area until the emergency event has been completely and adequately addressed to State's satisfaction. Where a breach of this Lease has caused or exacerbated the emergency event, or where the Tenant is non-cooperative in allowing or addressing any remedial action necessary because of the emergency event, State may terminate the Lease.

State shall not be liable in any manner for any inconvenience, disturbance, loss of business, nuisance or other damage arising out of State's entry in the Lease area as provided herein, except damage resulting from the willful misconduct of State or its authorized representatives.

Any failure by Tenant to observe or perform another provision of this Lease where such failure continues for thirty (30) days after written notice thereof by State to Tenant; any such notice shall be deemed to be the notice required under Code of Civil Procedure Section 1161. However, if the nature of Tenant's breach is such that it cannot reasonably be cured within the thirty (30) day period, Tenant shall not be deemed to be in breach if Tenant shall commence such cure within the thirty (30) day period and thereafter diligently prosecutes such cure to completion.

Neither this Lease nor any interest of Tenant hereunder in the Lease area shall be subject to involuntary assignment or transfer by operation of law in any manner whatsoever, including, without limitation, the following:

- (a) Transfer by testacy or intestacy;
- (b) Assignments or arrangements for the benefit of creditors;
- (c) Levy of a writ of attachment or execution on this Lease;
- (d) The appointment of a receiver with the authority to take possession of the Lease area in any proceeding or action in which the Tenant is a party; or
- (e) The filing by or against Tenant of a petition to have Tenant adjudged a bankrupt, or of a petition for reorganization or arrangement under any law relating to bankruptcy.

Any such involuntary assignment or transfer by operation of law shall constitute a breach by Tenant and State shall have the right to elect to take immediate possession of the Lease area, to terminate this Lease and/or invoke other appropriate remedies, in which case this Lease shall not be treated as an asset of Tenant.

Notices of breach shall specify the alleged breach and the applicable Lease provision and shall demand that Tenant perform the provisions of this Lease within the applicable time period or quit the Lease area. No such notice shall be deemed a forfeiture or a termination of this Lease unless State specifically so states in the notice.

**24. REMEDIES.** In the event of breach by Tenant, State shall have the following remedies. These remedies are not exclusive; they are cumulative and are in addition to any other right or remedy of State at law or in equity.

Collection of Rent: In any case where State has a cause of action for damages, State shall have the privilege of splitting the cause to permit the institution of a separate suit for royalties due hereunder, and neither institution of any suit, nor the subsequent entry of judgment shall bar State from bringing another suit for royalties; it being the purpose of this provision to provide that the forbearance on the part of State in any suit or entry of judgment for any part of the royalties reserved under this Lease, to sue for, or to include in, any suit and judgment the royalties then due, shall not serve as defense against, nor prejudice a subsequent action for, royalties or other obligations due under the Lease. The claims for royalties may be regarded by State, if it so elects, as separate claims capable of being assigned separately.

Continued Performance: At State's option, Tenant shall continue with its responsibilities under this Lease during any dispute.

Termination of Tenant's Right to Possession: Upon an event of breach of this Lease by Tenant, in addition to any other rights or remedies it may have, State may give Tenant a three-day notice to cure the breach or quit the Lease area. If Tenant fails to do either, State may bring a statutory proceeding in unlawful detainer to regain possession of the Lease area.

Any notice given by State pursuant to this Paragraph does not constitute a termination of this Lease unless expressly so declared by State in the notice. In the absence of written notice from State, no act by State, including, but not limited to, acts of maintenance, efforts to re-let and/or assign rights to possession of the Lease area, or the appointment of a receiver on State's initiative to protect State's interest under this Lease shall constitute an acceptance of Tenant's surrender of the Lease area, or constitute a termination of this Lease or of Tenant's right to possession of the Lease area. Upon such termination, State has the right to recover from Tenant:

- (a) The worth, at the time of the award, of the unpaid royalties that had been earned at the time of termination of this Lease;
- (b) The worth, at the time of the award, of the amount by which the unpaid royalties that would have been earned after the date of termination of this Lease until the time of the award exceeds the amount of loss of royalties that Tenant proves could have reasonably been avoided;
- (c) The worth, at the time of the award, of the amount by which the unpaid royalties for the balance of the term after the time of the award exceeds the amount of the loss of royalties that Tenant proves could have been reasonably avoided; and



(d) Any other amount necessary to compensate State for all the detriment proximately caused by Tenant's failure to perform its obligations under this Lease, and costs of clearing State's title of any interest of Tenant, commissions, attorneys' fees, and any other costs necessary or appropriate to make the Lease area operational by a new Tenant.

"The worth, at the time of the award," as used herein above shall be computed by allowing interest at the lesser of a rate of ten percent (10%) per annum or the maximum legal rate.

Receiver: If Tenant is in breach of this Lease, State shall have the right to have a receiver appointed to collect royalties and conduct Tenant's business or to avail itself of any other pre-judgment remedy. Neither the filing of a petition for the appointment of a receiver nor the appointment itself shall constitute an election by State to terminate this Lease.

Right to Cure Tenant's Breach: At any time after Tenant commits a breach, State can cure the breach at Tenant's cost. If State, at any time by reason of Tenant's breach, pays any sum or does any act that requires the payment of any sum, the sum paid by State shall be due immediately from Tenant to State, and if paid at a later date shall bear interest at the rate of ten percent (10%) per annum from the date the sum is paid by State until State is reimbursed by Tenant.

Personal Property of Tenant: In the event any personal property or trade fixtures of Tenant remain at the Lease area after State has regained possession, that property or those fixtures shall be dealt with in accordance with the provisions for Surrender of the Lease area provided below.

State's Obligations After Breach: State shall be under no obligation to observe or perform any covenant of this Lease on its part to be observed or performed that accrues after the date of any breach by Tenant. Such nonperformance by State shall not constitute a termination of Tenant's right to possession nor a constructive eviction.

No Right of Redemption: Tenant hereby waives its rights under California Code of Civil Procedure sections 1174 and 1179 or any present or future law that allows Tenant any right of redemption or relief from forfeiture in the event State takes possession of the Lease area by reason of any breach by Tenant.

Other Relief: State shall have such rights and remedies for failure to pay any and all monetary obligations under this Lease as State would have if Tenant failed to pay royalties due. The remedies provided in this Lease are in addition to any other remedies available to State at law, in equity, by statute, or otherwise.

Attorney's Fees and Costs: Tenant shall reimburse State on demand for all reasonable attorney fees and expenses incurred by State as a result of a breach under this Lease.

State shall not be in breach of the performance of any obligation required of it under this Lease unless and until it has failed to perform such obligation for more than thirty (30) days after written notice by Tenant to State specifying the alleged breach and the applicable Lease provision giving rise to the obligation. However, if the nature of State's obligation is such that more than thirty (30) days is required for its performance, then State shall not be deemed in breach if it shall commence performance within such 30-day period and thereafter diligently prosecute the same to completion.

**25. TERMINATION.** In the event the Lease area becomes unsuitable for the commercial harvest of kelp, or in the event the Tenant becomes unable to continue operating the Lease for commercial kelp harvest for reasons beyond Tenant's ability to control, Tenant may terminate the Lease after thirty (30) days written notice to State.

Tenant may terminate the Lease for any other reason through a written request presented to and approved by State at a public hearing held for purposes of consideration of Tenant's termination request. Such termination shall be effective thirty (30) days after State's approval. State may terminate this Lease for any other reason with thirty (30) days written notice to tenant.

On expiration of or within thirty (30) days after earlier termination of the Lease, Tenant shall surrender the Lease area to State. If Tenant fails to surrender the Lease area to State on the expiration, or within thirty (30) days after earlier termination of the term as provided by this Section, Tenant shall hold State harmless for all damages resulting from Tenant's failure to surrender the Lease area.

**26. ASSIGNMENT AND SUBLEASES.** Pursuant to Fish and Game Code Section 6708, this Lease may not be assigned, in whole or in part, by Tenant, either voluntarily or by operation of law, and no subleases or other rights may be granted under it by Tenant without the prior approval of State, subject to the conditions that it prescribes. At the election of State, any attempted assignment or subletting without the prior approval of State shall terminate this Lease.

**27. RELEASE.** Tenant shall within 90 days of the expiration or sooner termination of this Lease, execute, acknowledge and deliver to State in a form provided by State, a release of all rights under this Lease. Should Tenant fail or refuse to deliver such a release, a written notice by State reciting such failure or refusal shall, from the date of its recordation, be conclusive evidence against Tenant of the expiration or termination of this Lease.

**28. CONSTRUCTION.** This Lease contains the entire agreement between the parties. This Lease shall be governed by and construed in accordance with the laws of the State of California. The Paragraph titles in this Lease are inserted only as a matter of convenience and for reference, and in no way define, limit, or describe the scope or intent of this Lease or in any way affect this Lease.

**29. WAIVER AND CONSENT.** Unless expressly acknowledged by State in writing, no term, covenant, or condition of this Lease and no default or breach is waived by the acceptance of a late or nonconforming performance. State's consent for one transaction or event under this Lease is not consent to any subsequent occurrence of the same or any other transaction or event.

**30. TIME OF THE ESSENCE.** Time is of the essence of this Lease and any term, covenant or condition in which performance is a factor.

**31. CHANGES.** Nothing in this Lease may be waived, modified, amended, or discharged except by an instrument in writing signed by Tenant and State.

**32. SEVERABILITY.** If a court of competent jurisdiction determines that a Lease provision is legally invalid, illegal or unenforceable, and such decision becomes final, the provision shall be severed and deleted from the Lease and the remainder reasonably interpreted to achieve its intent.

Tenant and State agree to replace such void or unenforceable provision with a valid and enforceable provision that will achieve, to the extent possible, the purpose original provision.

**33. NO AGENCY.** The Tenant, and the agents and employees of the Tenant in the performance of the Lease, shall act in an independent capacity and not as officers or agents of the State of California.

**34. CLOSURE.** Neither State nor the California Department of Fish and Wildlife shall have any liability arising from a closure of waters by the California Department of Fish and Wildlife Director pursuant to Fish and Game Code Section 5654, where kelp harvesting operations are taking place in accordance with this Lease.

**35. COUNTERPARTS.** This Lease may be executed in counterparts, each of which shall be deemed to be an original, but all of which, taken together, shall constitute one and the same Agreement. The exchange of copies of this Lease and of signature pages by electronic mail in "portable document format" ("pdf") form or by any other electronic means shall constitute effective execution and delivery of this Lease, as long as the original signatures will follow in the mail.

**36. APPROVAL.** This Lease, and any renewal of it, is subject to approval by the State of California, Department of General Services.

**REMAINDER OF PAGE INTENTIONALLY LEFT BLANK**

**SIGNATURE PAGE**

Each signatory attests he or she is duly authorized to execute this Lease on behalf of the principal he or she represents.

**STATE OF CALIFORNIA:**

**TENANT:**

CALIFORNIA FISH AND GAME COMMISSION

KNOCEAN Sciences, Inc.

By: Melissa A. Miller-Henson  
MELISSA MILLER-HENSON  
Acting Executive Director

By: Tony Copp  
Tony Copp  
Chief Executive Officer

Date: 7/5/19

Date: 6/19/2019

**CONSENT TO LEASE AND APPROVES OF TERMS:**

DIRECTOR OF CALIFORNIA DEPARTMENT  
OF GENERAL SERVICES

By: Tony Psihopaidas  
TONY PSIHOPCIDAS, Manager  
State Owned Leasing & Development

Date: 7/11/19

## Maxey, Samara@Wildlife

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**From:** tcopp <tcopp@knoceansciences.com>  
**Sent:** Wednesday, July 22, 2020 2:45 PM  
**To:** Flores Miller, Rebecca@Wildlife; Chouinard, Brian  
**Subject:** RE: giant kelp harvest out of leased kelp bed 3

**Warning:** This email originated from outside of CDFW and should be treated with extra caution.

Dear Rebecca,

As CEO of KNOCEAN Sciences, Inc. I approve SeaWorld's request to harvest for their stated purpose on our Kelp Lease Bed at Point Loma, 3 and under their SCP.

Sincerely,

Tony Copp

Sent via the Samsung Galaxy S7, an AT&T 4G LTE smartphone

----- Original message -----

From: "Flores Miller, Rebecca@Wildlife" <Rebecca.FloresMiller@wildlife.ca.gov>  
Date: 7/22/20 4:33 PM (GMT-06:00)  
To: "Chouinard, Brian" <Brian.Chouinard@SeaWorld.com>, Tony Copp <tcopp@knoceansciences.com>  
Subject: RE: giant kelp harvest out of leased kelp bed 3

Hi Tony,

Brian confirmed Sea World's request for giant kelp take out of leased bed 3 (see below email string) under their Scientific Collecting Permit.

Please let me know if this is or is not agreeable. If you approve I will move forward with drafting the request to the Fish and Game Commission for allowance out of the leased bed. Because this is a scientific collecting permit (SCP) request and not a commercial venture any take would be also need to be approved under the SCP. There is no reporting or fees other than what is stipulated during the SCP process.

Let me know if you have any questions.

Thanks.

Rebecca Flores Miller

Nearshore and Bay Management Project

California Department of Fish and Wildlife

831-649-2835

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**From:** Chouinard, Brian <Brian.Chouinard@SeaWorld.com>  
**Sent:** Tuesday, July 21, 2020 2:11 PM  
**To:** Flores Miller, Rebecca@Wildlife <Rebecca.FloresMiller@wildlife.ca.gov>  
**Subject:** RE: giant kelp harvest out of leased kelp bed 3

**Warning:** This email originated from outside of CDFW and should be treated with extra caution.

Rebecca,

Thank you for all your help concerning this matter. It has been a good learning experience for us in how we fit into the bigger picture of CA's natural resources. The statement looks good to me. Below you will find the explanations for enrichment and animal welfare.

Examples of why collecting and supplying fresh kelp from the kelp beds impact our collection's enrichment and animal welfare include unique natural environment enrichment for our pinnipeds, cetaceans, fish, and invertebrates while also supplying several of our invertebrate species with a natural diet rather than an artificially produce commercial feed. These aspects are key to our animal welfare best practices and elevate our animal collection's overall wellbeing.



**Brian Chouinard** | Fish Department Supervisor, Zoological Operations

500 SeaWorld Drive | San Diego | CA 92109

[brian.chouinard@seaworld.com](mailto:brian.chouinard@seaworld.com) | office 619 226 3900 x2464, cell 619 394 6708

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**From:** Flores Miller, Rebecca@Wildlife [<mailto:Rebecca.FloresMiller@wildlife.ca.gov>]  
**Sent:** Monday, July 20, 2020 12:43 PM  
**To:** Chouinard, Brian  
**Subject:** [EXTERNAL] giant kelp harvest out of leased kelp bed 3

Hi Brian,

I spoke with Tony Copp with KNOCEAN. In order to move forward I would like to confirm what Sea World is requesting under your Scientific Collecting Permit for giant kelp removal out of leased administrative kelp bed 3. Please confirm or correct as needed:

We would like to collect kelp from leased bed #3 since it decreases labor time needed to collect, increases safety during collection, and allows for shorter more consistent collecting which improves animal welfare. For us to travel south to the kelp beds at the end of Point Loma/past Point Loma (zone 2 & 1) that adds an additional 2-2.5 hours to trip depending on weather conditions. Were as collecting from Leased zone 3 has a collection time of about 1 hour. That makes a big difference in labor resources for our animal care staff. Collecting north into zone 4 in between the SMR's presents safety challenges due to heavy surf and swell breaking over shale reefs, plus an additional 0.75-1hr travel time. So what collecting from Zone 3 allows for us is more consistent collecting with less resources which provide more uniform supply of food resources and enrichment for our animal collection

- We would be collecting under the conditions stated in permit which is fronds only using 4ft protocol
- For our enrichment and welfare needs we would collect 40-50lbs/month with a weekly collection schedule (10-12lbs/week). This would be ongoing through time of permit to support animal food and enrichment needs

Please provide a sentence or two explaining "...enrichment and welfare needs..."

Thank you.

Rebecca

Rebecca Flores Miller

Nearshore and Bay Management Project

California Department of Fish and Wildlife

831-649-2835





# Department of Fish & Wildlife Legislative Report

October 2020

(as of October 1, 2020)

## AB 6

**(Reyes D) Attorney General: duties.**

**Introduced:** 12/3/2018

**Last Amend:** 8/27/2020

**Status:** 8/31/2020-Failed Deadline pursuant to Rule 61(b)(18). (Last location was S. BUDGET & F.R. on 8/28/2020)

**Location:** 8/31/2020-S. DEAD

**Summary:** The California Constitution exempts from state civil service various types of officers and employees, including officers elected by the people and a deputy and an employee selected by each of those officers. The California Constitution additionally authorizes the Attorney General to appoint or employ 6 deputies or 6 employees who are exempt from state civil service. Under existing law, the Governor, with the recommendation of the Attorney General, is required to appoint 2 directors and 2 associate directors of the Attorney General's office who would be exempt from state civil service. This bill would instead require the Governor, with the recommendation of the Attorney General, to appoint 6 directors and 6 associate directors of the Attorney General's office who are exempt from state civil service.

## AB 44

**(Friedman D) Fur products: prohibition.**

**Introduced:** 12/3/2018

**Last Amend:** 9/6/2019

**Status:** 10/12/2019-Approved by the Governor. Chaptered by Secretary of State - Chapter 764, Statutes of 2019.

**Location:** 10/12/2019-A. CHAPTERED

**Summary:** Would make it unlawful to sell, offer for sale, display for sale, trade, or otherwise distribute for monetary or nonmonetary consideration a fur product, as defined, in the state. The bill would also make it unlawful to manufacture a fur product in the state for sale. The bill would exempt from these prohibitions used fur products, as defined, fur products used for specified purposes, and any activity expressly authorized by federal law. The bill would require a person that sells or trades any fur product exempt from this prohibition to maintain records of each sale or trade of an exempt fur product for at least one year, except as provided.

## AB 202

**(Mathis R) Endangered species: conservation: California State Safe Harbor Agreement Program Act.**

**Introduced:** 1/14/2019

**Last Amend:** 2/26/2019

**Status:** 8/18/2020-Failed Deadline pursuant to Rule 61(b)(13). (Last location was N.R. & W. on 4/24/2019)

**Location:** 8/18/2020-S. DEAD

**Summary:** Would delete the January 1, 2020, repeal date of the California State Safe Harbor Agreement Program Act, thereby extending the operation of the act indefinitely. Because submission of false, inaccurate, or misleading information on an application for a state safe harbor agreement under the act would be a crime, this bill would extend the application of a crime, thus imposing a state-mandated local program.

#### **AB 231**

**(Mathis R) California Environmental Quality Act: exemption: recycled water.**

**Introduced:** 1/17/2019

**Status:** 1/17/2020-Failed Deadline pursuant to Rule 61(b)(1). (Last location was 2 YEAR on 2/7/2019)

**Location:** 1/17/2020-A. DEAD

**Summary:** Would exempt from CEQA a project to construct or expand a recycled water pipeline for the purpose of mitigating drought conditions for which a state of emergency was proclaimed by the Governor if the project meets specified criteria. Because a lead agency would be required to determine if a project qualifies for this exemption, this bill would impose a state-mandated local program. The bill would also exempt from CEQA the development and approval of building standards by state agencies for recycled water systems.

#### **AB 235**

**(Mayes I) Endangered species: candidate species: petitions: takings.**

**Introduced:** 1/18/2019

**Last Amend:** 6/29/2020

**Status:** 8/31/2020-Failed Deadline pursuant to Rule 61(b)(18). (Last location was S. N.R. & W. on 7/2/2020)

**Location:** 8/31/2020-S. DEAD

**Summary:** The California Endangered Species Act requires the Fish and Game Commission to establish a list of endangered species and a list of threatened species and to add a species to, or remove a species from, either list if it finds, upon the receipt of sufficient scientific information, and based solely upon the best available scientific information, that the action is warranted. The act requires a petition for the listing or delisting of a species to include, at a minimum, sufficient scientific information that the petitioned action may be warranted, including information regarding the population trend, range, distribution, abundance, and life history of the species, the factors affecting the ability of the population to survive and reproduce, and the degree and immediacy of the threat. This bill would require the commission to accept a petition for consideration concurrent with a taking if the commission finds that the petition provides sufficient information to indicate that the petitioned action may be warranted, but the geographic proliferation of the species may lead to significant economic hardship or an impact on critical infrastructure during the above-described review of an accepted petition, and if a preponderance of the evidence presented in the petition shows there is no direct threat to the species that would lead to its decline during that period.

