

STAFF SUMMARY FOR AUGUST 16, 2017

14B. OTHER INFORMATIONAL ITEMS – LEGISLATIVE UPDATE**Today's Item**Information Action

Review and discuss legislation of interest, and provide any staff direction.

Summary of Previous/Future Actions (N/A)**Background**

FGC staff has prepared a list of legislation that may affect FGC's resources and workload (see below); each description includes a brief synopsis and current bill status. Additional information is also available in DFW's Aug 2017 Legislative Report (Exhibit B1).

This is an opportunity for FGC to provide direction to staff concerning any proposed legislation. At any meeting, FGC may direct staff to provide information to or share concerns with bill authors. FGC members also have the option to take positions on bills at the same meeting an update is provided.

Updates on FGC Positions

SB 234: A draft letter formally withdrawing FGC's previous support and opposition for the amended bill (Exhibit B2).

Introduced Legislation

SB 49 (De Leon and Stern) – California Environmental, Public Health, and Workers Defense Act of 2017. Status: ordered to Assembly. Read second time. Held at appropriations. Summary: The Porter-Cologne Water Quality Control Act regulates the discharge of pollutants into the waters of the state. The California Endangered Species Act requires FGC to establish a list of endangered species and a list of threatened species and generally prohibits the taking of those species. This bill would prohibit state or local agencies from amending or revising their rules and regulations implementing the above state laws to be less stringent than the baseline federal standards, as defined, and would require specified agencies to take prescribed actions to maintain and enforce certain requirements and standards pertaining to air, water, and protected species.

SB 161 (McGuire) – Fish and Game Commission: tribal committee. Status: In Assembly appropriations. Suspense file. This bill would require FGC to form a tribal committee from its membership consisting of at least one commissioner and would require the committee to report to FGC from time to time on its activities, consistent with requirements for MRC and WRC, and to make recommendations on all tribal matters considered by FGC.

SB 188 (Jackson) – State Lands: Leasing: oil and gas. Status: In assembly appropriations. This bill would prohibit the State Lands Commission and the local trustees of granted public trust lands from entering into any new lease or other conveyance that authorizes the exploration for, or the development and production of, oil and natural gas upon those lands. The bill would prohibit the State Lands Commission and the local trustees of granted public trust lands from entering into any lease renewal, extension, or modification that

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authorizes a lessee to engage in new or additional exploration, development, or production of oil and natural gas.

SB 234 (Berryhill) – Fishing: local regulation: report. Status: In Assembly appropriations. This bill would require that FGC undertake a survey and evaluation of local ordinances that regulate fishing. In the survey and evaluation, FGC shall identify and catalog these ordinances, evaluate whether these ordinances are within or outside of the scope of the holding of *People v. Mueller* (1970) 8 Cal.App.3d. 949 or within or outside the scope of local police powers generally, and recommend to the Legislature a course of action with regard to ordinances that FGC determines to be unlawful. In addition, the bill would require that FGC submit the survey and evaluation to the Legislature in a report by December 31, 2018; the report shall be submitted in compliance with Section 9795 of the Government Code.

SB 473 (Hertzberg) - California Endangered Species Act. Status: In assembly. Re-referred to Committee on Appropriations. This bill makes several changes to the California Endangered Species Act that reflect input from academic, business, and conservation interests.

AB 907 (Garcia) - Office of Outdoor Recreation and Public Lands Enhancement. Status: In committee: Hearing canceled. Held under submission. This bill would establish the Office of Outdoor Recreation and Public Lands Enhancement in the Governor's Office of Business and Economic Development for specified purposes, including promoting active healthy lifestyles and improving the quality of life for all Californians, and would require the director of the Governor's Office of Business and Economic Development to administer the Office of Outdoor Recreation and Public Lands Enhancement. The bill would require the Office of Outdoor Recreation and Public Lands Enhancement to create an advisory group to offer advice, expertise, support, and service to it, without compensation.

AB 1228 (Bloom) - Experimental fishing permits. Status: In Senate. Read second time and amended. In Senate Appropriations. This bill would allow for FGC to authorize DFW to issue experimental fishing permits for specified purposes that would authorize commercial or recreational fishing activity otherwise prohibited by the Fish and Game Code or regulations adopted pursuant to that code, subject to certain requirements, including a requirement that activities conducted under the permit be consistent with specified policies enacted as part of the Marine Life Management Act of 1998 and any applicable fishery management plan, and a requirement that the permit be subject to certain DFW conditions. Because a violation of the terms of a permit would be a crime, this bill would impose a state-mandated local program.

AB 1337 (Patterson and Cooley) – Fish and Game Commission: meetings and hearings: live broadcast. Status: In Senate. Third reading. This bill would require FGC provide a live video broadcast on its web site of every FGC meeting or hearing that is open and public and every meeting or hearing conducted by MRC, WRC, or tribal committee that is open and public.

AB 1544 (Dahle and Mathis) - Hunting: nonlead ammunition. Status: Failed Deadline pursuant to Rule 61(a)(2). (2-year bill; may be acted upon Jan 2018). This bill would require FGC temporarily suspend the prohibition on the use of nonlead ammunition for the taking of all wildlife for a specific hunting season and caliber if FGC finds that nonlead ammunition of the specific caliber is not available for any reason. The bill would require FGC, on or before Jan 1,

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2019, to adopt criteria to determine when nonlead ammunition is not available for purposes of this provision and would require those criteria to include regional availability and cost of nonlead ammunition. The bill would prohibit a suspension from remaining in effect for longer than three years. The bill would require FGC to make any finding that nonlead ammunition is not-available-publicly on its website.

AB 1617 (Bloom and Chiu) - Department of Fish and Wildlife: Fish and Game Commission: funding: strategic vision. Status: Failed Deadline pursuant to Rule 61(a)(10). (2-year bill; may be acted upon Jan 2018). Requires the secretary of the Natural Resources Agency to appoint a stakeholder advisory group to report on the progress made toward implementing the California Fish and Wildlife Strategic Vision. Requires the secretary to direct DFW to evaluate and implement program efficiencies and to establish a task force that reviews and makes recommendations regarding FGC and DFW mandates, efficiencies and funding. Requires DFW to identify and propose new sources of revenue to fund its responsibilities.

Significant Public Comments (N/A)

Recommendation

FGC staff: Approve draft letter prepared by staff to send to the Assembly Appropriations Committee withdrawing support for and opposing SB 234.

Exhibits

- B1. [DFW Legislative Report, dated Aug 2017](#)
- B2. [Draft FGC letter withdrawing prior support for and opposing SB 234, dated Aug 2017](#)

Motion/Direction

Moved by _____ and seconded by _____ that the Commission approves and directs staff to send a letter to the Assembly Appropriations Committee regarding withdrawing support for and opposing SB 234, as recommended by staff.



Department of Fish & Wildlife Legislative Report

August 2017
(as of July 26, 2017)