### **AB 243**

**(Kamlager-Dove D) Implicit bias training: peace officers.**

**Introduced:** 1/18/2019

**Last Amend:** 4/22/2019

**Status:** 8/21/2020-Failed Deadline pursuant to Rule 61(b)(15). (Last location was S. 2 YEAR on 8/30/2019)

**Location:** 8/21/2020-S. DEAD

**Summary:** Current law requires every peace officer to participate in expanded training prescribed by the Commission on Peace Officer Standards and Training that includes and examines evidence-based patterns, practices, and protocols that make up racial and identity profiling, including implicit bias. Once basic training is completed, current law requires specified peace officers to complete a refresher course on racial and identity profiling at least every 5 years. This bill would require those peace officers currently required to take the refresher course every 5 years, and additional peace officers, as specified, to instead take refresher training on racial and identity profiling, including the understanding of implicit bias and the promotion of bias-reducing strategies, at least every 2 years.

### **AB 255**

**(Limón D) Coastal resources: oil spills: grants.**

**Introduced:** 1/23/2019

**Status:** 7/12/2019-Approved by the Governor. Chaptered by Secretary of State - Chapter 84, Statutes of 2019.

**Location:** 7/12/2019-A. CHAPTERED

**Summary:** The Lempert-Keene-Seastrand Oil Spill Prevention and Response Act authorizes the administrator for oil spill response to offer grants to a local government with jurisdiction over or directly adjacent to waters of the state to provide oil spill response equipment to be deployed by a certified local spill response manager, as provided. This bill would provide that Native American tribes and other public entities are also eligible to receive those grants.

### **AB 256**

**(Aguilar-Curry D) Wildlife: California Winter Rice Habitat Incentive Program.**

**Introduced:** 1/23/2019

**Last Amend:** 9/3/2019

**Status:** 10/2/2019-Approved by the Governor. Chaptered by Secretary of State - Chapter 420, Statutes of 2019.

**Location:** 10/2/2019-A. CHAPTERED

**Summary:** Current law requires the lessees of the rice lands to have the owners of record execute the contracts and defines "productive agricultural rice lands that are winter-flooded" for these purposes. Current law requires each contract to include, among other things, an agreement by the owner and any lessee to restore, enhance, and protect the waterfowl habitat character of the described land. This bill would no longer require the lessees of the rice lands to have the owners of record execute the contracts and would revise the definition of "productive agricultural rice lands that are winter-flooded." The bill would revise that agreement to instead require an agreement by the owner or the lessee to restore, enhance, and protect the waterfowl habitat character of an established number of acres of described land that may be annually

rotated provided that the minimum contracted acreage amount is achieved for each of the contracted winter flooding seasons.

#### **AB 273**

**(Gonzalez D) Fur-bearing and nongame mammals: recreational and commercial fur trapping: prohibition.**

**Introduced:** 1/24/2019

**Last Amend:** 3/5/2019

**Status:** 9/4/2019-Approved by the Governor. Chaptered by Secretary of State - Chapter 216, Statutes of 2019.

**Location:** 9/4/2019-A. CHAPTERED

**Summary:** Would prohibit the trapping of any fur-bearing mammal or nongame mammal for purposes of recreation or commerce in fur and would prohibit the sale of the raw fur of any fur-bearing mammal or nongame mammal otherwise lawfully taken pursuant to the Fish and Game Code or regulations adopted pursuant to that code. Because a violation of these provisions would be a crime, this bill would impose a state-mandated local program. The bill would also make other conforming changes.

#### **AB 284**

**(Frazier D) Junior hunting licenses: eligibility: age requirement.**

**Introduced:** 1/28/2019

**Status:** 2/3/2020-From committee: Filed with the Chief Clerk pursuant to Joint Rule 56.

**Location:** 1/24/2020-A. DEAD

**Summary:** Current law requires the Department of Fish and Wildlife to issue various types of hunting licenses, including a discounted hunting license known as a junior hunting license, upon payment of a certain fee from an eligible applicant. Current law, until July 1, 2020, expands the eligibility for a junior hunting license from persons who are under 16 years of age on July 1 of the licensing year to persons who are under 18 years of age on July 1 of the licensing year, as specified, and makes conforming changes related to that expanded eligibility. This bill would extend, this expanded eligibility, for a junior hunting license indefinitely.

#### **AB 286**

**(Bonta D) Taxation: cannabis.**

**Introduced:** 1/28/2019

**Last Amend:** 4/3/2019

**Status:** 8/31/2020-Failed Deadline pursuant to Rule 61(b)(18). (Last location was A. DEAD on 1/31/2020)

**Location:** 8/31/2020-A. DEAD

**Summary:** The Control, Regulate and Tax Adult Use of Marijuana Act imposes duties on the Bureau of Cannabis Control in the Department of Consumer Affairs, the Department of Food and Agriculture, and the State Department of Public Health with respect to the creation, issuance, denial, suspension and revocation of commercial cannabis licenses, and imposes an excise tax commencing January 1, 2018, on the purchase of cannabis and cannabis products at the rate of 15% of the average market price of any retail sale by a cannabis retailer. Commencing January 1, 2018, AUMA also imposes a cultivation tax upon all cultivators on all harvested cannabis that enters the commercial market, at specified rates per dry-weight ounce of cannabis flowers and

leaves. This bill would reduce that excise tax rate to 11% on and after the operative date of this bill until July 1, 2022, at which time the excise tax rate would revert back to 15%.

#### **AB 298**

**(Mathis R) Housing: home purchase assistance program: first responders: Legislative Analyst: study and report.**

**Introduced:** 1/28/2019

**Status:** 2/3/2020-From committee: Filed with the Chief Clerk pursuant to Joint Rule 56.

**Location:** 1/24/2020-A. DEAD

**Summary:** Would require the Legislative Analyst to conduct a study, and present the findings thereof to the Legislature, to inform the creation of a low-interest loan program for first responders. The bill would require the report to be submitted on or before January 1, 2024. The bill would require the report to include a recommendation as to which state department is best suited to administer the program, an estimation of the amount of funding that would be necessary to conduct the program, and recommendations for qualifications for participation in the program.

#### **AB 312**

**(Cooley D) State government: administrative regulations: review.**

**Introduced:** 1/29/2019

**Status:** 2/3/2020-From committee: Filed with the Chief Clerk pursuant to Joint Rule 56.

**Location:** 1/24/2020-A. DEAD

**Summary:** Would require each state agency to, on or before January 1, 2022, review its regulations, identify any regulations that are duplicative, overlapping, inconsistent, or out of date, revise those identified regulations, as provided, and report its findings and actions taken to the Legislature and Governor, as specified. The bill would repeal these provisions on January 1, 2023.

#### **AB 352**

**(Garcia, Eduardo D) Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2020.**

**Introduced:** 2/4/2019

**Last Amend:** 8/14/2019

**Status:** 8/31/2020-Failed Deadline pursuant to Rule 61(b)(18). (Last location was S. E.Q. on 8/14/2019)

**Location:** 8/31/2020-S. DEAD

**Summary:** Would enact the Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2020, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$3,920,000,000 pursuant to the State General Obligation Bond Law to finance a wildfire prevention, safe drinking water, drought preparation, and flood protection program. The bill would provide for the submission of these provisions to the voters at the November 3, 2020, statewide general election. The bill would provide that its provisions are severable.

#### **AB 392**

**(Weber D) Peace officers: deadly force.**

**Introduced:** 2/6/2019

**Last Amend:** 5/23/2019

**Status:** 8/19/2019-Approved by the Governor. Chaptered by Secretary of State - Chapter 170, Statutes of 2019.

**Location:** 8/19/2019-A. CHAPTERED

**Summary:** Would redefine the circumstances under which a homicide by a peace officer is deemed justifiable to include when the officer reasonably believes, based on the totality of the circumstances, that deadly force is necessary to defend against an imminent threat of death or serious bodily injury to the officer or to another person, or to apprehend a fleeing person for a felony that threatened or resulted in death or serious bodily injury, if the officer reasonably believes that the person will cause death or serious bodily injury to another unless the person is immediately apprehended.

#### **AB 394**

**(Oberholte R) California Environmental Quality Act: exemption: egress route projects: fire safety.**

**Introduced:** 2/6/2019

**Last Amend:** 9/6/2019

**Status:** 1/21/2020-Consideration of Governor's veto stricken from file.

**Location:** 10/2/2019-A. VETOED

**Summary:** Would, until January 1, 2025, exempt from CEQA egress route projects undertaken by a public agency that are specifically recommended by the State Board of Forestry and Fire Protection that improve the fire safety of an existing subdivision if certain conditions are met. The bill would require the lead agency to hold a noticed public meeting to hear and respond to public comments before determining that a project is exempt. The bill would require the lead agency, if it determines that a project is not subject to CEQA and approves or carries out that project, to file a notice of exemption with the Office of Planning and Research and with the clerk of the county in which the project will be located.

#### **AB 430**

**(Gallagher R) Housing development: Camp Fire Housing Assistance Act of 2019.**

**Introduced:** 2/7/2019

**Last Amend:** 8/27/2019

**Status:** 10/11/2019-Approved by the Governor. Chaptered by Secretary of State - Chapter 745, Statutes of 2019.

**Location:** 10/11/2019-A. CHAPTERED

**Summary:** Current law authorizes a development proponent to submit an application for a development permit that is subject to a streamlined, ministerial approval process and not subject to a conditional use permit if the development satisfies specified objective planning standards, including that the development is a multifamily housing development that contains 2 or more residential units. This bill would authorize a development proponent to submit an application for a residential development, or mixed-use development that includes residential units with a specified percentage of space designated for residential use, within the territorial boundaries or a specialized residential planning area identified in the general plan of, and adjacent to existing urban development within, specified cities that is subject to a similar streamlined, ministerial approval process and not subject to a conditional use permit if the development satisfies specified objective planning standards.



#### **AB 431**

**(Gallagher R) California Environmental Quality Act: exemptions: projects in Town of Paradise and Butte County.**

**Introduced:** 2/7/2019

**Last Amend:** 3/19/2019

**Status:** 2/3/2020-From committee: Filed with the Chief Clerk pursuant to Joint Rule 56.

**Location:** 1/17/2020-A. DEAD

**Summary:** Would exempt from CEQA projects or activities related to the provision of sewer treatment or water service to the Town of Paradise or related to the improvement of evacuation routes in the Town of Paradise. The bill would also exempt from CEQA projects or activities undertaken by the Paradise Irrigation District related to the provision of water service.

#### **AB 441**

**(Eggman D) Water: underground storage.**

**Introduced:** 2/11/2019

**Last Amend:** 3/27/2019

**Status:** 2/3/2020-From committee: Filed with the Chief Clerk pursuant to Joint Rule 56.

**Location:** 1/24/2020-A. DEAD

**Summary:** Under current law, the right to water or to the use of water is limited to that amount of water that may be reasonably required for the beneficial use to be served. Current law provides for the reversion of water rights to which a person is entitled when the person fails to beneficially use the water for a period of 5 years. Current law declares that the storing of water underground, and related diversions for that purpose, constitute a beneficial use of water if the stored water is thereafter applied to the beneficial purposes for which the appropriation for storage was made. This bill would instead provide that any diversion of water to underground storage constitutes a diversion of water for beneficial use for which an appropriation may be made if the diverted water is put to beneficial use, as specified.

#### **AB 448**

**(Garcia, Eduardo D) Water rights: stockponds.**

**Introduced:** 2/11/2019

**Last Amend:** 4/3/2019

**Status:** 2/3/2020-From committee: Filed with the Chief Clerk pursuant to Joint Rule 56.

**Location:** 1/24/2020-A. DEAD

**Summary:** Would provide that the owner of a stockpond built prior to January 1, 2019, that does not have a capacity greater than 10 acre-feet may obtain a right to appropriate water for the principal purpose of watering livestock if that person files a claim for a water right with the State Water Resources Control Board accompanied by a fee not later than December 31, 2021, with certain exceptions. Upon the issuance of a certificate by the board for an appropriation of water obtained under the bill's provisions, the bill would require the board to provide in writing conditions to which the appropriation is subject.

#### **AB 454**

**(Kalra D) Migratory birds: California Migratory Bird Protection Act.**

**Introduced:** 2/11/2019

**Last Amend:** 5/16/2019

**Status:** 9/27/2019-Approved by the Governor. Chaptered by Secretary of State - Chapter 349, Statutes of 2019.

**Location:** 9/27/2019-A. CHAPTERED

**Summary:** Current federal law, the Migratory Bird Treaty Act, provides for the protection of migratory birds, as specified. The federal act also authorizes states and territories of the United States to make and enforce laws or regulations that give further protection to migratory birds, their nests, and eggs. Current state law makes unlawful the taking or possession of any migratory nongame bird, or part of any migratory nongame bird, as designated in the federal act, except as provided by rules and regulations adopted by the United States Secretary of the Interior under provisions of the federal act. This bill, the California Migratory Bird Protection Act, would instead, until January 20, 2025, make unlawful the taking or possession of any migratory nongame bird designated in the federal act before January 1, 2017, any additional migratory nongame bird that may be designated in the federal act after that date, or any part of those migratory nongame birds, except as provided by rules and regulations adopted by the United States Secretary of the Interior under the federal act before January 1, 2017, or subsequent rules or regulations adopted pursuant to the federal act, unless those rules or regulations are inconsistent with the Fish and Game Code.

**AB 467**

**(Boerner Horvath D) Competitions on state property: prize compensation: gender equity.**

**Introduced:** 2/11/2019

**Last Amend:** 6/14/2019

**Status:** 9/9/2019-Approved by the Governor. Chaptered by Secretary of State - Chapter 276, Statutes of 2019.

**Location:** 9/9/2019-A. CHAPTERED

**Summary:** Would require the Department of Parks and Recreation, the State Lands Commission and the California Coastal Commission to include in permit or lease conditions, for a competition event to be held on land under the jurisdiction of the entity, as described, and that awards prize compensation, as defined, to competitors in gendered categories, a requirement that the prize compensation be identical between the gendered categories at each participant level.

**AB 527**

**(Voepele R) Importation, possession, or sale of endangered wildlife.**

**Introduced:** 2/13/2019

**Last Amend:** 4/22/2019

**Status:** 2/3/2020-From committee: Filed with the Chief Clerk pursuant to Joint Rule 56.

**Location:** 1/31/2020-A. DEAD

**Summary:** Would delay the commencement of the prohibition on importing into the state for commercial purposes, possessing with intent to sell, or selling within the state, the dead body, or a part or product thereof, of a crocodile or alligator until January 1, 2030. The bill would also require a specified disclosure on all products sold in the state prior to January 1, 2030, failure to do so being punishable as a misdemeanor. By creating a new crime, this bill would impose a state-mandated local program.



**AB 559**

**(Arambula D) Millerton Lake State Recreation Area: acquisition of land.**

**Introduced:** 2/13/2019

**Status:** 8/18/2020-Failed Deadline pursuant to Rule 61(b)(13). (Last location was S. N.R. & W. on 6/23/2020)

**Location:** 8/18/2020-S. DEAD

**Summary:** Would require the Department of Parks and Recreation to effectively manage lands currently within its jurisdiction in the Millerton Lake State Recreation Area adjacent to the San Joaquin River, and would authorize the department to enter into an agreement with the conservancy to manage lands acquired by the conservancy adjacent to the state recreation area, as specified.

**AB 609**

**(Levine D) California Environmental Quality Act: notices and documents: electronic filing and posting.**

**Introduced:** 2/14/2019

**Last Amend:** 6/23/2020

**Status:** 8/31/2020-Failed Deadline pursuant to Rule 61(b)(18). (Last location was S. E.Q. on 7/1/2020)

**Location:** 8/31/2020-S. DEAD

**Summary:** The California Environmental Quality Act requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. The act requires the lead agency to mail certain notices to persons who have filed a written request for notices. This bill would require the lead agency and the project applicant to post those notices on their internet website.

**AB 658**

**(Arambula D) Water rights: water management.**

**Introduced:** 2/15/2019

**Last Amend:** 7/11/2019

**Status:** 10/9/2019-Approved by the Governor. Chaptered by Secretary of State - Chapter 678, Statutes of 2019.

**Location:** 10/9/2019-A. CHAPTERED

**Summary:** Would authorize a groundwater sustainability agency or local agency to apply for, and the board to issue, a conditional temporary permit for diversion of surface water to underground storage for beneficial use that advances the sustainability goal of a groundwater basin, as specified.

**AB 664**

**(Cooper D) Workers' compensation: injury: COVID-19.**

**Introduced:** 2/15/2019

**Last Amend:** 8/25/2020

**Status:** 8/31/2020-Failed Deadline pursuant to Rule 61(b)(18). (Last location was S. THIRD READING on 8/26/2020)

**Location:** 8/31/2020-S. DEAD

**Summary:** Current law imposes a duty on an employer to provide certain safety

materials and adopt safety practices as necessary. A failure to meet this duty, under specified circumstances, is a misdemeanor. Would, until July 1, 2024, define "injury," for certain state and local firefighting personnel, peace officers, certain correctional and law enforcement personnel, as described, certain health care employees who provide direct patient care at an acute care hospital, and certain fire and rescue services coordinators who work for the Office of Emergency Services to include illness or death resulting from COVID-19, that is diagnosed on or after January 1, 2020, if certain circumstances apply.

#### **AB 719**

**(Rubio, Blanca D) Endangered wildlife: crocodiles and alligators.**

**Introduced:** 2/19/2019

**Last Amend:** 8/13/2019

**Status:** 8/21/2020-Failed Deadline pursuant to Rule 61(b)(15). (Last location was S. 2 YEAR on 8/30/2019)

**Location:** 8/21/2020-S. DEAD

**Summary:** Current law makes it a misdemeanor to import into the state for commercial purposes, to possess with intent to sell, or to sell within the state, the dead body, or a part or product thereof, of a polar bear, leopard, ocelot, tiger, cheetah, jaguar, sable antelope, wolf, zebra, whale, cobra, python, sea turtle, colobus monkey, kangaroo, vicuna, sea otter, free-roaming feral horse, dolphin, porpoise, Spanish lynx, or elephant. This bill would require manufacturers of products that use the hides of crocodiles or alligators, after consultation with the Department of Fish and Wildlife, to submit to the Director of Fish and Wildlife proposals for technologies or processes that allow for the tracking or tracing of the source of origin of crocodile or alligator hides used to manufacture products sold in this state and require humane treatment of farmed crocodiles and alligators, as well as humane slaughtering techniques. The bill would require the director, on or before March 30, 2021, to approve technologies or processes that meet those requirements.

#### **AB 782**

**(Berman D) California Environmental Quality Act: exemption: public agencies: land transfers.**

**Introduced:** 2/19/2019

**Last Amend:** 5/28/2019

**Status:** 8/30/2019-Approved by the Governor. Chaptered by Secretary of State - Chapter 181, Statutes of 2019.

**Location:** 8/30/2019-A. CHAPTERED

**Summary:** CEQA requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. This bill would exempt from CEQA the acquisition, sale, or other transfer of interest in land by a public agency for certain purposes, or the granting or acceptance of funding by a public agency for those purposes.

#### **AB 834**

**(Quirk D) Freshwater and Estuarine Harmful Algal Bloom Program.**

**Introduced:** 2/20/2019

**Last Amend:** 8/30/2019

**Status:** 9/27/2019-Approved by the Governor. Chaptered by Secretary of State - Chapter 354, Statutes of 2019.

**Location:** 9/27/2019-A. CHAPTERED

**Summary:** Would require the State Water Resources Control Board to establish a Freshwater and Estuarine Harmful Algal Bloom Program to protect water quality and public health from harmful algal blooms. The bill would require the state board, in consultation with specified entities, among other things, to coordinate immediate and long-term algal bloom event incident response, as provided, and conduct and support algal bloom field assessment and ambient monitoring at the state, regional, watershed, and site-specific waterbody scales.

### **AB 883**

**(Dahle R) Fish and wildlife: catastrophic wildfires: report.**

**Introduced:** 2/20/2019

**Status:** 2/3/2020-From committee: Filed with the Chief Clerk pursuant to Joint Rule 56.

**Location:** 1/24/2020-A. DEAD

**Summary:** Would require the Department of Fish and Wildlife, in consultation with the Department of Forestry and Fire Protection, on or before December 31, 2020, and by December 31 each year thereafter, to study, investigate, and report to the Legislature on the impacts on wildlife and wildlife habitat resulting from any catastrophic wildfire, as defined, that occurred during that calendar year, including specified information on a catastrophic wildfire's impact on ecosystems, biodiversity, and protected species in the state.

### **AB 889**

**(Maienschein D) Animal research.**

**Introduced:** 2/20/2019

**Last Amend:** 4/1/2019

**Status:** 2/3/2020-From committee: Filed with the Chief Clerk pursuant to Joint Rule 56.

**Location:** 1/17/2020-A. DEAD

**Summary:** Current law prohibits the keeping or use of animals for diagnostic purposes, education, or research without approval by the State Department of Public Health. Current law authorizes the department to prescribe rules under which persons who wish to keep or use animals for those purposes may obtain approval from the department, and to promulgate regulations governing the use of animals for those purposes. Current law exempts certain persons from those requirements, including persons who use or keep animals for animal training and animal cosmetics, among other things. This bill would define "animal" for purposes of these provisions as any live vertebrate nonhuman animal used for diagnostic purposes, education, or research, as specified.

### **AB 935**

**(Rivas, Robert D) Oil and gas: facilities and operations: monitoring and reporting.**

**Introduced:** 2/20/2019

**Last Amend:** 3/21/2019

**Status:** 2/3/2020-From committee: Filed with the Chief Clerk pursuant to Joint Rule 56.

**Location:** 1/17/2020-A. DEAD

**Summary:** Under current law, the Division of Oil, Gas, and Geothermal Resources in

the Department of Conservation regulates the drilling, operation, maintenance, and abandonment of oil and gas wells in the state. Current law defines various terms for those purposes, including “production facility. This bill ”Would define the term “sensitive production facility” for those purposes to mean a production facility that is located within certain areas, including, among others, an area containing a building intended for human occupancy that is located within 2,500 feet of the production facility.

#### **AB 936**

**(Rivas, Robert D) Oil spills: response and contingency planning.**

**Introduced:** 2/20/2019

**Last Amend:** 9/6/2019

**Status:** 10/12/2019-Approved by the Governor. Chaptered by Secretary of State - Chapter 770, Statutes of 2019.

**Location:** 10/12/2019-A. CHAPTERED

**Summary:** Would define “nonfloating oil” for purposes of the Lempert-Keene-Seastrand Oil Spill Prevention and Response Act. The bill would require the administrator to hold, on or before January 1, 2022, a technology workshop that shall include the topic of technology for addressing nonfloating oil spills, and, in fulfilling specified duties, to consider information gained from technology workshops, as well as available scientific and technical literature concerning nonfloating oil spill response technology. The bill would require the administrator to include in the revision to the California oil spill contingency plan due on or before January 1, 2023, provisions addressing nonfloating oil.

#### **AB 948**

**(Kalra D) Coyote Valley Conservation Program.**

**Introduced:** 2/20/2019

**Last Amend:** 8/12/2019

**Status:** 9/27/2019-Approved by the Governor. Chaptered by Secretary of State - Chapter 356, Statutes of 2019.

**Location:** 9/27/2019-A. CHAPTERED

**Summary:** Current law creates the Santa Clara Valley Open-Space Authority, and prescribes the jurisdiction and functions and duties of the authority. Current law authorizes the authority, among other things, to acquire, hold, and dispose of real and personal property, within the authority’s jurisdiction, necessary to the full exercise of its powers. This bill would authorize the authority to establish and administer the Coyote Valley Conservation Program to address resource and recreational goals of the Coyote Valley, as defined. The bill would authorize the authority to collaborate with state, regional, and local partners to help achieve specified goals of the program. The bill would authorize the authority to, among other things, acquire and dispose of interests and options in real property.

#### **AB 1013**

**(Obernolte R) State agencies: grant applications.**

**Introduced:** 2/21/2019

**Last Amend:** 8/20/2019

**Status:** 10/3/2019-Approved by the Governor. Chaptered by Secretary of State - Chapter 498, Statutes of 2019.

**Location:** 10/3/2019-A. CHAPTERED

**Summary:** Current law authorizes various state agencies to award grant money for various purposes. This bill would prohibit a state agency from permitting an evaluator to review a discretionary grant application submitted by an organization or a person for which the evaluator was a representative, voting member, or staff member within the 2-year period preceding receipt of that application.

**AB 1022**

**(Holden D) Peace officers: use of force.**

**Introduced:** 2/21/2019

**Last Amend:** 7/30/2020

**Status:** 8/21/2020-Failed Deadline pursuant to Rule 61(b)(15). (Last location was S. APPR. SUSPENSE FILE on 8/17/2020)

**Location:** 8/21/2020-S. DEAD

**Summary:** Current law requires each law enforcement agency, on or before January 1, 2021, to maintain a policy that provides a minimum standard on the use of force. Current law requires that policy, among other things, to require that officers report potential excessive force to a superior officer when present and observing another officer using force that the officer believes to be unnecessary, and to require that officers intercede when present and observing another officer using force that is clearly beyond that which is necessary, as specified. This bill would require those law enforcement policies to require those officers to immediately report potential excessive force, and to intercede when present and observing an officer using excessive force, as defined.

**AB 1040**

**(Muratsuchi D) Protection of cetaceans: unlawful activities.**

**Introduced:** 2/21/2019

**Status:** 2/3/2020-From committee: Filed with the Chief Clerk pursuant to Joint Rule 56.

**Location:** 1/17/2020-A. DEAD

**Summary:** Current law makes it unlawful to hold in captivity an orca, whether wild caught or captive bred, for any purpose, including for display, performance, or entertainment purposes; to breed or impregnate an orca held in captivity; to export, collect, or import the semen, other gametes, or embryos of an orca held in captivity for the purpose of artificial insemination; or to export, transport, move, or sell an orca located in the state to another state or country. Current law creates certain exceptions to these provisions, including an exception that authorizes an orca located in the state on January 1, 2017, to continue to be held in captivity for its current purpose and, after June 1, 2017, to continue to be used for educational presentations. This bill would expand these provisions to include cetaceans, which the bill would define to mean a whale, dolphin, and porpoise in the order Cetacea.

**AB 1117**

**(Grayson D) Peace officers: peer support.**

**Introduced:** 2/21/2019

**Last Amend:** 9/6/2019

**Status:** 10/8/2019-Approved by the Governor. Chaptered by Secretary of State - Chapter 621, Statutes of 2019.

**Location:** 10/8/2019-A. CHAPTERED

**Summary:** The California Emergency Services Act also authorizes the governing body of a city, county, city and county, or an official designated by ordinance adopted by that governing body, to proclaim a local emergency, as defined. This bill would enact the Law Enforcement Peer Support and Crisis Referral Services Program. The bill would authorize a local or regional law enforcement agency to establish a peer support and crisis referral program to provide an agencywide network of peer representatives available to aid fellow employees on emotional or professional issues. The bill would, for purposes of the act, define a "peer support team" as a team composed of law enforcement personnel, as defined, who have completed a peer support training course, as specified.

**AB 1149**

**(Fong R) California Environmental Quality Act: record of proceedings.**

**Introduced:** 2/21/2019

**Last Amend:** 4/23/2019

**Status:** 2/3/2020-From committee: Filed with the Chief Clerk pursuant to Joint Rule 56.

**Location:** 1/17/2020-A. DEAD

**Summary:** CEQA requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. In an action or proceeding alleging the lead agency violated the act, the act requires the lead agency to prepare and certify the record of proceedings and requires the parties to pay any reasonable costs or fees imposed for the preparation of the record of proceedings, as specified.

**AB 1160**

**(Dahle R) Forestry: timber operations: sustained yield plans.**

**Introduced:** 2/21/2019

**Last Amend:** 4/11/2019

**Status:** 7/12/2019-Approved by the Governor. Chaptered by Secretary of State - Chapter 108, Statutes of 2019.

**Location:** 7/12/2019-A. CHAPTERED

**Summary:** The Z'berg-Nejedly Forest Practice Act of 1973 prohibits a person from conducting timber operations, as defined, unless a timber harvesting plan prepared by a registered professional forester has been submitted to, and approved by, the Department of Forestry and Fire Protection. The act requires the State Board of Forestry and Fire Protection to adopt district forest practice rules and regulations, as provided, and requires a sustained yield plan that is prepared and approved in accordance with these rules and regulations to be effective for a period of no more than 10 years. This bill would instead require the sustained yield plan to be effective for a period of no more than 20 years.

**AB 1184**

**(Gloria D) Public records: writing transmitted by electronic mail: retention.**

**Introduced:** 2/21/2019

**Last Amend:** 8/30/2019



**Status:** 1/21/2020-Consideration of Governor's veto stricken from file.

**Location:** 10/13/2019-A. VETOED

**Summary:** Would, unless a longer retention period is required by statute or regulation, or established by the Secretary of State pursuant to the State Records Management Act, require a public agency, for purposes of the California Public Records Act, to retain and preserve for at least 2 years every public record, as defined, that is transmitted by electronic mail.

#### **AB 1190**

**(Irwin D) Unmanned aircraft: state and local regulation: limitations.**

**Introduced:** 2/21/2019

**Last Amend:** 5/1/2019

**Status:** 8/31/2020-Failed Deadline pursuant to Rule 61(b)(18). (Last location was S. RLS. on 5/24/2019)

**Location:** 8/31/2020-S. DEAD

**Summary:** Would, among other things, prohibit a state or local agency from adopting any law or regulation that bans the operation of an unmanned aircraft system. The bill would also authorize a local agency to adopt regulations to enforce FAA regulations regarding the operation of unmanned aircraft systems and would authorize local agencies to regulate the operation of unmanned aircraft and unmanned aircraft systems within their jurisdictions, as specified. The bill would also authorize a local agency to require an unmanned aircraft operator to provide proof of federal, state, or local registration to licensing or enforcement officials.

#### **AB 1197**

**(Santiago D) California Environmental Quality Act: exemption: City of Los Angeles: supportive housing and emergency shelters.**

**Introduced:** 2/21/2019

**Last Amend:** 9/6/2019

**Status:** 9/26/2019-Approved by the Governor. Chaptered by Secretary of State - Chapter 340, Statutes of 2019.

**Location:** 9/26/2019-A. CHAPTERED

**Summary:** The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. This bill would, until January 1, 2025, exempt from the requirements of CEQA certain activities approved or carried out by the City of Los Angeles and other eligible public agencies, as defined, related to supportive housing and emergency shelters, as defined.

#### **AB 1237**

**(Aguilar-Curry D) Greenhouse Gas Reduction Fund: guidelines.**

**Introduced:** 2/21/2019

**Last Amend:** 8/13/2019

**Status:** 9/27/2019-Approved by the Governor. Chaptered by Secretary of State - Chapter 357, Statutes of 2019.

**Location:** 9/27/2019-A. CHAPTERED

**Summary:** Current law requires the Department of Finance to annually submit a report to the appropriate committees of the Legislature on the status of the projects funded with moneys from the Greenhouse Gas Reduction Fund. This bill, no later than January 1, 2021, would require an agency that receives an appropriation from the Greenhouse Gas Reduction Fund to post on the internet website of the agency's program from which moneys from the fund are being allocated the guidelines, as specified, for how moneys from the fund are allocated for competitive financing programs, as specified.

#### **AB 1244**

**(Fong R) Environmental quality: judicial review: housing projects.**

**Introduced:** 2/21/2019

**Status:** 2/3/2020-From committee: Filed with the Chief Clerk pursuant to Joint Rule 56.

**Location:** 1/24/2020-A. DEAD

**Summary:** Would, in an action or proceeding seeking judicial review under the California Environmental Quality Act, prohibit a court from staying or enjoining a housing project for which an environmental impact report has been certified, unless the court makes specified findings.

#### **AB 1254**

**(Kamlager-Dove D) Bobcats: take prohibition: hunting season: management plan.**

**Introduced:** 2/21/2019

**Last Amend:** 9/5/2019

**Status:** 10/12/2019-Approved by the Governor. Chaptered by Secretary of State - Chapter 766, Statutes of 2019.

**Location:** 10/12/2019-A. CHAPTERED

**Summary:** Current law authorizes nongame mammals, among other specified species, that are found to be injuring growing crops or other property to be taken at any time or in any manner by specified persons in accordance with the Fish and Game Code and regulations adopted pursuant to that code. Current law authorizes the department to enter into cooperative agreements with any state or federal agency for the purpose of controlling harmful nongame mammals. Current law also authorizes the department to enter into cooperative contracts with the United States Fish and Wildlife Service for the control of nongame mammals. This bill would make it unlawful to hunt, trap, or otherwise take a bobcat, except under specified circumstances, including under a depredation permit. The bill, upon appropriation of funds by the Legislature for this purpose, commencing January 1, 2025, would authorize the commission to open a bobcat hunting season in any area determined by the commission to require a hunt, as specified.

#### **AB 1260**

**(Maienschein D) Endangered wildlife.**

**Introduced:** 2/21/2019

**Last Amend:** 4/11/2019

**Status:** 10/12/2019-Approved by the Governor. Chaptered by Secretary of State -



Chapter 767, Statutes of 2019.

**Location:** 10/12/2019-A. CHAPTERED

**Summary:** Would, commencing January 1, 2022, make it a misdemeanor to import into the state for commercial purposes, to possess with intent to sell, or to sell within the state, the dead body or other part or product of an iguana, skink, caiman, hippopotamus, or a Teju, Ring, or Nile lizard. By creating a new crime, the bill would impose a state-mandated local program.

**AB 1279**

**(Bloom D) Planning and zoning: housing development: high-opportunity areas.**

**Introduced:** 2/21/2019

**Last Amend:** 7/22/2020

**Status:** 8/18/2020-Failed Deadline pursuant to Rule 61(b)(13). (Last location was S. HOUSING on 4/24/2020)

**Location:** 8/18/2020-S. DEAD

**Summary:** The Planning and Zoning Law allows a development proponent to submit an application for a development that is subject to a specified streamlined, ministerial approval process not subject to a conditional use permit if the development satisfies certain objective planning standards, including that the development is (1) located in a locality determined by the Department of Housing and Community Development to have not met its share of the regional housing needs for the reporting period, and (2) subject to a requirement mandating a minimum percentage of below-market rate housing, as provided. This bill would require the department to designate areas in this state as high-opportunity areas, as provided, by January 1, 2022, in accordance with specified requirements and to update those designations within 6 months of the adoption of new Opportunity Maps by the California Tax Credit Allocation Committee.

**AB 1305**

**(Obernolte R) Junior hunting licenses: eligibility: age requirement.**

**Introduced:** 2/22/2019

**Last Amend:** 6/18/2019

**Status:** 8/31/2020-Failed Deadline pursuant to Rule 61(b)(18). (Last location was S. RLS. on 6/19/2019)

**Location:** 8/31/2020-S. DEAD

**Summary:** Current law requires the Department of Fish and Wildlife to issue various types of hunting licenses, including a discounted hunting license known as a junior hunting license, upon payment of a certain fee from an eligible applicant. Current law provides that, until July 1, 2020, a person is eligible for a junior hunting license if the person is under 18 years of age on July 1 of the licensing year. Existing law provides that, on and after July 1, 2020, a person is eligible for a junior hunting license if the person is under 16 years of age on July 1 of the licensing year. Current law makes conforming changes to certain other types of hunting licenses as a result of the age change for a junior hunting license. This bill would extend the eligibility for a junior hunting license to a person who is under 18 years of age on July 1 of the licensing year until July 1, 2021.

**AB 1387**

**(Wood D) Sport fishing licenses: 12-consecutive-month licenses.**

**Introduced:** 2/22/2019

**Last Amend:** 5/20/2019

**Status:** 8/18/2020-Failed Deadline pursuant to Rule 61(b)(13). (Last location was N.R. & W. on 6/12/2019)

**Location:** 8/18/2020-S. DEAD

**Summary:** Current law requires a resident or a nonresident, 16 years of age or older, upon payment of a specified fee, to be issued a sport fishing license for the period of a calendar year, or, if issued after the beginning of the year, for the remainder thereof. Existing law also requires the issuance of shorter term licenses upon payment of a specified lesser fee. This bill, in addition to sport fishing licenses for the periods specified above, would require a sport fishing license to be issued to a resident or nonresident for the period of 12 consecutive months, upon payment of a fee that is equal to 130% of the fees for issuance of resident or nonresident calendar-year sport fishing licenses, as applicable.

**AB 1549**

**(O'Donnell D) Wildlife: deer: Santa Catalina Island: report.**

**Introduced:** 2/22/2019

**Last Amend:** 3/21/2019

**Status:** 2/3/2020-From committee: Filed with the Chief Clerk pursuant to Joint Rule 56.

**Location:** 1/24/2020-A. DEAD

**Summary:** Would require the Department of Fish and Wildlife to develop, by January 1, 2022, a report, in consultation with other relevant state agencies, local governments, federal agencies, nongovernmental organizations, landowners, and scientific entities, to inform and coordinate management decisions regarding deer on Santa Catalina Island that includes, among other things, estimates of the historic, current, and future deer population on the island and an assessment of the overall health of the deer population on the island.

**AB 1612**

**(Quirk D) Department of Fish and Wildlife: Invasive Species Response Fund.**

**Introduced:** 2/22/2019

**Last Amend:** 3/28/2019

**Status:** 2/3/2020-From committee: Filed with the Chief Clerk pursuant to Joint Rule 56.

**Location:** 1/17/2020-A. DEAD

**Summary:** Would establish the Invasive Species Response Fund in the State Treasury and would continuously appropriate money deposited in the fund to the Department of Fish and Wildlife to respond to nonnative vertebrate species invasions in coordination with other relevant government agencies. The bill would require any money received by the department from the federal government for the purpose of controlling and eradicating nonnative vertebrate species to be deposited in the fund.

**AB 1659**

**(Bloom D) Large electrical corporations: wildfire mitigation: securitization.**

**Introduced:** 2/22/2019

**Last Amend:** 8/28/2020

**Status:** 8/31/2020-Failed Deadline pursuant to Rule 61(b)(18). (Last location was S. THIRD READING on 8/30/2020)

**Location:** 8/31/2020-S. DEAD

**Summary:** Would enact the Wildfire Prevention and Community Resilience Act of 2020 and would require the Natural Resources Agency, in consultation with the Public Utilities Commission, to adopt an interim expenditure plan and an expenditure plan that are focused on reducing wildfire risk on the ground and in communities through activities such as defensible space implementation, home hardening, improved public safety, including expenditures to add trained emergency medical technicians to the workforce, and other authorized activities, as well as to prepare residents for wildfires through public education and outreach, as provided. The bill would establish the Wildfire Prevention and Community Resilience Fund and, upon appropriation by the Legislature, would require moneys in the fund be used for the implementation of those plans.

**AB 1709**

**(Weber D) Law enforcement: use of force.**

**Introduced:** 2/22/2019

**Last Amend:** 7/21/2020

**Status:** 8/31/2020-Failed Deadline pursuant to Rule 61(b)(18). (Last location was S. PUB. S. on 7/2/2020)

**Location:** 8/31/2020-S. DEAD

**Summary:** This bill would remove the specification that a peace officer making an arrest need not desist in their efforts because of resistance or threatened resistance from the person being arrested. The bill would also require a peace officer to attempt to control an incident through deescalation tactics, as defined, in an effort to reduce or avoid the need to use force, to render medical aid immediately or as soon as feasible, and to intervene to stop a violation of law or an excessive use of force by another peace officer.

**AB 1788**

**(Bloom D) Pesticides: use of second generation anticoagulant rodenticides.**

**Introduced:** 2/22/2019

**Last Amend:** 8/28/2020

**Status:** 9/29/2020-Approved by the Governor. Chaptered by Secretary of State - Chapter 250, Statutes of 2020.

**Location:** 9/29/2020-A. CHAPTERED

**Summary:** Current law prohibits the use of any pesticide that contains one or more of specified anticoagulants in wildlife habitat areas, as defined. Current law exempts from this prohibition the use of these pesticides for agricultural activities, as defined. Current law requires the Director of Pesticide Regulation, and each county agricultural commissioner under the direction and supervision of the director, to enforce the provisions regulating the use of pesticides. This bill, the California Ecosystems Protection Act of 2020, would additionally prohibit the use of any second generation anticoagulant rodenticide, as defined, in this state until the director certifies to the Secretary of State that, among other things, the Department of Pesticide Regulation has completed a reevaluation of second generation anticoagulant rodenticides and the Department of Pesticide Regulation, in consultation with the Department of Fish and Wildlife, has adopted any additional restrictions necessary to ensure that continued use of second generation anticoagulant rodenticides is not reasonably expected to result in significant adverse effects to nontarget wildlife, as provided.