- AB 8** **(Bloom D) Mountain lions: depredation permits.**
Introduced: 12/5/2016
Status: 4/28/2017-Failed Deadline pursuant to Rule 61(a)(2). (Last location was W.,P. & W. on 1/19/2017)(May be acted upon Jan 2018)
Location: 4/28/2017-A. 2 YEAR
Summary: The California Wildlife Protection Act of 1990 establishes that the mountain lion is a specially protected mammal under the laws of this state, and makes it unlawful to take, injure, possess, transport, import, or sell a mountain lion or a product of a mountain lion. The act authorizes a person whose livestock or other property is being or has been injured, damaged, or destroyed by a mountain lion to report that fact to the Department of Fish and Wildlife and request a permit to take the mountain lion. The act requires the department or a specifically authorized animal damage control officer to immediately confirm the reported depredation by a mountain lion, and then promptly issue a permit to take the mountain lion. This bill would authorize, rather than require, the issuance of a permit under these circumstances.
- AB 12** **(Cooley D) State government: administrative regulations: review.**
Introduced: 12/5/2016
Status: 5/26/2017-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. on 5/26/2017)(May be acted upon Jan 2018)
Location: 5/26/2017-A. 2 YEAR
Summary: Would require each state agency to, on or before January 1, 2020, review that agency's regulations, identify any regulations that are duplicative, overlapping, inconsistent, or out of date, to revise those identified regulations, as provided, and report to the Legislature and Governor, as specified. The bill would repeal these provisions on January 1, 2021.
- AB 18** **(Garcia, Eduardo D) California Clean Water, Climate, Coastal Protection, and Outdoor Access For All Act of 2018.**
Introduced: 12/5/2016
Last Amend: 2/23/2017
Status: 6/28/2017-Referred to Coms. on N.R. & W. and GOV. & F.
Location: 6/28/2017-S. N.R. & W.
Summary: Would enact the California Clean Water, Climate, Coastal Protection, and Outdoor Access For All Act of 2018, which, if approved by the voters, would authorize the issuance of bonds in an amount of \$3,105,000,000 pursuant to the State General Obligation Bond Law to finance a clean water, climate, coastal protection, and outdoor access for all program. This bill contains other related provisions.
- AB 77** **(Fong R) Regulations: effective dates and legislative review.**
Introduced: 1/4/2017
Last Amend: 2/7/2017
Status: 5/26/2017-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. on 5/26/2017)(May be acted upon Jan 2018)

Location: 5/26/2017-A. 2 YEAR

Summary: Would require the Office of Administrative Law to submit to each house of the Legislature for review a copy of each major regulation that it submits to the Secretary of State. The bill would add another exception to those currently provided that specifies that a regulation does not become effective if the Legislature enacts a statute to override the regulation.

AB 108 (Committee on Budget) Public resources.

Introduced: 1/10/2017

Last Amend: 6/12/2017

Status: 7/20/2017-Ordered to inactive file at the request of Senator Mitchell.

Location: 7/20/2017-S. INACTIVE FILE

Summary: Current law regulating commercial fishing imposes, or authorizes the imposition of, various license, permit, and registration fees. Existing law requires specified persons to pay commercial fishing fees, referred to as a "landing tax," calculated on the total weight of fish delivered, based on a rate-per-pound schedule applicable to specified aquatic species. This bill would rename the "landing tax" as a "landing fee" and would revise the rate schedule by increasing certain fees while decreasing other fees to specified amounts. The bill would make conforming and other related changes.

AB 110 (Ting D) Cannabis: medicinal and adult use.

Introduced: 1/10/2017

Last Amend: 6/12/2017

Status: 7/20/2017-Ordered to inactive file at the request of Senator Mitchell.

Location: 7/20/2017-S. INACTIVE FILE

Summary: The Medical Marijuana Program also provides immunity from arrest to those exempt patients or designated primary caregivers who engage in certain acts involving marijuana, up to certain limits, and who have identification cards issued pursuant to the program unless there is reasonable cause to believe that the information contained in the card is false or fraudulent, the card has been obtained by means of fraud, or the person is otherwise in violation of the law. Under existing law, a person who steals, fraudulently uses, or commits other prohibited acts with respect to those identification cards is subject to criminal penalties. This bill would require probable cause to believe that the information on the card is false or fraudulent, the card was obtained by fraud, or the person is otherwise in violation of the law to overcome immunity from arrest to patients and primary caregivers in possession of an identification card.

AB 118 (Committee on Budget) Transportation.

Introduced: 1/10/2017

Last Amend: 6/26/2017

Status: 7/20/2017-Ordered to inactive file at the request of Senator Mitchell.

Location: 7/20/2017-S. INACTIVE FILE

Summary: Would require the Department of Transportation to develop and submit to the Legislature and specified legislative caucuses, by January 1, 2019, a detailed outreach plan intended to increase procurement opportunities for new and limited contracting small business enterprises, as defined, including, but not limited to, those owned by women, minority, disabled veterans, LGBT, and other disadvantaged groups, in all the department's transportation programs, to undertake specified outreach activities required to be included in the plan, and to update that plan and submit it to specified entities.