#### **AB 1798**

**(Levine D) California Racial Justice Act: death penalty.**

**Introduced:** 2/22/2019

**Last Amend:** 3/21/2019

**Status:** 2/3/2020-From committee: Filed with the Chief Clerk pursuant to Joint Rule 56.

**Location:** 1/24/2020-A. DEAD

**Summary:** Would prohibit a person from being executed pursuant to a judgment that was either sought or obtained on the basis of race if the court makes a finding that race was a significant factor in seeking or imposing the death penalty. The bill would provide that a finding that race was a significant factor would include statistical evidence or other evidence that death sentences were sought or imposed significantly more frequently upon persons of one race than upon persons of another race or that race was a significant factor in decisions to exercise preemptory challenges during jury selection.

#### **AB 1907**

**(Santiago D) California Environmental Quality Act: emergency shelters: supportive and affordable housing: exemption.**

**Introduced:** 1/8/2020

**Status:** 5/29/2020-Failed Deadline pursuant to Rule 61(b)(5). (Last location was NAT. RES. on 1/30/2020)

**Location:** 5/29/2020-A. DEAD

**Summary:** Would, until January 1, 2029, exempt from environmental review under CEQA certain activities approved by or carried out by a public agency in furtherance of providing emergency shelters, supportive housing, or affordable housing, as each is defined. The bill would require a lead agency that determines to carry out or approve an activity that is within this CEQA exemption to file a notice of exemption, as specified.

#### **AB 1934**

**(Voepel R) Planning and zoning: affordable housing: streamlined, ministerial approval process.**

**Introduced:** 1/15/2020

**Status:** 5/29/2020-Failed Deadline pursuant to Rule 61(b)(5). (Last location was H. & C.D. on 1/23/2020)

**Location:** 5/29/2020-A. DEAD

**Summary:** Current law, until January 1, 2026, authorizes a development proponent to submit an application for a multifamily housing development, which satisfies specified objective planning standards, that is subject to a streamlined, ministerial approval process, as provided, and not subject to a conditional use permit. Current law requires a local government to notify the development proponent in writing if the local government determines that the development conflicts with any of those objective standards by a specified time; otherwise, the development is deemed to comply with those standards. Current law provides that if a local government approves a project pursuant to that process, that approval will not expire until a specified period of time depending on the nature of the development. This bill would, notwithstanding those provisions, authorize a development proponent to submit an application for a development to be subject to a streamlined, ministerial approval process provided that development meet specified objective planning standards, including that the development provide housing for persons and families of low or moderate income

#### **AB 1948**

##### **(Bonta D) Taxation: cannabis.**

**Introduced:** 1/17/2020

**Status:** 8/31/2020-Failed Deadline pursuant to Rule 61(b)(18). (Last location was A. REV. & TAX on 1/30/2020)

**Location:** 8/31/2020-A. DEAD

**Summary:** AUMA requires the Legislative Analyst's Office to submit a report to the Legislature by January 1, 2020, with recommendations for adjustments to the tax rate to achieve the goals of undercutting illicit market prices and discouraging use by persons younger than 21 years of age while ensuring sufficient revenues are generated for specified programs. AUMA authorizes the Legislature to amend its provisions with a 2/3 vote of both houses to further its purposes and intent. This bill would reduce that excise tax rate to 11% on and after the operative date of this bill until July 1, 2023, at which time the excise tax rate would revert back to 15%. The bill would suspend the imposition of the cultivation tax on and after the operative date of this bill until July 1, 2023. The bill would require the bureau, the Department of Food and Agriculture, and the California Department of Tax and Fee Administration to provide the Legislature with reports measuring the success of this bill, as specified.

#### **AB 1949**

##### **(Boerner Horvath D) Fisheries: California Ocean Resources Enhancement and Hatchery Program.**

**Introduced:** 1/17/2020

**Last Amend:** 8/20/2020

**Status:** 9/30/2020-Signed by the Governor

**Location:** 9/30/2020-A. CHAPTERED

**Summary:** Would expand the purpose of the California Ocean Resources Enhancement and Hatchery to encompass any marine fish species important to sport and commercial fishing. The bill would revise provisions relating to the advisory panel by, among other things, specifying which members are voting members, by adding a voting member representing the public or nongovernmental organization interests, or both, by providing for an alternate member to be designated for each voting member, and by establishing 3-year terms for each member and alternate member. The bill would require all members and alternate members to be appointed by the director after soliciting nominations for members and evaluating certain criteria.

#### **AB 2027**

##### **(Boerner Horvath D) Ocean resources management: state policy.**

**Introduced:** 1/30/2020

**Status:** 6/5/2020-Failed Deadline pursuant to Rule 61(b)(6). (Last location was A. PRINT on 1/30/2020)

**Location:** 6/5/2020-A. DEAD

**Summary:** Current law, the California Ocean Resources Management Act of 1990, declares that it is the policy of the State of California to take specified actions related to the preservation, protection, development, and enhancement of the state's ocean resources and ensure the coordinated management of ocean resources with the appropriate federal, state, and local agencies. This bill would make nonsubstantive changes in these provisions.

### **AB 2028**

**(Aguilar-Curry D) State agencies: meetings.**

**Introduced:** 1/30/2020

**Last Amend:** 8/20/2020

**Status:** 8/31/2020-Failed Deadline pursuant to Rule 61(b)(18). (Last location was S. INACTIVE FILE on 9/1/2020)

**Location:** 8/31/2020-S. DEAD

**Summary:** The Bagley-Keene Open Meeting Act, requires that a state body provide an opportunity for members of the public to directly address the body on each agenda item. Current law exempts from this requirement, among other things, an agenda item that has already been considered by a committee composed exclusively of members of the state body at a public meeting where members of the public were afforded an opportunity to address the committee on the item. This bill would delete this exception, thereby making the requirement to provide an opportunity to address the state body applicable to an agenda item for which the public had an opportunity to address it at a public meeting of a committee of the state body.

### **AB 2093**

**(Gloria D) Public records: writing transmitted by electronic mail: retention.**

**Introduced:** 2/5/2020

**Status:** 6/5/2020-Failed Deadline pursuant to Rule 61(b)(8). (Last location was A. APPR. on 3/10/2020)

**Location:** 6/5/2020-A. DEAD

**Summary:** Would, unless a longer retention period is required by statute or regulation, or established by the Secretary of State pursuant to the State Records Management Act, require a public agency, for purposes of the California Public Records Act, to retain and preserve for at least 2 years every public record, as defined, that is transmitted by electronic mail.

### **AB 2106**

**(Aguilar-Curry D) Wildlife habitat: Nesting Bird Habitat Incentive Program: upland game bird hunting validation: state duck hunting validation.**

**Introduced:** 2/6/2020

**Last Amend:** 8/8/2020

**Status:** 8/21/2020-Failed Deadline pursuant to Rule 61(b)(15). (Last location was S. APPR. SUSPENSE FILE on 8/17/2020)

**Location:** 8/21/2020-S. DEAD

**Summary:** Would raise by \$5 the upland game bird hunting validation and the state duck hunting validation fees, as specified, with that \$5 to be deposited, and available upon appropriation to the department for the Nesting Bird Habitat Incentive Program, in the Nesting Bird Habitat Incentive Program Account, which the bill would create in the Fish and Game Preservation Fund.

### **AB 2122**

**(Rubio, Blanca D) Unlawful cannabis activity: enforcement.**

**Introduced:** 2/6/2020

**Status:** 8/31/2020-Failed Deadline pursuant to Rule 61(b)(18). (Last location was S. JUD. on 7/1/2020)



**Location:** 8/31/2020-S. DEAD

**Summary:** Would impose a civil penalty on persons aiding and abetting unlicensed commercial cannabis activity of up to \$30,000 for each violation. The bill would prohibit an action for civil penalties brought against a person pursuant to MAUCRSA from commencing unless the action is filed within 3 years from the first date of discovery of the violation by a licensing authority or a participating agency, whichever is earlier or earliest. This bill contains other related provisions and other existing laws.

**AB 2138**

**(Chau D) California Public Records Act.**

**Introduced:** 2/10/2020

**Last Amend:** 5/4/2020

**Status:** 6/5/2020-Failed Deadline pursuant to Rule 61(b)(6). (Last location was A. JUD. on 2/20/2020)

**Location:** 6/5/2020-A. DEAD

**Summary:** The California Public Records Act requires state and local agencies to make their records available for public inspection, unless an exemption from disclosure applies. This bill would recodify and reorganize the provisions of the act. The bill would include provisions to govern the effect of recodification and state that the bill is intended to be entirely nonsubstantive in effect. The bill would contain related legislative findings and declarations. The bill would become operative on January 1, 2022.

**AB 2214**

**(Carrillo D) Administrative Procedure Act: notice of proposed action.**

**Introduced:** 2/12/2020

**Status:** 5/29/2020-Failed Deadline pursuant to Rule 61(b)(5). (Last location was A. & A.R. on 2/20/2020)

**Location:** 5/29/2020-A. DEAD

**Summary:** Current law, under the Administrative Procedure Act, requires a state agency proposing to adopt, amend, or repeal specific administrative regulations to prepare, submit as specified, and make available to the public upon request, certain documents relating to the proposed regulation, including, among other things, a copy of the express terms of the proposed regulation. This bill would require the state agency to conspicuously post those documents on the state agency's website within 24 hours of submitting those documents to the office, instead of making those documents available to the public upon request. The bill would also remove an obsolete provision.

**AB 2299**

**(Gallagher R) Free hunting days.**

**Introduced:** 2/14/2020

**Status:** 5/29/2020-Failed Deadline pursuant to Rule 61(b)(5). (Last location was W.,P. & W. on 2/24/2020)

**Location:** 5/29/2020-A. DEAD

**Summary:** Current law authorizes the Director of Fish and Wildlife to establish 2 free hunting days per year: one in the fall, and one in the winter. Existing law authorizes a California unlicensed resident to hunt during a free hunting day if accompanied by a licensed hunter, subject to certain conditions. Current law prohibits these provisions from being implemented until the Department of Fish and Wildlife's Automated License

Data System is fully operational for at least one year. This bill would require, rather than authorize, the director to establish 2 free hunting days per year, one in the fall and one in the spring, no later than July 1, 2021. The bill would delete the prohibition requiring a delay in implementation of the above-described provisions.

#### **AB 2312**

**(Quirk D) Cannabis: state temporary event licenses: venues licensed by the Department of Alcoholic Beverage Control: unsold inventory.**

**Introduced:** 2/14/2020

**Last Amend:** 5/4/2020

**Status:** 8/31/2020-Failed Deadline pursuant to Rule 61(b)(18). (Last location was A. B.&P. on 4/24/2020)

**Location:** 8/31/2020-A. DEAD

**Summary:** Would specifically authorize the Bureau of Cannabis Control to issue a state temporary event license to a retail licensee under MAUCRSA authorizing onsite cannabis retail sales of cannabis or cannabis products to, and consumption by, persons 21 years of age or older at an event held at a venue that is licensed by the Department of Alcoholic Beverage Control pursuant to the Alcoholic Beverage Control Act if the activities comply with specified requirements, including that the local jurisdiction authorized the event and onsite sales and consumption of cannabis or cannabis products may only occur in a separate and distinct area from alcohol sales and consumption.

#### **AB 2316**

**(Oberholte R) Vehicles: off-highway vehicle recreation: City of Needles.**

**Introduced:** 2/14/2020

**Status:** 5/29/2020-Failed Deadline pursuant to Rule 61(b)(5). (Last location was TRANS. on 2/24/2020)

**Location:** 5/29/2020-A. DEAD

**Summary:** Current law, until January 1, 2025, authorizes the County of Inyo to operate a pilot project that exempts specified combined-use highways in the unincorporated area in the County of Inyo from this prohibition to link together existing roads in the unincorporated portion of the county to existing trails and trailheads on federal Bureau of Land Management or United States Forest Service lands in order to provide a unified linkage of trail systems for off-highway motor vehicles, as prescribed. Current law requires the County of Inyo to prepare and submit to the Legislature reports evaluating the effectiveness and environmental impacts of the pilot project, as specified. This bill would authorize, until January 1, 2026, a similar pilot program in the City of Needles. The bill would also require the City of Needles, in conjunction with specified state agencies, to prepare and submit to the Legislature reports evaluating the effectiveness and environmental impacts of the pilot project by January 1, 2025, as specified.

#### **AB 2323**

**(Friedman D) California Environmental Quality Act: exemptions.**

**Introduced:** 2/14/2020

**Last Amend:** 8/12/2020

**Status:** 8/21/2020-Failed Deadline pursuant to Rule 61(b)(15). (Last location was S. APPR. SUSPENSE FILE on 8/20/2020)Failed Deadline pursuant to Rule 61(b)(15).



(Last location was S. APPR. SUSPENSE FILE on 8/20/2020)

**Location:** 8/21/2020-S. DEAD

**Summary:** CEQA exempts from its requirements certain residential, employment center, and mixed-use development projects meeting specified criteria, including that the project is undertaken and is consistent with a specific plan for which an environmental impact report has been certified. This bill would additionally exempt those projects located in a very low vehicle travel area, as defined. The bill would require that the project is undertaken and is consistent with either a specific plan prepared pursuant to specific provisions of law or a community plan, as defined, for which an EIR has been certified within the preceding 15 years in order to be exempt. The bill would additionally require the project site to have been previously developed or to be a vacant site meeting certain requirements.

#### **AB 2370**

**(Limón D) Ventura Port District: aquaculture plots: federal waters.**

**Introduced:** 2/18/2020

**Last Amend:** 3/16/2020

**Status:** 8/31/2020-Failed Deadline pursuant to Rule 61(b)(18). (Last location was A. L. GOV. on 3/12/2020)

**Location:** 8/31/2020-A. DEAD

**Summary:** Under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, a city or district may only provide new or extended services by contract or agreement outside of its jurisdictional boundary if it requests and receives written approval, as provided, from the local agency formation commission in the county in which the extension of service is proposed. This bill would, notwithstanding the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, authorize the Ventura Port District, to the extent permitted by federal law, to construct, maintain, operate, lease, and grant permits to others for the installation, maintenance, and operation of aquaculture plots in federal waters off the coast of California the County of Ventura, as prescribed, in order to aid in the development or improvement of navigation or commerce to the port district.

#### **AB 2371**

**(Friedman D) Climate change: Office of Planning and Research: science advisory team: climate adaptation and hazard mitigation.**

**Introduced:** 2/18/2020

**Last Amend:** 7/8/2020

**Status:** 8/18/2020-Failed Deadline pursuant to Rule 61(b)(13). (Last location was S. E.Q. on 6/23/2020)

**Location:** 8/18/2020-S. DEAD

**Summary:** Would require the Office of Planning and Research, by July 1, 2021, to convene a climate science advisory team to provide independent, timely, and science-based advice on the state's climate adaptation and climate-related hazard mitigation efforts and to, among other things, provide input to improve climate adaptation and climate-related hazard mitigation planning across state agencies, including the plan. The bill would require the team to serve as a working group of a specified ICARP advisory group. The bill would require the team to provide recommendations to inform certain activities of the council regarding climate change.

### **AB 2373**

**(Rubio, Blanca D) Structural pest control: second generation anticoagulant rodenticides.**

**Introduced:** 2/18/2020

**Status:** 5/29/2020-Failed Deadline pursuant to Rule 61(b)(5). (Last location was B.&P. on 2/24/2020)

**Location:** 5/29/2020-A. DEAD

**Summary:** Current law provides for the licensure and regulation of structural pest control by the Structural Pest Control Board in the Department of Consumer Affairs. This bill would require a licensee, beginning July 1, 2021, to complete a training course of at least one hour on the ecological impact of second generation anti coagulant rodenticides, as defined, on wildlife with respect to primary and secondary poisoning. The bill would require the training course to be developed by the board or a provider approved by the board, and to meet and apply to the continuing education requirements for licensees established by the board.

### **AB 2429**

**(Irwin D) Hunting and fishing guides.**

**Introduced:** 2/19/2020

**Status:** 5/29/2020-Failed Deadline pursuant to Rule 61(b)(5). (Last location was W.,P. & W. on 2/27/2020)

**Location:** 5/29/2020-A. DEAD

**Summary:** Current law requires a person who engages in the business of guiding or packing, or who acts as a guide for any consideration or compensation, to first obtain a guide license from the Department of Fish and Wildlife before engaging in those activities. Current law requires an application for a guide license to contain specified information and requires an applicant to submit proof of having obtained a surety bond in the amount of not less than \$1,000 as a condition of receiving a license. This bill would increase the amount of the above-described surety bond to \$2,500 and would require an applicant for a guide license to submit proof of compliance with various other requirements as a condition of receiving a guide license.

### **AB 2437**

**(Quirk D) Civil actions: statute of limitations.**

**Introduced:** 2/19/2020

**Last Amend:** 3/10/2020

**Status:** 8/31/2020-Failed Deadline pursuant to Rule 61(b)(18). (Last location was A. JUD. on 2/27/2020)

**Location:** 8/31/2020-A. DEAD

**Summary:** MAUCRSA imposes a 5-year statute of limitations for a licensing authority to file accusations and to seek a fine against a licensee for noncompliance with MAUCRSA's provisions, except as specified. MAUCRSA also permits a licensing authority, the Attorney General, a district attorney, a county counsel, a city prosecutor, or a city attorney to bring an action for civil penalties against a person engaging in commercial cannabis activity without a license of up to 3 times the amount of the license fee. Current law requires specified actions upon a statute for a penalty or forfeiture to commence within one year. This bill would require the agency bringing the civil action for penalties to do so within three years of discovery of the facts constituting the

grounds for commencing the action.

**AB 2444**

**(Gallagher R) California Environmental Quality Act: exemption: wildfire defense vegetation management projects.**

**Introduced:** 2/19/2020

**Last Amend:** 5/4/2020

**Status:** 5/29/2020-Failed Deadline pursuant to Rule 61(b)(5). (Last location was NAT. RES. on 4/24/2020)

**Location:** 5/29/2020-A. DEAD

**Summary:** Would exempt from the requirements of CEQA wildfire defense vegetation management projects, as defined, meeting certain requirements. Because a lead agency would be required to determine the applicability of this exemption to a project, this bill would impose a state-mandated local program.

**AB 2518**

**(Wood D) Voluntary stream restoration landowner liability.**

**Introduced:** 2/19/2020

**Status:** 6/5/2020-Failed Deadline pursuant to Rule 61(b)(6). (Last location was A. W., P. & W. on 2/27/2020)

**Location:** 6/5/2020-A. DEAD

**Summary:** Would exempt a landowner who voluntarily allows land to be used for such a project to restore fish and wildlife habitat from civil liability for property damage or personal injury resulting from the project if the project is funded, at least in part, by a state or federal agency that promotes or encourages riparian habitat restoration, unless the property damage or personal injury is caused by willful, intentional, or reckless conduct of the landowner or by a design, construction, operation, or maintenance activity performed by the landowner.

**AB 2521**

**(Petrie-Norris D) Small Business Procurement and Contract Act.**

**Introduced:** 2/19/2020

**Status:** 6/5/2020-Failed Deadline pursuant to Rule 61(b)(6). (Last location was A. PRINT on 2/19/2020)

**Location:** 6/5/2020-A. DEAD

**Summary:** The Small Business Procurement and Contract Act requires the Director of General Services and the heads of other state agencies that enter into contracts for the acquisition of goods, services, and information technology and for the construction of state facilities to, among other things, establish goals for the participation of small businesses and microbusinesses in these contracts. This bill would make nonsubstantive changes to the provision naming the act.

**AB 2522**

**(Petrie-Norris D) Sea level rise: working group: economic analyses.**

**Introduced:** 2/19/2020

**Last Amend:** 5/4/2020

**Status:** 5/29/2020-Failed Deadline pursuant to Rule 61(b)(5). (Last location was NAT. RES. on 4/24/2020)

**Location:** 5/29/2020-A. DEAD

**Summary:** Would require state agencies to take into account the current and future impacts of sea level rise when planning, designing, building, operating, maintaining, and investing in coastal infrastructure, or otherwise approving, to the extent not in conflict with an appropriation or any other law, the dispersal of state funds for those purposes. The bill would require, by March 1, 2021, the Ocean Protection Council, in consultation with the Office of Planning and Research, to establish a multiagency working group, consisting of specified individuals, on sea level rise to provide recommended policies, resolutions, projects, and other actions to address sea level rise, the breadth of its impact, and the severity of its anticipated harm.

**AB 2523**

**(Gray D) Fish and Game Commission: youth hunting program.**

**Introduced:** 2/19/2020

**Last Amend:** 5/6/2020

**Status:** 6/5/2020-Failed Deadline pursuant to Rule 61(b)(8). (Last location was A. APPR. SUSPENSE FILE on 6/2/2020)

**Location:** 6/5/2020-A. DEAD

**Summary:** Current law delegates to the Fish and Game Commission the power to regulate the taking or possession of birds, mammals, fish, amphibians, and reptiles, except as provided. This bill would require the commission to establish a program to increase opportunities to hunt big game, upland game birds, and migratory game birds for youth with terminal illnesses and youth who lost a parent in service to the state or country, as defined, and would require the commission to report any findings to the Legislature and the Governor on or before January 1, 2022, on the progress of the program.

**AB 2574**

**(Dahle, Megan R) Wildlife resources: natural community conservation plans: public review and comment.**

**Introduced:** 2/20/2020

**Status:** 6/5/2020-Failed Deadline pursuant to Rule 61(b)(8). (Last location was A. APPR. on 5/14/2020)

**Location:** 6/5/2020-A. DEAD

**Summary:** The Natural Community Conservation Planning Act authorizes the Department of Fish and Wildlife to enter into agreements with any person or public entity for the purpose of preparing a natural community conservation plan, in cooperation with a local agency that has land use permit authority over the activities proposed to be addressed in the plan, to provide comprehensive management and conservation of multiple wildlife species. Current law requires the public to have 21 calendar days to review and comment on a proposed planning agreement before department approval of the planning agreement. This bill would expand the time for public review and comment on a proposed planning agreement from 21 calendar days to 21 business days.

**AB 2607**

**(Mathis R) Department of Fish and Wildlife: Office of the Ombudsperson.**

**Introduced:** 2/20/2020

**Status:** 5/29/2020-Failed Deadline pursuant to Rule 61(b)(5). (Last location was W.,P.

& W. on 3/5/2020)

**Location:** 5/29/2020-A. DEAD

**Summary:** The California Constitution establishes the 5-member Fish and Game Commission, with members appointed by the Governor and approved by the Senate. Current law requires the commissioners to annually elect one of their number as president. Current law requires the commission to formulate the general policies for the conduct of the department and requires the director to be guided by those policies and be responsible to the commission for the administration of the department in accordance with those policies. This bill would establish in the department the Office of the Ombudsperson administered through the ombudsperson

#### **AB 2621**

**(Mullin D) Office of Planning and Research: regional climate networks: climate adaptation action plans.**

**Introduced:** 2/20/2020

**Last Amend:** 8/17/2020

**Status:** 8/21/2020-Failed Deadline pursuant to Rule 61(b)(15). (Last location was S. APPR. SUSPENSE FILE on 8/19/2020)

**Location:** 8/21/2020-S. DEAD

**Summary:** Current law requires, by July 1, 2017, and every 3 years thereafter, the Natural Resources Agency to update, as prescribed, the state's climate adaptation strategy, known as the Safeguarding California Plan. Existing law establishes the Office of Planning and Research in state government in the Governor's office. Current law establishes the Integrated Climate Adaptation and Resiliency Program to be administered by the office to coordinate regional and local efforts with state climate adaptation strategies to adapt to the impacts of climate change, as prescribed. This bill would authorize eligible agencies, as defined, to establish and participate in a regional climate network, as defined, to prepare a regional climate adaptation action plan for certain regions, as described. The bill would authorize eligible agencies to voluntarily determine whether to establish membership in a regional climate network.

#### **AB 2623**

**(Arambula D) Sustainable groundwater management.**

**Introduced:** 2/20/2020

**Status:** 6/5/2020-Failed Deadline pursuant to Rule 61(b)(6). (Last location was A. PRINT on 2/20/2020)

**Location:** 6/5/2020-A. DEAD

**Summary:** The Sustainable Groundwater Management Act requires all groundwater basins designated as high- or medium-priority basins by the Department of Water Resources that are designated as basins subject to critical conditions of overdraft to be managed under a groundwater sustainability plan or coordinated groundwater sustainability plans by January 31, 2020, and requires all other groundwater basins designated as high- or medium-priority basins to be managed under a groundwater sustainability plan or coordinated groundwater sustainability plans by January 31, 2022, except as specified. The act requires all relevant state agencies to consider the policies of the act, and any adopted groundwater sustainability plans, when revising or adopting policies, regulations, or criteria, or when issuing orders or determinations, where pertinent. This bill would make nonsubstantive changes in the latter provision.

#### **AB 2665**

**(Mullin D) Workers' compensation: skin cancer.**

**Introduced:** 2/20/2020

**Status:** 5/29/2020-Failed Deadline pursuant to Rule 61(b)(5). (Last location was INS. on 3/12/2020)

**Location:** 5/29/2020-A. DEAD

**Summary:** Current law establishes a workers' compensation system, administered by the Administrative Director of the Division of Workers' Compensation, to compensate an employee for injuries sustained in the course of employment. Current law provides, among other things, that skin cancer developing in active lifeguards, as defined, is presumed to arise out of and in the course of employment, unless the presumption is rebutted. This bill would expand the scope of those provisions to certain peace officers of the Department of Fish and Wildlife and the Department of Parks and Recreation.

#### **AB 2693**

**(Bloom D) Shasta, Trinity, and Oroville Watershed Restoration Administration.**

**Introduced:** 2/20/2020

**Last Amend:** 5/4/2020

**Status:** 6/5/2020-Failed Deadline pursuant to Rule 61(b)(8). (Last location was A. APPR. SUSPENSE FILE on 6/2/2020)

**Location:** 6/5/2020-A. DEAD

**Summary:** Would require the Natural Resources Agency and the California Environmental Protection Agency to jointly develop and submit to the Legislature a spatially explicit plan for forest and watershed restoration investments in the drainages that supply the Oroville, Shasta, and Trinity Reservoirs. The bill would establish the Shasta, Trinity, and Oroville Watershed Restoration Administration (STOWRA) under the State Water Resources Control Board to coordinate and facilitate the restoration and conservation of the watersheds supplying the Oroville, Shasta, and Trinity Reservoirs. The bill would authorize General Fund moneys to be deposited in the Headwaters Restoration Account.

#### **AB 2697**

**(Muratsuchi D) Department of Fish and Wildlife: Kelp Restoration and Resilience Program: Kelp Restoration Science Advisory Committee.**

**Introduced:** 2/20/2020

**Last Amend:** 5/4/2020

**Status:** 6/5/2020-Failed Deadline pursuant to Rule 61(b)(8). (Last location was A. W.,P. & W. on 3/2/2020)

**Location:** 6/5/2020-A. DEAD

**Summary:** Would require, to the extent funds are available from bonds, appropriations by the Legislature, or other private and public sources, the Department of Fish and Wildlife to establish and administer, in consultation with the Ocean Protection Council and other relevant entities, a Kelp Restoration and Resilience Program for the purpose of achieving numerous biological and scientific goals regarding kelp, including supporting kelp recovery and preservation efforts in all coastal areas of California and conducting statewide monitoring of kelp forests to assess overall health.

#### **AB 2787**



**([Chau](#) D) Unmanned aircraft systems: delivery services.**

**Introduced:** 2/20/2020

**Last Amend:** 5/4/2020

**Status:** 6/5/2020-Failed Deadline pursuant to Rule 61(b)(6). (Last location was A. P. & C.P. on 4/24/2020)

**Location:** 6/5/2020-A. DEAD

**Summary:** Would authorize an unmanned aircraft system, as defined, that is used by a business to deliver consumer products to a person in this state to be used by a business to collect, use, and retain audio, geolocation, and visual information only when reasonably necessary and proportionate to achieve the delivery purposes for which the information was collected or processed. Except as provided, the bill would require the business to destroy that information upon completion or realization of those purposes. The bill would define terms for its purposes.

**[AB 2812](#)**

**([Garcia, Eduardo](#) D) California Global Warming Solutions Act of 2006: Greenhouse Gas Reduction Fund: investment plan.**

**Introduced:** 2/20/2020

**Last Amend:** 3/12/2020

**Status:** 5/29/2020-Failed Deadline pursuant to Rule 61(b)(5). (Last location was NAT. RES. on 3/12/2020)

**Location:** 5/29/2020-A. DEAD

**Summary:** Would, beginning July 1, 2021, require state agencies administering competitive grant programs that allocate moneys from the Greenhouse Gas Reduction Fund to give specified communities preferential points during grant application scoring for programs intended to improve air quality and to include a specified application timeline and to allow applicants from the Counties of Imperial and San Diego to include daytime population numbers in grant applications.

**[AB 2839](#)**

**([Garcia, Eduardo](#) D) California Deserts Conservancy: establishment.**

**Introduced:** 2/20/2020

**Status:** 5/29/2020-Failed Deadline pursuant to Rule 61(b)(5). (Last location was NAT. RES. on 3/2/2020)

**Location:** 5/29/2020-A. DEAD

**Summary:** Would establish the California Deserts Conservancy in the agency to undertake various conservation activities, as prescribed, related to the California deserts region, as defined, to protect, conserve, and restore that region's natural, cultural, archaeological, historical, and physical resources, among other functions. The bill would require the conservancy to be governed by a 13-member board of directors, as prescribed, with up to 3 additional nonvoting board members, as specified.

**[AB 2901](#)**

**([Chau](#) D) California Environmental Quality Act: subsequent or supplemental environmental impact report.**

**Introduced:** 2/21/2020

**Status:** 6/5/2020-Failed Deadline pursuant to Rule 61(b)(6). (Last location was A. PRINT on 2/21/2020)

**Location:** 6/5/2020-A. DEAD

**Summary:** CEQA prohibits a lead agency or a responsible agency from requiring the preparation of a subsequent or supplemental EIR unless one or more of 3 specified events occurs. This bill would make nonsubstantive changes to the provision relating to the preparation of a subsequent or supplemental EIR.

**AB 2954**

**(Rivas, Robert D) California Global Warming Solutions Act of 2006: climate goal: natural and working lands.**

**Introduced:** 2/21/2020

**Last Amend:** 5/4/2020

**Status:** 8/21/2020-Failed Deadline pursuant to Rule 61(b)(15). (Last location was S. APPR. SUSPENSE FILE on 8/19/2020)

**Location:** 8/21/2020-S. DEAD

**Summary:** The California Global Warming Solutions Act of 2006 requires the State Air Resources Board to prepare and approve a scoping plan for achieving the maximum technologically feasible and cost-effective reductions in greenhouse gas emissions and to update the scoping plan at least once every 5 years. This bill would require the state board, when updating the scoping plan and in collaboration with This bill would require the state board, when updating the scoping plan and in collaboration with by January 1, 2023, an overall climate goal for the state's natural and working lands, as defined, to sequester carbon and reduce atmospheric greenhouse gas emissions and identify practices, policy incentives, and potential reductions in barriers that would help achieve the climate goal.

**AB 2965**

**(Kalra D) Wildlife resources: state policy.**

**Introduced:** 2/21/2020

**Status:** 6/5/2020-Failed Deadline pursuant to Rule 61(b)(6). (Last location was A. PRINT on 2/21/2020)

**Location:** 6/5/2020-A. DEAD

**Summary:** Current law declares it to be the policy of the state to encourage the preservation, conservation, and maintenance of wildlife resources under the jurisdiction and influence of the state and specifies that the policy includes certain objectives. This bill would make nonsubstantive changes to this provision.

**AB 3005**

**(Rivas, Robert D) Leroy Anderson Dam and Reservoir: permitting, environmental review, and public contracting.**

**Introduced:** 2/21/2020

**Last Amend:** 8/24/2020

**Status:** 9/29/2020-Vetoed by Governor.

**Location:** 9/29/2020-A. VETOED

**Summary:** Would, if the Department of Fish and Wildlife determines that the Anderson Dam project, as defined, will substantially adversely affect existing fish and wildlife resources and the Santa Clara Valley Water District completes certain actions for the project, require the department within 180 days of receipt of a notification, as defined, from the district to issue a final agreement with the district that includes reasonable



measures necessary to protect the affected resource, unless the department and the district agree to an extension.

#### **AB 3011**

**(Wood D) Forestry: lumber and engineered wood products assessment: Timber Regulation and Forest Restoration Fund: loans: cannabis cultivation.**

**Introduced:** 2/21/2020

**Last Amend:** 5/4/2020

**Status:** 5/29/2020-Failed Deadline pursuant to Rule 61(b)(5). (Last location was NAT. RES. on 4/24/2020)

**Location:** 5/29/2020-A. DEAD

**Summary:** Current law establishes the Timber Regulation and Forest Restoration Fund in the State Treasury, and requires that all revenues received from specified assessments imposed on certain lumber and engineered wood products, less amounts deducted for specified refunds and reimbursements, be deposited into the fund, and used, upon appropriation, only for specified purposes including, until July 1, 2017, as a loan to the Department of Fish and Wildlife for activities to address environmental damage occurring on forest lands resulting from marijuana cultivation. This bill would instead authorize the loan described above until July 1, 2025, for activities to address environmental damage occurring on forest lands resulting from cannabis cultivation.

#### **AB 3022**

**(Obernolte R) Junior hunting licenses: eligibility: age requirement.**

**Introduced:** 2/21/2020

**Status:** 8/31/2020-Failed Deadline pursuant to Rule 61(b)(18). (Last location was A. APPR. SUSPENSE FILE on 6/2/2020)

**Location:** 8/31/2020-A. DEAD

**Summary:** Current law provides that, on and after July 1, 2020, a person is eligible for a junior hunting license if the person is under 16 years of age on July 1 of the licensing year. Current law makes conforming changes to certain other types of hunting licenses as a result of the age change for a junior hunting license. This bill would extend the eligibility for a junior hunting license to a person who is under 18 years of age on July 1 of the licensing year until July 1, 2021.

#### **AB 3030**

**(Kalra D) Resource conservation: land and ocean conservation goals.**

**Introduced:** 2/21/2020

**Last Amend:** 8/13/2020

**Status:** 8/21/2020-Failed Deadline pursuant to Rule 61(b)(15). (Last location was S. APPR. SUSPENSE FILE on 8/19/2020)

**Location:** 8/21/2020-S. DEAD

**Summary:** Would declare it to be the goals of the state by 2030 to protect at least 30% of the state's land areas and waters; to help advance the protection of 30% of the nation's oceans; and to support regional, national, and international efforts to protect at least 30% of the world's land areas and waters and 30% of the world's ocean.

#### **AB 3051**

**(Diep R) California Environmental Quality Act: judicial challenge: identification of contributors.**

**Introduced:** 2/21/2020

**Last Amend:** 5/5/2020

**Status:** 6/5/2020-Failed Deadline pursuant to Rule 61(b)(6). (Last location was A. NAT. RES. on 4/24/2020)

**Location:** 6/5/2020-A. DEAD

**Summary:** The California Environmental Quality Act authorizes specified entities to file and maintain with a court an action or proceeding to attack, review, set aside, void, or annul an act of a public agency on grounds of noncompliance with the requirements of the act. This bill would require a plaintiff or petitioner, in an action brought pursuant to the act, to disclose the identity of a person or entity that contributes \$1,000 or more, as specified, toward the plaintiff's or petitioner's costs of the action. The bill also would require the plaintiff or petitioner to identify any pecuniary or business interest related to the project or issues involved in the action of any person or entity that contributes \$1,000 or more to the costs of the action, as specified. The bill would provide that a failure to comply with these requirements may be grounds for dismissal of the action by the court.

#### **AB 3071**

**(Mullin D) Lead ammunition: shooting ranges.**

**Introduced:** 2/21/2020

**Status:** 6/5/2020-Failed Deadline pursuant to Rule 61(b)(6). (Last location was A. W.,P. & W. on 4/24/2020)

**Location:** 6/5/2020-A. DEAD

**Summary:** Would prohibit a sport shooting range or an indoor shooting range, as defined, from selling or giving away ammunition unless that ammunition is certified as nonlead ammunition by the commission. The bill would also prohibit patrons or employees of a sport shooting range or an indoor shooting range from firing ammunition unless it is nonlead certified and would require a sport shooting range and an indoor shooting range to post a specified sign to that effect.

#### **AB 3072**

**(Bigelow R) Commercial passenger fishing vessels: sport fishing licenses.**

**Introduced:** 2/21/2020

**Status:** 6/5/2020-Failed Deadline pursuant to Rule 61(b)(6). (Last location was A. PRINT on 2/21/2020)

**Location:** 6/5/2020-A. DEAD

**Summary:** Current law prohibits the owner or operator of a licensed commercial passenger fishing vessel from permitting any person to fish from that boat or vessel unless the person has in their possession a valid sport fishing license and any required license stamp, report card, or validation. This bill would make nonsubstantive changes to this provision.

#### **AB 3143**

**(Maienschein D) Endangered wildlife: stingrays.**

**Introduced:** 2/21/2020

**Last Amend:** 3/12/2020

**Status:** 5/29/2020-Failed Deadline pursuant to Rule 61(b)(5). (Last location was W.,P. & W. on 3/12/2020)

**Location:** 5/29/2020-A. DEAD

**Summary:** Would also make it a misdemeanor to import into the state for commercial purposes, to possess with intent to sell, or to sell within the state, the dead body, or a part or product thereof, of any species of stingray, except a stingray or part thereof lawfully landed in California pursuant to a federal or state commercial fishing permit or authorization.

#### **AB 3162**

**(Obernolte R) Reports submitted to legislative committees.**

**Introduced:** 2/21/2020

**Last Amend:** 3/5/2020

**Status:** 5/29/2020-Failed Deadline pursuant to Rule 61(b)(5). (Last location was A. & A.R. on 3/5/2020)

**Location:** 5/29/2020-A. DEAD

**Summary:** Current law requires a report required or requested by law to be submitted by a state or local agency to the Members of either house of the Legislature, generally, to be submitted in a specified manner, including a requirement that a report submitted by a state agency be posted on the state agency's internet website. This bill would additionally require a state agency to post on its internet website any report, as defined, that the state agency submits to a committee of the Legislature.

#### **AB 3214**

**(Limón D) Oil and gas: oil spills: fines and penalties.**

**Introduced:** 2/21/2020

**Last Amend:** 8/13/2020

**Status:** 9/24/2020-Approved by the Governor. Chaptered by Secretary of State - Chapter 119, Statutes of 2020.

**Location:** 9/24/2020-A. CHAPTERED

**Summary:** Current law makes it a felony to, among other things, knowingly engage in or cause the discharge or spill of oil into waters of the state, or knowingly fail to begin cleanup, abatement, or removal of spilled oil, as specified. Current law makes this crime punishable by a fine of not less than \$5,000 or more than \$500,000 for each day a violation occurs. Current law additionally makes it a felony to, among other things, fail to notify the Office of Emergency Services regarding an oil spill or to knowingly fail to follow the material provisions of an applicable oil spill contingency plan. Current law makes this crime punishable by a fine of not less than \$2,500 or more than \$250,000 for each day a violation occurs for a first conviction, and by a fine of not less than \$5,000 or more than \$500,000 for each day a violation occurs for a 2nd conviction. This bill would double the minimum and maximum amounts of the fines described above.

#### **AB 3252**

**(Dahle, Megan R) California State Safe Harbor Agreement Program Act: notice.**

**Introduced:** 2/21/2020

**Status:** 6/5/2020-Failed Deadline pursuant to Rule 61(b)(8). (Last location was A. APPR. on 5/14/2020)

**Location:** 6/5/2020-A. DEAD

**Summary:** Current law requires a participating landowner to provide the Department of Fish and Wildlife, its contractors, or agents with access to the land or water proposed to

be enrolled in the California State Safe Harbor Agreement Program to develop the agreement, determine the baseline conditions, monitor the effectiveness of management actions, or safely remove or salvage species proposed to be taken. Existing law requires the department to provide notice to the landowner at least 7 days before accessing the land or water for these purposes. This bill would increase the notice period to the landowner to at least 7 business days.

**AB 3256**

**(Garcia, Eduardo D) Economic Recovery, Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2020.**

**Introduced:** 2/21/2020

**Last Amend:** 6/4/2020

**Status:** 8/31/2020-Failed Deadline pursuant to Rule 61(b)(18). (Last location was A. RLS. on 6/3/2020)

**Location:** 8/31/2020-A. DEAD

**Summary:** Would enact the Economic Recovery, Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2020, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$6,980,000,000 pursuant to the State General Obligation Bond Law to finance projects for an economic recovery, wildfire prevention, safe drinking water, drought preparation, and flood protection program.

**AB 3263**

**(Gray D) Natural Heritage Preservation Tax Credit Act of 2000.**

**Introduced:** 2/21/2020

**Status:** 6/5/2020-Failed Deadline pursuant to Rule 61(b)(6). (Last location was A. PRINT on 2/21/2020)

**Location:** 6/5/2020-A. DEAD

**Summary:** Under the Natural Heritage Preservation Tax Credit Act of 2000, property may be contributed to departments, as defined, any local government, or any nonprofit organization designated by a local government or department, based on specified criteria, in order to provide for the protection of wildlife habitat, open space, and agricultural lands. This bill would make nonsubstantive changes to the title of this act.

**AB 3296**

**(Kiley R) California Environmental Quality Act: Department of Fish and Wildlife: review of environmental documents: revenue and cost tracking and accounting.**

**Introduced:** 2/21/2020

**Status:** 5/29/2020-Failed Deadline pursuant to Rule 61(b)(5). (Last location was W.,P. & W. on 4/24/2020)

**Location:** 5/29/2020-A. DEAD

**Summary:** Current law authorizes the Department of Fish and Wildlife to impose and collect a filing fee to defray the costs of managing and protecting fish and wildlife trust resources, including, but not limited to, consulting with other public agencies, reviewing environmental documents, recommending mitigation measures, developing monitoring requirements for purposes of CEQA, and other activities protecting those trust resources identified in the review pursuant to the CEQA. This bill would require the department to separately track and account for all revenues collected under the above

filing fee provision and all costs incurred in its role as a responsible agency or trustee agency under CEQA.

#### **AB 3325**

**(Brough R) California Environmental Quality Act.**

**Introduced:** 2/21/2020

**Status:** 6/5/2020-Failed Deadline pursuant to Rule 61(b)(6). (Last location was A. PRINT on 2/21/2020)

**Location:** 6/5/2020-A. DEAD

**Summary:** The California Environmental Quality Act (CEQA), requires a lead agency, as defined, to prepare, or cause to be prepared, and certify completion of an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment, or to adopt a negative declaration or mitigated negative declaration, as specified, if it finds that the project will not have that effect. CEQA includes exemptions from its environmental review requirements for numerous categories of projects, as prescribed. CEQA exempts from its environmental review requirements projects for restriping of streets or highways to relieve traffic congestion. This bill would make a nonsubstantive change to this exemption provision.

#### **AB 3341**

**(Muratsuchi D) Public employment: peace officers.**

**Introduced:** 2/21/2020

**Status:** 6/5/2020-Failed Deadline pursuant to Rule 61(b)(6). (Last location was A. PRINT on 2/21/2020)

**Location:** 6/5/2020-A. DEAD

**Summary:** Current law requires peace officers in this state to meet specified minimum standards, including, among other requirements, being of good moral character, as determined by a thorough background investigation. This bill would require that the background investigation for determining moral character use standards defined by the Commission on Peace Officer Standards and Training, as minimum guidelines, before the applicant may be employed or begin training as a peace officer. The bill would make related changes.

#### **ACA 22**

**(Melendez R) Environmental quality: California Environmental Quality Act: housing projects: injunctions: exemptions.**

**Introduced:** 2/20/2020

**Status:** 8/31/2020-Failed Deadline pursuant to Rule 61(b)(18). (Last location was A. PRINT on 2/20/2020)

**Location:** 8/31/2020-A. DEAD

**Summary:** Would prohibit a court, in granting relief in an action or proceeding brought under CEQA, from enjoining a housing project, as defined, unless the court finds that the continuation of the housing project presents an imminent threat to public health and safety or that the housing project site contains unforeseen important Native American artifacts or important historical, archaeological, or ecological values that would be materially, permanently, and adversely affected by the continuation of the housing project. The measure would, except as provided, prohibit the Legislature from enacting legislation to exempt projects from the requirements of CEQA unless the projects are

housing projects, projects for the development of roadway infrastructure, or projects to address an emergency circumstance for which the Governor has declared a state of emergency.

#### **SB 1**

#### **(Atkins D) California Environmental, Public Health, and Workers Defense Act of 2019.**

**Introduced:** 12/3/2018

**Last Amend:** 9/10/2019

**Status:** 1/13/2020-Stricken from file. Veto sustained.

**Location:** 9/27/2019-S. VETOED

**Summary:** Current state law regulates the discharge of air pollutants into the atmosphere. The Porter-Cologne Water Quality Control Act regulates the discharge of pollutants into the waters of the state. The California Safe Drinking Water Act establishes standards for drinking water and regulates drinking water systems. The California Endangered Species Act requires the Fish and Game Commission to establish a list of endangered species and a list of threatened species, and generally prohibits the taking of those species. This bill would, until January 20, 2025, require specified agencies to take prescribed actions regarding certain federal requirements and standards pertaining to air, water, and protected species, as specified. By imposing new duties on local agencies, this bill would impose a state-mandated local program.

#### **SB 4**

#### **(McGuire D) Housing.**

**Introduced:** 12/3/2018

**Last Amend:** 4/10/2019

**Status:** 2/3/2020-Returned to Secretary of Senate pursuant to Joint Rule 56.

**Location:** 1/17/2020-S. DEAD

**Summary:** Would authorize a development proponent of a neighborhood multifamily project or eligible transit-oriented development (TOD) project located on an eligible parcel to submit an application for a streamlined, ministerial approval process that is not subject to a conditional use permit. The bill would define a "neighborhood multifamily project" to mean a project to construct a multifamily unit of up to 2 residential dwelling units in a nonurban community, as defined, or up to 4 residential dwelling units in an urban community, as defined, that meets local height, setback, and lot coverage zoning requirements as they existed on July 1, 2019.

#### **SB 19**

#### **(Dodd D) Water resources: stream gages.**

**Introduced:** 12/3/2018

**Last Amend:** 6/11/2019

**Status:** 9/27/2019-Approved by the Governor. Chaptered by Secretary of State. Chapter 361, Statutes of 2019.

**Location:** 9/27/2019-S. CHAPTERED

**Summary:** Would require the Department of Water Resources and the State Water Resources Control Board, upon an appropriation of funds by the Legislature, to develop a plan to deploy a network of stream gages that includes a determination of funding needs and opportunities for modernizing and reactivating existing gages and deploying



new gages, as specified. The bill would require the department and the board, in consultation with the Department of Fish and Wildlife, the Department of Conservation, the Central Valley Flood Protection Board, interested stakeholders, and, to the extent they wish to consult, local agencies, to develop the plan to address significant gaps in information necessary for water management and the conservation of freshwater species.

#### **SB 45**

#### **(Allen D) Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2020.**

**Introduced:** 12/3/2018

**Last Amend:** 1/23/2020

**Status:** 8/31/2020-Failed Deadline pursuant to Rule 61(b)(18). (Last location was A. DESK on 1/29/2020)

**Location:** 8/31/2020-A. DEAD

**Summary:** Would enact the Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2020, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$5,510,000,000 pursuant to the State General Obligation Bond Law to finance projects for a wildfire prevention, safe drinking water, drought preparation, and flood protection program.

#### **SB 62**

#### **(Dodd D) Endangered species: accidental take associated with routine and ongoing agricultural activities: state safe harbor agreements.**

**Introduced:** 1/3/2019

**Last Amend:** 4/3/2019

**Status:** 7/30/2019-Approved by the Governor. Chaptered by Secretary of State. Chapter 137, Statutes of 2019.

**Location:** 7/30/2019-S. CHAPTERED

**Summary:** The California Endangered Species Act requires the Department of Fish and Wildlife to adopt regulations for the issuance of incidental take permits. The act also provides, until January 1, 2020, that the accidental take of candidate, threatened, or endangered species resulting from an act that occurs on a farm or a ranch in the course of otherwise lawful routine and ongoing agricultural activities is not prohibited by the act. This bill would extend this exception to January 1, 2024, and would limit this exception to an act by a person acting as a farmer or rancher, a bona fide employee of a farmer or rancher, or an individual otherwise contracted by a farmer or rancher.

#### **SB 69**

#### **(Wiener D) Ocean Resiliency Act of 2019.**

**Introduced:** 1/9/2019

**Last Amend:** 7/11/2019

**Status:** 8/21/2020-Failed Deadline pursuant to Rule 61(b)(15). (Last location was A. 2 YEAR on 8/30/2019)

**Location:** 8/21/2020-A. DEAD

**Summary:** Current law requires the Fish and Game Commission to establish fish hatcheries for the purposes of stocking the waters of California with fish, and requires the Department of Fish and Wildlife to maintain and operate those hatcheries. This bill



would require the department to develop and implement a plan, in collaboration with specified scientists, experts, and representatives, as part of its fish hatchery operations for the improvement of the survival of hatchery-produced salmon, and the increased contribution of the hatchery program to commercial and recreational salmon fisheries.

#### **SB 85**

**(Committee on Budget and Fiscal Review) Public resources: omnibus trailer bill.**

**Introduced:** 1/10/2019

**Last Amend:** 6/11/2019

**Status:** 6/27/2019-Approved by the Governor. Chaptered by Secretary of State. Chapter 31, Statutes of 2019.

**Location:** 6/27/2019-S. CHAPTERED

**Summary:** Would require the Controller to continue to annually transfer \$30,000,000 from the General Fund, less any amount transferred to the Habitat Conservation Fund from specified accounts and funds, to the Habitat Conservation Fund until June 30, 2030, and would continuously appropriate that amount on an annual basis in the same proportions to the specified entities until July 1, 2030. The bill would also make conforming and nonsubstantive changes.

#### **SB 183**

**(Borgeas R) Property: wild animals.**

**Introduced:** 1/29/2019

**Status:** 2/3/2020-Returned to Secretary of Senate pursuant to Joint Rule 56.

**Location:** 2/3/2020-S. DEAD

**Summary:** Current law provides that animals that are wild by nature may be the subject of ownership while those animals are living only in specified circumstances. This bill would make nonsubstantive changes to that provision of law.

#### **SB 195**

**(Nielsen R) Sierra Nevada Conservancy.**

**Introduced:** 1/31/2019

**Status:** 2/3/2020-Returned to Secretary of Senate pursuant to Joint Rule 56.

**Location:** 2/3/2020-S. DEAD

**Summary:** Current law establishes the Sierra Nevada Conservancy and prescribes the functions and duties of the conservancy with regard to the preservation of specified lands in the Sierra Nevada Region, as defined. Current law makes specified findings and declarations relating to the importance and significance of the Sierra Nevada Region and the need to protect, conserve, restore, and enhance lands within the region. This bill would make nonsubstantive changes in those findings and declarations.

#### **SB 198**

**(Bates R) California Environmental Quality Act: historical resources.**

**Introduced:** 1/31/2019

**Status:** 2/3/2020-Returned to Secretary of Senate pursuant to Joint Rule 56.

**Location:** 2/3/2020-S. DEAD

**Summary:** CEQA provides that a project may have a significant effect on the environment if the project may cause a substantial adverse change in the significance of a historical resource. This bill would make nonsubstantive changes in the provision relating to historical resources.

### **SB 226**

**(Nielsen R) Watershed restoration: wildfires: grant program.**

**Introduced:** 2/7/2019

**Last Amend:** 7/3/2019

**Status:** 8/21/2020-Failed Deadline pursuant to Rule 61(b)(15). (Last location was A. 2 YEAR on 8/30/2019)

**Location:** 8/21/2020-A. DEAD

**Summary:** Would, upon appropriation by the Legislature, require the National Resources Agency to develop and implement a watershed restoration grant program, as provided, for purposes of awarding grants to eligible counties, as defined, to assist them with watershed restoration on watersheds that have been affected by wildfire, as specified. The bill would require the agency to develop guidelines for the grant program, as provided. The bill would require an eligible county receiving funds pursuant to the grant program to submit annually to the agency a report regarding projects funded by the grant program, as provided.

### **SB 230**

**(Caballero D) Law enforcement: use of deadly force: training: policies.**

**Introduced:** 2/7/2019

**Last Amend:** 9/3/2019

**Status:** 9/13/2019-Chaptered by Secretary of State. Chapter 285, Statutes of 2019.

**Location:** 9/12/2019-S. CHAPTERED

**Summary:** Would, by no later than January 1, 2021, require each law enforcement agency to maintain a policy that provides guidelines on the use of force, utilizing deescalation techniques and other alternatives to force when feasible, specific guidelines for the application of deadly force, and factors for evaluating and reviewing all use of force incidents, among other things. The bill would require each agency to make their use of force policy accessible to the public. By imposing additional duties on local agencies, this bill would create a state-mandated local program.

### **SB 243**

**(Borgeas R) San Joaquin River Conservancy.**

**Introduced:** 2/11/2019

**Status:** 2/3/2020-Returned to Secretary of Senate pursuant to Joint Rule 56.

**Location:** 2/3/2020-S. DEAD

**Summary:** Current law establishes the San Joaquin River Conservancy and prescribes the functions and responsibilities of the conservancy with regard to the protection and conservation of public lands in the San Joaquin River Parkway, as described. Current law requires the conservancy to administer any funds appropriated to it and any revenue generated by member agencies of the conservancy for the parkway and contributed to the conservancy, and authorizes the conservancy to expend those funds for capital improvements, land acquisitions, or support of the conservancy's operations. This bill would make a nonsubstantive change in that provision requiring the conservancy to administer those funds.

### **SB 247**

**(Dodd D) Wildland fire prevention: vegetation management.**

**Introduced:** 2/11/2019

**Last Amend:** 9/3/2019

**Status:** 10/2/2019-Approved by the Governor. Chaptered by Secretary of State. Chapter 406, Statutes of 2019.

**Location:** 10/2/2019-S. CHAPTERED

**Summary:** Would require an electrical corporation, within one month of the completion of each substantial portion of the vegetation management requirements in its wildfire mitigation plan, to notify the Wildfire Safety Division of the completion. The bill would require the division to audit the completed work and would require the audit to specify any failure of the electrical corporation to fully comply with the vegetation management requirements. The bill would require the division to provide the audit to the electrical corporation and to provide the electrical corporation a reasonable time period to correct and eliminate deficiencies specified in the audit.

### **SB 262**

**(McGuire D) Marine resources: commercial fishing and aquaculture: regulation of operations.**

**Introduced:** 2/12/2019

**Last Amend:** 9/3/2019

**Status:** 10/2/2019-Approved by the Governor. Chaptered by Secretary of State. Chapter 472, Statutes of 2019.

**Location:** 10/2/2019-S. CHAPTERED

**Summary:** Current law regulating commercial fishing imposes, or authorizes the imposition of, various license, permit, and registration fees. Current law requires specified persons to pay landing fees relating to the sale of fish quarterly to the Department of Fish and Wildlife, based on a rate schedule applicable to listed aquatic species. Current law authorizes the department to assess a fee on persons growing aquaculture products on public lands and in public waters based on the price per pound of the products sold, not to exceed the rates provided in the rate schedule applicable to wild-caught aquatic species. This bill would make that landing fee rate schedule applicable to the 2020 calendar year, and require that the schedule be adjusted annually thereafter pursuant to that specified federal index.

### **SB 281**

**(Wiener D) Housing development: permits and other entitlements: extension.**

**Introduced:** 2/13/2019

**Last Amend:** 7/30/2020

**Status:** 8/14/2020-Failed Deadline pursuant to Rule 61(b)(13). (Last location was A. L. GOV. on 6/18/2020)

**Location:** 8/14/2020-A. DEAD

**Summary:** The Planning and Zoning Law requires each county and each city to adopt a comprehensive, long-term general plan for its physical development, and the development of specified land outside its boundaries, that includes, among other mandatory elements, a housing element. Current law, the Permit Streamlining Act, among other things, requires a public agency that is the lead agency for a development project to approve or disapprove that project within specified time periods. This bill would extend by 18 months the period for the expiration, effectuation, or utilization of a housing entitlement, as defined, that was issued before, and was in effect on, March 4, 2020, and that will expire before December 31, 2021, except as specified. The bill would

toll this 18-month extension during any time that the housing entitlement is the subject of a legal challenge.

#### **SB 288**

**(Wiener D) California Environmental Quality Act: exemptions: transportation-related projects.**

**Introduced:** 2/13/2019

**Last Amend:** 8/12/2020

**Status:** 9/28/2020-Approved by the Governor. Chaptered by Secretary of State. Chapter 200, Statutes of 2020.

**Location:** 9/28/2020-S. CHAPTERED

**Summary:** CEQA includes exemptions from its environmental review requirements for numerous categories of projects, including, among others, projects for the institution or increase of passenger or commuter services on rail or highway rights-of-way already in use and projects for the institution or increase of passenger or commuter service on high-occupancy vehicle lanes already in use, as specified. This bill would further exempt from the requirements of CEQA certain projects, including projects for the institution or increase of new bus rapid transit, bus, or light rail services on public rail or highway rights-of-way, as specified, whether or not the right-of-way is in use for public mass transit, as specified, and projects for the designation and conversion of general purpose lanes, high-occupancy toll lanes, high-occupancy vehicle lanes, or highway shoulders, as specified. The bill would additionally exempt transit prioritization projects, projects that improve customer information and wayfinding for transit riders, bicyclists, or pedestrians, projects by a public transit agency to construct or maintain infrastructure to charge or refuel zero-emission transit buses, projects carried out by a city or county to reduce minimum parking requirements, and projects for pedestrian and bicycle facilities.

#### **SB 307**

**(Roth D) Water conveyance: use of facility with unused capacity.**

**Introduced:** 2/15/2019

**Last Amend:** 4/30/2019

**Status:** 7/31/2019-Approved by the Governor. Chaptered by Secretary of State. Chapter 169, Statutes of 2019.

**Location:** 7/31/2019-S. CHAPTERED

**Summary:** Current law prohibits the state or a regional or local public agency from denying a bona fide transferor of water from using a water conveyance facility that has unused capacity for the period of time for which that capacity is available, if fair compensation is paid for that use and other requirements are met. This bill would, notwithstanding that provision, prohibit a transferor of water from using a water conveyance facility that has unused capacity to transfer water from a groundwater basin underlying desert lands, as defined, that is in the vicinity of specified federal lands or state lands to outside of the groundwater basin unless the State Lands Commission, in consultation with the Department of Fish and Wildlife and the Department of Water Resources, finds that the transfer of the water will not adversely affect the natural or cultural resources of those federal or state lands, as provided.

#### **SB 313**

**(Hueso D) Animals: prohibition on use in circuses.**

**Introduced:** 2/15/2019

**Last Amend:** 8/12/2019

**Status:** 10/12/2019-Approved by the Governor. Chaptered by Secretary of State. Chapter 768, Statutes of 2019.

**Location:** 10/12/2019-S. CHAPTERED

**Summary:** Would prohibit a person from sponsoring, conducting, or operating a circus, as defined, in this state that uses any animal other than a domestic dog, domestic cat, or domesticated horse. The bill would prohibit a person from exhibiting or using any animal other than a domestic dog, domestic cat, or domesticated horse in a circus in this state. The bill would authorize a civil penalty against a person who violates these prohibitions pursuant to an action brought by the Attorney General, the Department of Fish and Wildlife, the Department of Food and Agriculture, a district attorney, a city attorney, or a city prosecutor.

### **SB 395**

**(Archuleta D) Wild game mammals: accidental taking and possession of wildlife: collision with a vehicle: wildlife salvage permits.**

**Introduced:** 2/20/2019

**Last Amend:** 9/6/2019

**Status:** 10/13/2019-Approved by the Governor. Chaptered by Secretary of State. Chapter 869, Statutes of 2019.

**Location:** 10/13/2019-S. CHAPTERED

**Summary:** Would, upon appropriation by the Legislature, authorize the Fish and Game Commission to establish, in consultation with specified public agencies and stakeholders, a pilot program no later than January 1, 2022, for the issuance of wildlife salvage permits through a user-friendly and cell-phone-friendly web-based portal developed by the Department of Fish and Wildlife to persons desiring to recover, possess, use, or transport, for purposes of salvaging wild game meat for human consumption of, any deer, elk, pronghorn antelope, or wild pig that has been accidentally killed as a result of a vehicle collision on a roadway within California.

### **SB 402**

**(Borgeas R) Vehicles: off-highway vehicle recreation: County of Inyo.**

**Introduced:** 2/20/2019

**Last Amend:** 5/13/2019

**Status:** 8/30/2019-Approved by the Governor. Chaptered by Secretary of State. Chapter 211, Statutes of 2019.

**Location:** 8/30/2019-S. CHAPTERED

**Summary:** Current law, until January 1, 2020, authorizes the County of Inyo to establish a pilot project that would exempt specified combined-use highways in the unincorporated area in the County of Inyo from this prohibition to link together existing roads in the unincorporated portion of the county to existing trails and trailheads on federal Bureau of Land Management or United States Forest Service lands in order to provide a unified linkage of trail systems for off-highway motor vehicles, as prescribed. Current law requires the County of Inyo, in consultation with the Department of the California Highway Patrol, the Department of Transportation, and the Department of Parks and Recreation, to prepare and submit to the Legislature a report evaluating the effectiveness of the pilot project by January 1, 2019, as specified. This bill would extend

the operation of that pilot project until January 1, 2025, and would require the County of Inyo, in consultation with the above-mentioned entities, to submit an additional evaluation report to the Legislature by January 1, 2024.

#### **SB 410**

##### **(Nielsen R) Hunting and fishing guides.**

**Introduced:** 2/20/2019

**Status:** 2/3/2020-Returned to Secretary of Senate pursuant to Joint Rule 56.

**Location:** 1/17/2020-S. DEAD

**Summary:** Current law requires a person who engages in the business of guiding or packing, or who acts as a guide for any consideration or compensation, to first obtain a guide license from the Department of Fish and Wildlife before engaging in those activities. Current law requires an application for a guide license to contain specified information and requires an applicant to submit proof of having obtained a surety bond in the amount of not less than \$1,000 as a condition of receiving a license. Under current law, a guide license is valid from February 1 to January 31 of the succeeding year or, if issued after February 1, for the remainder of the license year. This bill would change the valid period of a guide license to the period of a calendar year, as provided, and would make related conforming changes.

#### **SB 416**

##### **(Hueso D) Employment: workers' compensation.**

**Introduced:** 2/20/2019

**Last Amend:** 9/5/2019

**Status:** 8/31/2020-Failed Deadline pursuant to Rule 61(b)(18). (Last location was A. 2 YEAR on 9/15/2019)

**Location:** 8/31/2020-A. DEAD

**Summary:** Current law establishes a workers' compensation system to compensate employees for injuries sustained arising out of and in the course of their employment. Existing law designates illnesses and conditions that constitute a compensable injury for various employees, such as members of the Department of the California Highway Patrol, firefighters, and certain peace officers. These injuries include, but are not limited to, hernia, pneumonia, heart trouble, cancer, meningitis, and exposure to biochemical substances, when the illness or condition develops or manifests itself during a period when the officer or employee is in service of the employer, as specified. Would expand the coverage of the above provisions relating to compensable injuries to include all persons defined as peace officers under certain provisions of law, except as specified. This bill contains other related provisions and other existing laws.

#### **SB 518**

##### **(Wieckowski D) Civil actions: settlement offers.**

**Introduced:** 2/21/2019

**Last Amend:** 6/20/2019

**Status:** 1/13/2020-Stricken from file. Veto sustained.

**Location:** 10/12/2019-S. VETOED

**Summary:** Current law, in a civil action to be resolved by trial or arbitration, authorizes a party to serve an offer in writing on any other party to the action to allow judgment to be taken or an award to be entered in accordance with the terms and conditions stated



at the time. Existing law shifts specified postoffer costs to a plaintiff who does not accept a defendant's offer if the plaintiff fails to obtain a more favorable judgment or award. Current law also authorizes a court or arbitrator to order a party who does not accept the opposing party's offer and fails to obtain a more favorable judgment or award to cover the postoffer costs for the services of expert witnesses, as specified. Current law exempts certain actions from those provisions, including any labor arbitration filed pursuant to a memorandum of understanding under the Ralph C. Dills Act. This bill would also exempt from those provisions any action to enforce the California Public Records Act.

#### **SB 542**

##### **(Stern D) Workers' compensation.**

**Introduced:** 2/22/2019

**Last Amend:** 9/6/2019

**Status:** 10/1/2019-Approved by the Governor. Chaptered by Secretary of State. Chapter 390, Statutes of 2019.

**Location:** 10/1/2019-S. CHAPTERED

**Summary:** Under current law, a person injured in the course of employment is generally entitled to receive workers' compensation on account of that injury. Current law provides that, in the case of certain state and local firefighting personnel and peace officers, the term "injury" includes various medical conditions that are developed or manifested during a period while the member is in the service of the department or unit, and establishes a disputable presumption in this regard. This bill would provide, only until January 1, 2025, that in the case of certain state and local firefighting personnel and peace officers, the term "injury" also includes post-traumatic stress that develops or manifests itself during a period in which the injured person is in the service of the department or unit. The bill would apply to injuries occurring on or after January 1, 2020.

#### **SB 566**

##### **(Borgeas R) Fish and Game Commission.**

**Introduced:** 2/22/2019

**Status:** 2/3/2020-Returned to Secretary of Senate pursuant to Joint Rule 56.

**Location:** 2/3/2020-S. DEAD

**Summary:** The California Constitution establishes the 5-member Fish and Game Commission, with members appointed by the Governor and approved by the Senate. Current statutory law states the intent of the Legislature to encourage the Governor and the Senate Committee on Rules to consider certain minimum qualifications in selecting, appointing, and confirming commissioners to serve on the commission. This bill would make a nonsubstantive change to this provision.

#### **SB 587**

##### **(Monning D) California Sea Otter Voluntary Tax Contribution Fund.**

**Introduced:** 2/22/2019

**Last Amend:** 6/24/2020

**Status:** 9/28/2020-Approved by the Governor. Chaptered by Secretary of State. Chapter 229, Statutes of 2020.

**Location:** 9/29/2020-S. CHAPTERED

**Summary:** Current law, until January 1, 2021, establishes the California Sea Otter



Fund. Current law requires any new or extended voluntary tax contribution to include the words "voluntary tax contribution" in the name of the fund, to require the administrative agency to include specified information about the fund on its internet website, and to continuously appropriate voluntary tax contributions made to the fund to the administrative agency. Current law requires the minimum contribution amount to a new or extended voluntary tax contribution fund for the second calendar year after the first appearance of the fund on the tax refund form, and each calendar year thereafter, to be \$250,000. This bill would extend the operation of the above-described provisions relating to the California Sea Otter Fund to January 1, 2028, or until an earlier date if the Franchise Tax Board determines that the amount of contributions estimated to be received during a calendar year will not equal or exceed \$250,000.

#### **SB 632**

**(Galgiani D) California Environmental Quality Act: State Board of Forestry and Fire Protection: vegetation treatment program: final program environmental impact report.**

**Introduced:** 2/22/2019

**Last Amend:** 7/11/2019

**Status:** 10/2/2019-Approved by the Governor. Chaptered by Secretary of State. Chapter 411, Statutes of 2019.

**Location:** 10/2/2019-S. CHAPTERED

**Summary:** Current law establishes the State Board of Forestry and Fire Protection and vests the board with authority over wildland forest resources. This bill would require the board, as soon as practicably feasible, but by no later than February 1, 2020, to complete its environmental review under CEQA and certify a specific final program environmental impact report for a vegetation treatment program. The bill would repeal these provisions on January 1, 2021.

#### **SB 731**

**(Bradford D) Peace Officers: certification: civil rights.**

**Introduced:** 2/22/2019

**Last Amend:** 8/25/2020

**Status:** 8/31/2020-Failed Deadline pursuant to Rule 61(b)(18). (Last location was A. THIRD READING on 8/27/2020)

**Location:** 8/31/2020-A. DEAD

**Summary:** Would provide that a threat, intimidation, or coercion under the Tom Bane Civil Rights Act may be inherent in any interference with a civil right and would describe intentional acts for these purposes as an act in which the person acted with general intent or a conscious objective to engage in particular conduct.

#### **SB 744**

**(Caballero D) Planning and zoning: California Environmental Quality Act: permanent supportive housing.**

**Introduced:** 2/22/2019

**Last Amend:** 7/11/2019

**Status:** 9/26/2019-Approved by the Governor. Chaptered by Secretary of State. Chapter 346, Statutes of 2019.

**Location:** 9/26/2019-S. CHAPTERED

**Summary:** CEQA requires a lead agency to prepare a mitigated negative declaration

for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. Current law authorizes the court, upon the motion of a party, to award attorney's fees to a prevailing party in an action that has resulted in the enforcement of an important right affecting the public interest if 3 conditions are met. This bill would specify that a decision of a public agency to seek funding from, or the department's awarding of funds pursuant to, the No Place Like Home Program is not a project for purposes of CEQA.

#### **SB 761**

**(Jones R) Forestry: exemptions: emergency notices: reporting.**

**Introduced:** 2/22/2019

**Status:** 2/3/2020-Returned to Secretary of Senate pursuant to Joint Rule 56.

**Location:** 2/3/2020-S. DEAD

**Summary:** Current law authorizes a registered professional forester in an emergency to file, on behalf of a timber owner or operator, a specified emergency notice with the department that allows for the immediate commencement of timber operations. Current law requires the Department of Forestry and Fire Protection and State Board of Forestry and Fire Protection, in consultation with the Department of Fish and Wildlife and the State Water Resources Control Board, commencing December 31, 2019, and annually thereafter, to review and submit a report to the Legislature on the trends in the use of, compliance with, and effectiveness of, these exemptions and emergency notice provisions, as specified. This bill would make nonsubstantive changes in that reporting requirement.

#### **SB 776**

**(Skinner D) Peace officers: release of records.**

**Introduced:** 2/22/2019

**Last Amend:** 8/30/2020

**Status:** 8/31/2020-Failed Deadline pursuant to Rule 61(b)(18). (Last location was S. INACTIVE FILE on 9/1/2020)

**Location:** 8/31/2020-S. DEAD

**Summary:** Current law makes peace officer and custodial officer personnel records and specified records maintained by any state or local agency, or information obtained from these records, confidential and prohibits these records from being disclosed in any criminal or civil proceeding except by discovery. Current law sets forth exceptions to this policy, including, among others, records relating to specified incidents involving the discharge of a firearm, sexual assault, perjury, or misconduct by a peace officer or custodial officer. Current law makes a record related to an incident involving the use of force against a person resulting in death or great bodily injury subject to disclosure. Current law requires a state or local agency to make these excepted records available for inspection pursuant to the California Public Records Act. This bill would, commencing July 1, 2021, make every incident involving use of force to make a member of the public comply with an officer, force that is unreasonable, or excessive force subject to disclosure.

#### **SB 785**

**(Committee on Natural Resources and Water) Public resources: parklands,**

**freshwater resources, and coastal resources: off-highway motor vehicles: public lands.**

**Introduced:** 3/11/2019

**Last Amend:** 9/3/2019

**Status:** 10/2/2019-Approved by the Governor. Chaptered by Secretary of State. Chapter 469, Statutes of 2019.

**Location:** 10/2/2019-S. CHAPTERED

**Summary:** Current law, until January 1, 2020, generally prohibits a person from possessing, importing, shipping, or transporting in the state, or from placing, planting, or causing to be placed or planted in any water within the state, dreissenid mussels, and authorizes the Director of Fish and Wildlife or the director's designee to engage in various enforcement activities with regard to dreissenid mussels. Among those activities, current law authorizes the director to conduct inspections of waters of the state and facilities located within waters of the state that may contain dreissenid mussels and, if those mussels are detected or may be present, order the closure of the affected waters or facilities to conveyances or otherwise restrict access to the affected waters or facilities, with the concurrence of the Secretary of the Natural Resources Agency. This bill would extend to January 1, 2030, the repeal date of those provisions.

#### **SB 899**

**(Wiener D) Planning and zoning: housing development: higher education institutions and religious institutions.**

**Introduced:** 1/30/2020

**Last Amend:** 8/3/2020

**Status:** 8/21/2020-Failed Deadline pursuant to Rule 61(b)(15). (Last location was A. APPR. on 8/3/2020)

**Location:** 8/21/2020-A. DEAD

**Summary:** Would require that a housing development project be a use by right upon the request of an independent institution of higher education or religious institution that partners with a qualified developer on any land owned in fee simple by the applicant on or before January 1, 2020, if the development satisfies specified criteria. The bill would define various terms for these purposes. Among other things, the bill would require that 100% of the units, exclusive of manager units, in a housing development project eligible for approval as a use by right under these provisions be affordable to lower income households, except that 20% of the units may be for moderate-income households, provided that all the units are provided at affordable rent or affordable housing cost, as specified. The bill would authorize the development to include ancillary uses on the ground floor of the development, as specified.

#### **SB 902**

**(Wiener D) Planning and zoning: housing development: density.**

**Introduced:** 1/30/2020

**Last Amend:** 5/21/2020

**Status:** 8/21/2020-Failed Deadline pursuant to Rule 61(b)(15). (Last location was A. APPR. SUSPENSE FILE on 8/18/2020)

**Location:** 8/21/2020-A. DEAD

**Summary:** Would authorize a local government to pass an ordinance, notwithstanding any local restrictions on adopting zoning ordinances, to zone any parcel for up to 10

units of residential density per parcel, at a height specified by the local government in the ordinance, if the parcel is located in a transit-rich area, a jobs-rich area, or an urban infill site, as those terms are defined. In this regard, the bill would require the Department of Housing and Community Development, in consultation with the Office of Planning and Research, to determine jobs-rich areas and publish a map of those areas every 5 years, commencing January 1, 2022, based on specified criteria.

#### **SB 914**

##### **(Portantino D) Firearms.**

**Introduced:** 2/3/2020

**Last Amend:** 8/25/2020

**Status:** 9/29/2020-Vetoed by the Governor. In Senate. Consideration of Governor's veto pending.

**Location:** 9/29/2020-S. VETOED

**Summary:** Current law prohibits the purchase or receipt of a firearm by, or the sale or transfer of a firearm to, any person who does not have a firearm safety certificate, as specified. Current law also prohibits the sale or transfer of a firearm by a licensed firearm dealer to a person under 21 years of age. Current law exempts from these provisions the sale, transfer, purchase, or receipt of a firearm, other than a handgun, to or by a person without a firearm safety certificate, but in possession of a valid, unexpired hunting license, as specified. Current law also exempts the sale or transfer of a firearm, other than a handgun or semiautomatic centerfire rifle, to a person 18 years of age or older who possesses a valid, unexpired hunting license, as specified. This bill would, for purposes of these provisions, define a valid and unexpired hunting license.

#### **SB 937**

##### **(Hill D) State agencies: web accessibility.**

**Introduced:** 2/6/2020

**Status:** 5/29/2020-Failed Deadline pursuant to Rule 61(b)(5). (Last location was G.O. on 5/12/2020)

**Location:** 5/29/2020-S. DEAD

**Summary:** Would authorize a state agency to temporarily remove public documents from digital access if a justifiable impediment exists and the Director of Technology verifies the impediment prohibits full compliance and the state agency complies with certain requirements, including citing the reason for the document's removal and listing options and instructions for how to access the document offline. The bill would make any file or document removed after October 14, 2017, subject to these requirements.

#### **SB 974**

##### **(Hurtado D) California Environmental Quality Act: small disadvantaged community water system: state small water system: exemption.**

**Introduced:** 2/11/2020

**Last Amend:** 8/25/2020

**Status:** 9/28/2020-Approved by the Governor. Chaptered by Secretary of State. Chapter 234, Statutes of 2020.

**Location:** 9/29/2020-S. CHAPTERED

**Summary:** Would, with certain specified exceptions, exempt from CEQA certain projects consisting solely of the installation, repair, or reconstruction of water

infrastructure, as specified, that primarily benefit a small disadvantaged community water system, as defined, or a state small water system, as defined, by improving the small disadvantaged community water system's or state small 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, a small disadvantaged community water system, or a state small water system where there is evidence that the water exceeds maximum contaminant levels for primary or secondary drinking water standards or where the drinking water well is no longer able to produce an adequate supply of safe drinking water.

#### **SB 1041**

**(Hueso D) Hunting: deer: use of dogs.**

**Introduced:** 2/18/2020

**Status:** 5/29/2020-Failed Deadline pursuant to Rule 61(b)(5). (Last location was N.R. & W. on 2/27/2020)

**Location:** 5/29/2020-S. DEAD

**Summary:** Would make it unlawful to use any dog for the purpose of hunting deer at any time. Because a violation of this provision would be a crime, the bill would impose a state-mandated local program. The bill would authorize the Department of Fish and Wildlife to capture or dispatch a dog being used to hunt deer under specified circumstances.

#### **SB 1046**

**(Dahle R) Fish and wildlife: catastrophic wildfires: Sierra Nevada region: reports.**

**Introduced:** 2/18/2020

**Last Amend:** 3/25/2020

**Status:** 8/31/2020-Failed Deadline pursuant to Rule 61(b)(18). (Last location was S. RLS. on 2/18/2020)

**Location:** 8/31/2020-S. DEAD

**Summary:** Would require the Department of Fish and Wildlife, in consultation with the Department of Forestry and Fire Protection, on or before December 31, 2021, and by December 31 each year thereafter, to study, investigate, and report to the Legislature on the impacts on wildlife and wildlife habitat resulting from any catastrophic wildfire, as defined, that occurred within the Sierra Nevada region during that calendar year, including specified information on a catastrophic wildfire's impact on ecosystems, biodiversity, and protected species. For the report required to be submitted on or before December 31, 2021, the bill would also require the report to include information about catastrophic wildfires that occurred in the Sierra Nevada region during the calendar years 2017 to 2020, inclusive.

#### **SB 1047**

**(Stern D) Workers' compensation: firefighters and peace officers: post-traumatic stress.**

**Introduced:** 2/18/2020

**Last Amend:** 5/5/2020

**Status:** 5/29/2020-Failed Deadline pursuant to Rule 61(b)(5). (Last location was L., P.E. & R. on 2/27/2020)

**Location:** 5/29/2020-S. DEAD

**Summary:** Current law provides, only until January 1, 2025, that, for certain state and local firefighting personnel and peace officers, the term “injury” includes post-traumatic stress that develops or manifests during a period in which the injured person is in the service of the department or unit, but applies only to injuries occurring on or after January 1, 2020. Current law requires the compensation awarded pursuant to this provision to include full hospital, surgical, medical treatment, disability indemnity, and death benefits. This bill would make that provision applicable to active firefighting members of the State Department of State Hospitals, the State Department of Developmental Services, and the Military Department, and to additional peace officers, including security officers of the Department of Justice when performing assigned duties as security officers and the officers of a state hospital under the jurisdiction of the State Department of State Hospitals or the State Department of Developmental Services, among other officers.

#### **SB 1048**

**(Borgeas R) Advisory bodies.**

**Introduced:** 2/18/2020

**Status:** 8/31/2020-Failed Deadline pursuant to Rule 61(b)(18). (Last location was S. RLS. on 2/18/2020)

**Location:** 8/31/2020-S. DEAD

**Summary:** Current law abolishes specified advisory bodies of various state agencies, boards, and commissions. This bill would make a nonsubstantive change to those provisions.

#### **SB 1080**

**(Jones R) Fishing: inspection of fish.**

**Introduced:** 2/19/2020

**Status:** 6/5/2020-Failed Deadline pursuant to Rule 61(b)(6). (Last location was S. N.R. & W. on 2/27/2020)

**Location:** 6/5/2020-S. DEAD

**Summary:** Current law makes it unlawful to possess on any boat or to bring ashore any fish upon which a size or weight limit is prescribed in a condition that its size or weight cannot be determined. This bill would authorize a person to bring ashore a fish taken in a lake, the Sacramento-San Joaquin Delta, or other inland waters pursuant to a sport fishing license in a condition that its size or weight cannot be determined if the fish is cleaned or otherwise cut at the end of a fishing trip on a boat that is temporarily attached to a dock or other permanent structure.

#### **SB 1089**

**(Archuleta D) Law enforcement: training policies.**

**Introduced:** 2/19/2020

**Status:** 8/31/2020-Failed Deadline pursuant to Rule 61(b)(18). (Last location was S. RLS. on 2/19/2020)

**Location:** 8/31/2020-S. DEAD

**Summary:** Current law establishes the Commission on Peace Officer Standards and Training in the Department of Justice and requires the commission to adopt rules establishing minimum standards regarding the recruitment of peace officers. Existing law requires the commission to develop guidelines and implement courses of instruction



regarding racial profiling, domestic violence, hate crimes, vehicle pursuits, and human trafficking, among others. Current law requires the commission to implement a course or courses of instruction for the regular and periodic training of law enforcement officers in the use of force. This bill would make a technical, nonsubstantive change to those provisions.

#### **SB 1093**

**(Wiener D) Mariculture: master permitting program: designation of suitable state waters.**

**Introduced:** 2/19/2020

**Last Amend:** 3/25/2020

**Status:** 5/29/2020-Failed Deadline pursuant to Rule 61(b)(5). (Last location was TRANS. on 2/27/2020)

**Location:** 5/29/2020-S. DEAD

**Summary:** Would require the Department of Fish and Wildlife to, by January 1, 2022, create, as prescribed, a master permitting program with 3 permit types, as specified, for shellfish, seaweed, and other low-trophic mariculture production and restoration projects. The bill would require the master permitting program to include and incorporate all necessary information and materials required by the State Lands Commission and the Fish and Game Commission to apply for, prepare, review, and finalize a water bottom lease or ground lease of state lands required by a proposed mariculture project. The bill would require the department to approve, deny, or return for revision a master permit application within 4 months and similarly require that the State Lands Commission or the Fish and Game Commission, or both, if applicable, approve or deny a water bottom lease or ground lease within 4 months, as prescribed.

#### **SB 1128**

**(McGuire D) Commercial fishing: inspection: crab traps: eviscerated Dungeness crab.**

**Introduced:** 2/19/2020

**Last Amend:** 3/26/2020

**Status:** 8/31/2020-Failed Deadline pursuant to Rule 61(b)(18). (Last location was S. HEALTH on 5/12/2020)

**Location:** 8/31/2020-S. DEAD

**Summary:** Would require a person who holds a commercial fishing license or a commercial fish business license, upon request of an authorized agent or employee of the Department of Fish and Wildlife, to immediately relinquish, at no charge, a fish or parts of a fish caught or landed in California to the department for the purpose of collecting a biological sample. Because a violation of this provision would be a crime, this bill would impose a state-mandated local program.

#### **SB 1159**

**(Hill D) Workers' compensation: COVID-19: critical workers.**

**Introduced:** 2/20/2020

**Last Amend:** 8/30/2020

**Status:** 9/17/2020-Approved by the Governor. Chaptered by Secretary of State. Chapter 85, Statutes of 2020.

**Location:** 9/17/2020-S. CHAPTERED



**Summary:** Would define “injury” for an employee to include illness or death resulting from the 2019 novel coronavirus disease (COVID-19) under specified circumstances, until January 1, 2023. The bill would create a disputable presumption, as specified, that the injury arose out of and in the course of the employment and is compensable, for specified dates of injury. The bill would limit the applicability of the presumption under certain circumstances. The bill would require an employee to exhaust their paid sick leave benefits and meet specified certification requirements before receiving any temporary disability benefits or, for police officers, firefighters, and other specified employees, a leave of absence. The bill would also make a claim relating to a COVID-19 illness presumptively compensable, as described above, after 30 days or 45 days, rather than 90 days.

#### **SB 1168**

**(Morrell R) State agencies: licensing services.**

**Introduced:** 2/20/2020

**Last Amend:** 5/13/2020

**Status:** 6/19/2020-Failed Deadline pursuant to Rule 61(b)(8). (Last location was S. APPR. SUSPENSE FILE on 6/9/2020)

**Location:** 6/19/2020-S. DEAD

**Summary:** Would require a state agency that issues any business license to establish a process for a person or business that is experiencing economic hardship as a result of an emergency caused by a virus to submit an application for deferral of fees required by the agency to obtain a license, renew or activate a license, or replace a physical license for display.

#### **SB 1175**

**(Stern D) Animals: prohibitions on importation and possession of wild animals: live animal markets.**

**Introduced:** 2/20/2020

**Last Amend:** 8/24/2020

**Status:** 8/31/2020-Failed Deadline pursuant to Rule 61(b)(18). (Last location was S. INACTIVE FILE on 9/1/2020)

**Location:** 8/31/2020-S. DEAD

**Summary:** Current law prohibits the importation, transportation, possession, or live release of listed wild animals, except under a revocable, nontransferable permit. Current law permits the Fish and Game Commission, by regulation, and in cooperation with the Department of Food and Agriculture, to add or delete wild animals from the listed wild animals that are in addition to those listed by statute. Current law requires the Department of Fish and Wildlife to publish, from time to time as changes arise, a list of animals that may not be imported or transported into this state. Under current law, any violation of the Fish and Game Code, or of any rule, regulation, or order made or adopted under this code, is a crime. This bill would delete the requirement for the department to publish the list and would instead require the department, no later than December 31, 2021, to establish a list of wild animals that may not be imported or transported into this state.

#### **SB 1208**

**(Monning D) Wildlife: dudleya: taking and possession.**

**Introduced:** 2/20/2020

**Last Amend:** 3/25/2020

**Status:** 8/31/2020-Failed Deadline pursuant to Rule 61(b)(18). (Last location was S. RLS. on 2/20/2020)

**Location:** 8/31/2020-S. DEAD

**Summary:** The California Endangered Species Act requires the Fish and Game Commission to establish a list of endangered species and a list of threatened species and to add or remove species from either list if it finds, upon the receipt of sufficient scientific information, as specified, and based solely upon the best available scientific information, that the action is warranted. The commission has listed certain species of dudleya as threatened or endangered under the act. This bill would make it unlawful to uproot, remove, harvest, or cut dudleya, as defined, from land owned by the state or a local government or from property not their own without written permission from the landowner in their immediate possession, except as provided, and would make it unlawful to sell, offer for sale, possess with intent to sell, transport for sale, export for sale, or purchase dudleya uprooted, removed, harvested, or cut in violation of that provision.

#### **SB 1231**

**(Monning D) Endangered species: take: Santa Cruz long-toed salamander.**

**Introduced:** 2/20/2020

**Last Amend:** 5/6/2020

**Status:** 9/28/2020-Approved by the Governor. Chaptered by Secretary of State. Chapter 237, Statutes of 2020.

**Location:** 9/29/2020-S. CHAPTERED

**Summary:** Would permit the Department of Fish and Wildlife to authorize under the California Endangered Species Act,, by permit, the take of the Santa Cruz long-toed salamander (*Ambystoma macrodactylum croceum*) resulting from impacts attributable to the construction along the State Route 156 corridor through Moro Cojo Slough in the County of Monterey for the purpose of enhancing safety and access, if certain conditions are satisfied. The bill would also provide that those conditions are subject to amendment if required by a certain monitoring program and adaptive management process. The bill would also make a related change.

#### **SB 1235**

**(Caballero D) Administrative Procedure Act: adverse economic impact.**

**Introduced:** 2/20/2020

**Last Amend:** 3/25/2020

**Status:** 8/31/2020-Failed Deadline pursuant to Rule 61(b)(18). (Last location was S. RLS. on 2/20/2020)

**Location:** 8/31/2020-S. DEAD

**Summary:** Current law requires a state agency proposing to adopt, amend, or repeal a major regulation, on or after November 1, 2013, to prepare a standardized regulatory impact analysis in the manner prescribed by the Department of Finance that addresses, among other things, the creation or elimination of jobs within the state. This bill, among other things, would delete the requirement that a state agency prepare an economic impact assessment for proposed changes to a major regulation proposed prior to November 1, 2013, and would instead require a state agency to prepare a standardized

regulatory impact analysis for proposed changes to all major regulations. The bill would require that the economic impact assessment and the standardized regulatory impact analysis also include identification of each regulation adopted within 10 years prior to the date of the proposed regulations when the prior adopted regulations are located in the same title or division as the proposed regulations and include a brief summary of any economic impact analysis previously performed with regard to those regulations.

#### **SB 1248**

##### **(Borgeas R) Forestry: timber harvesting plans: exemptions.**

**Introduced:** 2/21/2020

**Status:** 8/31/2020-Failed Deadline pursuant to Rule 61(b)(18). (Last location was S. RLS. on 2/21/2020)

**Location:** 8/31/2020-S. DEAD

**Summary:** The Z'berg-Nejedly Forest Practice Act of 1973 prohibits a person from conducting timber operations, as defined, unless a timber harvesting plan prepared by a registered professional forester has been submitted to, and approved by, the Department of Forestry and Fire Protection. The act authorizes the State Board of Forestry and Fire Protection to exempt from some or all of those provisions of the act a person engaging in specified forest management activities, as prescribed, including the cutting or removal of trees on the person's property that eliminates the vertical continuity of vegetative fuels and the horizontal continuity of tree crowns for the purpose of reducing flammable materials and maintaining a fuel break, known as the Small Timberland Owner Exemption. This bill would make nonsubstantive changes to the above provision relating to the exemptions.

#### **SB 1289**

##### **(Chang R) California Environmental Quality Act: exemption: housing projects.**

**Introduced:** 2/21/2020

**Status:** 5/29/2020-Failed Deadline pursuant to Rule 61(b)(5). (Last location was E.Q. on 3/5/2020)

**Location:** 5/29/2020-S. DEAD

**Summary:** CEQA requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. This bill would, until January 1, 2029, exempt from the requirements of CEQA, housing projects that meet certain requirements. The bill would require a lead agency, if it determines that a housing project is exempt from CEQA under the above provision, to file a specified notice with the county clerk in each county in which the project is located.

#### **SB 1296**

##### **(Durazo D) Natural resources: the Nature and Parks Career Pathway and Community Resiliency Act of 2020.**

**Introduced:** 2/21/2020

**Last Amend:** 6/2/2020

**Status:** 6/19/2020-Failed Deadline pursuant to Rule 61(b)(8). (Last location was S. APPR. SUSPENSE FILE on 6/9/2020)

**Location:** 6/19/2020-S. DEAD

**Summary:** Current law establishes various environmental and economic policies and programs. This bill, upon appropriation by the Legislature, would establish the Nature and Parks Career Pathway and Community Resiliency Act of 2020, which would require state conservancies and the Wildlife Conservation Board to establish independent grant programs to fund climate mitigation, adaptation, or resilience, natural disaster, and other climate emergency projects, as specified.

**SB 1306**

**(Bates R) Pesticides: bromadiolone: internet purchasing and selling.**

**Introduced:** 2/21/2020

**Status:** 5/29/2020-Failed Deadline pursuant to Rule 61(b)(5). (Last location was E.Q. on 5/12/2020)

**Location:** 5/29/2020-S. DEAD

**Summary:** Current law prohibits the use of any pesticide that contains one or more of specified anticoagulants, including bromadiolone, in wildlife habitat areas, as defined. This bill would prohibit a person, business, or association from purchasing or selling bromadiolone on the internet, unless that person, business, or association is licensed or holds a permit to use or sell bromadiolone.

**SB 1320**

**(Stern D) Climate change: California Climate Change Assessment.**

**Introduced:** 2/21/2020

**Last Amend:** 8/24/2020

**Status:** 9/24/2020-Approved by the Governor. Chaptered by Secretary of State. Chapter 136, Statutes of 2020.

**Location:** 9/24/2020-S. CHAPTERED

**Summary:** Would require the Office of Planning and Research, through the Integrated Climate Adaptation and Resiliency Program, to develop the California Climate Change Assessment, in coordination with the Natural Resources Agency, the State Energy Resources Conservation and Development Commission, and the Strategic Growth Council, and in consultation with partner public agencies designated by the office. The bill would require the office to complete the assessment no less frequently than every 5 years. The bill would require the assessment to provide an integrated suite of products that report the impacts and risks of climate change, based on the best available science, and identify potential solutions to inform legislative policy, as provided.

**SB 1362**

**(Stern D) Carbon neutrality: comprehensive strategy.**

**Introduced:** 2/21/2020

**Status:** 5/29/2020-Failed Deadline pursuant to Rule 61(b)(5). (Last location was E.Q. on 5/12/2020)

**Location:** 5/29/2020-S. DEAD

**Summary:** Would require the State Air Resources Board, no later than July 1, 2021, to adopt a comprehensive strategy to achieve carbon neutrality in the state by no later than December 31, 2045, as specified. The bill would require the state board, before adopting the comprehensive strategy, to conduct at least 3 public workshops in consultation with the Natural Resources Agency and incorporate peer-reviewed data and models, as specified. The bill would require the state board to update the

comprehensive strategy at least once every 5 years.

**SB 1372**

**(Monning D) Wildlife corridors and connectivity: Wildlife and Biodiversity Protection and Movement Act of 2020.**

**Introduced:** 2/21/2020

**Last Amend:** 3/25/2020

**Status:** 5/29/2020-Failed Deadline pursuant to Rule 61(b)(5). (Last location was TRANS. on 5/12/2020)

**Location:** 5/29/2020-S. DEAD

**Summary:** Current law requires the Department of Fish and Wildlife, contingent upon funding being provided by the Wildlife Conservation Board or from other appropriate bond funds, upon appropriation by the Legislature, to investigate, study, and identify those areas in the state that are most essential as wildlife corridors and habitat linkages, as well as the impacts to those wildlife corridors from climate change, and requires the department to prioritize vegetative data development in these areas. This bill would additionally require the department to investigate, study, and identify impacts to those wildlife corridors from state infrastructure projects, including transportation and water projects, large-scale development projects not covered by an existing natural community conservation plan or habitat conservation plan, and planned or potential land conversions.

**SB 1392**

**(Bradford D) Peace officers: basic course of training.**

**Introduced:** 2/21/2020

**Status:** 8/31/2020-Failed Deadline pursuant to Rule 61(b)(18). (Last location was S. RLS. on 2/21/2020)

**Location:** 8/31/2020-S. DEAD

**Summary:** Current law requires every peace officer to have satisfactorily completed an introductory training course prescribed by the Commission on Peace Officer Standards and Training. Current law requires each applicant for admission to a basic course of training certified by the commission that includes the carrying and use of firearms, who is not sponsored by a local or other law enforcement agency, or is not a peace officer, to submit written certification to the Department of Justice that the applicant has no criminal history background that would disqualify them from possessing a firearm. This bill would make technical, nonsubstantive changes to these provisions.

**SB 1405**

**(Galgiani D) Marine mammals: protection of cetaceans: unlawful activities.**

**Introduced:** 2/21/2020

**Status:** 8/31/2020-Failed Deadline pursuant to Rule 61(b)(18). (Last location was S. RLS. on 2/21/2020)

**Location:** 8/31/2020-S. DEAD

**Summary:** Current law makes it unlawful to hold in captivity an orca, whether wild caught or captive bred, for any purpose, including for display, performance, or entertainment purposes; to breed or impregnate an orca held in captivity; to export, collect, or import the semen, other gametes, or embryos of an orca held in captivity for the purpose of artificial insemination; or to export, transport, move, or sell an orca

located in the state to another state or country. Current law creates certain exceptions to these provisions, including an exception that authorizes an orca located in the state on January 1, 2017, to continue to be held in captivity for its current purpose and, after June 1, 2017, to continue to be used for educational presentations. This bill would expand these provisions to include cetaceans, which the bill would define to mean a whale, dolphin, or porpoise in the order Cetacea.

**SB 1429**

**(Monning D) Production or cultivation of cannabis, cannabis products, or industrial hemp: environmental violations.**

**Introduced:** 2/21/2020

**Last Amend:** 3/26/2020

**Status:** 5/29/2020-Failed Deadline pursuant to Rule 61(b)(5). (Last location was N.R. & W. on 3/12/2020)

**Location:** 5/29/2020-S. DEAD

**Summary:** Current law makes a person found to have violated specified provisions of law generally protecting fish and wildlife, water, or other natural resources in connection with the production or cultivation of a controlled substance liable for a civil penalty in addition to any penalties imposed by any other law. Current law authorizes the imposition of larger fines on a person who violates one of these provisions on specified types of public or private land or while the person was trespassing on public or private land than on a person who violates one of these provisions on land that the person owns, leases, or otherwise uses or occupies with the consent of the landowner. Current law authorizes these civil penalties to be imposed or collected by a court or imposed administratively by the Department of Fish and Wildlife. This bill would instead make these provisions applicable to activities conducted in connection with the production or cultivation of cannabis, cannabis products, or industrial hemp.

For more information call:

Clark Blanchard, CDFW Acting Deputy Director at (916) 651-7824

Julie Oltmann, CDFW Legislative Representative at (916) 653-9772

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You can also find legislative information on the web at <http://leginfo.legislature.ca.gov/> and follow the prompts from the 'bill information' link.



**From:** kathy Lynch <lynch@lynchlobby.com>

**Sent:** Thursday, August 27, 2020 9:09 AM

**To:** kathy Lynch <lynch@lynchlobby.com>

**Subject:** Article re SB 1175: Ban on Hunting Trophies Risks Funding for Healthy African Ecosystems

Attached please find the *CalMatters* article, "Ban on Hunting Trophies Risks Funding for Healthy African Ecosystems," concerning SB 1175.

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## SB 1175 – OPPOSE

<https://calmatters.org/commentary/my-turn/2020/08/ban-on-hunting-trophies-risks-funding-for-healthy-african-ecosystems/>

# Ban on hunting trophies risks funding for healthy African ecosystems

AUGUST 27, 2020



Cheetah in Hwange National Park, Zimbabwe. Photo via iStock

### IN SUMMARY

The ability of African nations to conserve ecosystems would be undermined by a bill that would ban Californians from hunting and possessing hunting trophies.



**By Catherine E. Semcer, Special to CalMatters**

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The COVID-19 pandemic, with its likely origin in wildlife, has brought clarity to the thin line between our civilization and the parts of our world we consider wild. To reduce the threat of

[future pandemics](#) we must conserve intact, healthy ecosystems in parts of the world, like sub-Saharan Africa, that are hotspots of emerging wildlife-borne diseases.

Doing so, however, may require confronting some uncomfortable truths. Many African countries rely on [revenues from safari hunting](#) to fund large-scale ecosystem conservation. These revenues provide [strong incentives](#) to conserve wildlife and its habitat as an alternative to clearing land for agriculture and logging, activities that push wildlife out of their native habitats, bring them into closer contact with people, and increase the risk of transmitting deadly viruses.

Unfortunately, the ability of African nations to conserve healthy ecosystems is at risk of being undermined by [Senate Bill 1175](#), introduced by Sen. Henry Stern, a Democrat from Canoga Park, that would deter people from hunting in Africa by prohibiting Californians from possessing African hunting trophies. After all, U.S. hunters make up 70% of the consumer market for safari hunting, and California hunters form a significant portion of that percentage.

As I testified before the California Assembly earlier this year, hunting trophies of African game animals have never been linked to a disease outbreak and present no risk to public health. More importantly, the revenues raised by safari hunting are known to have funded the conservation of more than [344 million acres](#) of healthy, intact ecosystems whose boundaries are our first line of defense against future pandemics.

The area of land conserved by safari hunting in African amounts to more than twice the size of the U.S. national park system and is 22% larger than Africa's park system. Much of this land is in private or communal ownership and must generate a financial return to provide for the basic needs of its proprietors. And while these lands are home to healthy ecosystems and wildlife populations, they lack the scenery and infrastructure that would make ecotourism an economically viable means to [support their conservation](#).

Analysis conducted in Botswana concluded that safari hunting was the only economically viable wildlife-dependent use on [two-thirds](#) of the country's wildlife estate. Other research has found that [only about a quarter](#) of Botswana's Northern Conservation Zone has the potential for photo-tourism. And a recent [study](#) in Conservation Biology found that if safari hunting were removed from the uses available to wildlife conservancies in Namibia, [84%](#) of them would become financially insolvent, including conservancies that also cater to photo-tourists.

Other diseases potentially far worse than COVID-19 possibly wait for us in the world's remaining wildlands. With that in mind we must focus our energy on increasing the resources available to conserve these healthy, intact ecosystems. Taking conservation tools with a proven track record of effectiveness, like safari hunting, off the table moves us in the wrong direction, especially if no alternatives are offered or available.