AB 424 (McCarty D) Possession of a firearm in a school zone.

Introduced: 2/9/2017

Last Amend: 6/19/2017

Status: 7/11/2017-Read second time. Ordered to third reading.

Location: 7/11/2017-S. THIRD READING

Summary: Would delete the authority of a school district superintendent, his or her designee, or equivalent school authority to provide written permission for a person to possess a firearm within a

school zone. By expanding the scope of a crime, this bill would create a state-mandated local program. This bill would exempt from that crime the activities of a program involving shooting sports or activities that are sanctioned by a school, school district, college, university, or other governing body of the institution, as specified, and the activities of a certified hunter education program, as specified.

[AB 425](#) (Caballero D) Timber harvesting plans: exemptions: temporary roads.

Introduced: 2/9/2017

Last Amend: 4/4/2017

Status: 7/10/2017-In committee: Referred to APPR. suspense file.

Location: 7/10/2017-S. APPR. SUSPENSE FILE

Summary: The Z'berg-Nejedly Forest Practices Act of 1973 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, including the cutting or removal of trees in compliance with existing law relating to defensible space. In this regard, the act authorizes, until January 1, 2021, the Forest Fire Prevention Pilot Project Exemption if specified conditions are met. This bill would expand the exemption to allow the construction or reconstruction of temporary roads on slopes of 40% or less if certain conditions are met, including that a registered professional forester designates temporary road locations, landing locations, associated class III watercourse crossings, unstable areas, and connected headwall swales, including convergent slopes, on specified maps.

[AB 429](#) (Grayson D) State water policy: water rights: use and transferability.

Introduced: 2/13/2017

Status: 5/12/2017-Failed Deadline pursuant to Rule 61(a)(3). (Last location was PRINT on 2/13/2017)(May be acted upon Jan 2018)

Location: 5/12/2017-A. 2 YEAR

Summary: Current law declares that the growing water needs of the state require the use of water in an efficient manner and that the efficient use of water requires certainty in the definition of property rights to the use of water and transferability of those rights. This bill would make nonsubstantive changes to those declarations.

[AB 472](#) (Frazier D) Water transfers: idled agricultural land: wildlife, waterfowl, and bird nesting habitat.

Introduced: 2/13/2017

Last Amend: 6/26/2017

Status: 7/11/2017-In committee: Set, first hearing. Failed passage.

Location: 6/26/2017-S. N.R. & W.

Summary: Current law requires landowners to be encouraged, when agricultural lands are being idled in order to provide water for transfer and an amount of water is determined to be made available by that idling, to cultivate or retain nonirrigated cover crops or natural vegetation to provide waterfowl, upland game bird, and other wildlife habitat. This bill would require the department to allow nonirrigated cover crops or natural vegetation to remain on idled agricultural lands, without penalty to the landowner, unless it determines, based on peer-reviewed scientific studies or other credible scientific evidence, that an injury to another legal user of water would occur as a result of allowing those crops or vegetation to remain on those lands.

[AB 474](#) (Garcia, Eduardo D) Hazardous waste: spent brine solutions.

Introduced: 2/13/2017

Last Amend: 6/28/2017

Status: 7/10/2017-In committee: Referred to APPR. suspense file.

Location: 7/10/2017-S. APPR. SUSPENSE FILE

Summary: Current law exempts from certain requirements of the Hazardous Waste Control Law wastes from the extraction, beneficiation, or processing of ores and minerals that are not subject to regulation under the federal Resource Conservation and Recovery Act of 1976, including spent brine solutions used to produce geothermal energy that meet specified requirements. This bill would exempt

spent brine solutions that are byproducts of the treatment of groundwater to meet California drinking water standards from those same requirements if certain conditions are met, including that the spent brine solutions are transferred for dewatering via a closed piping system to lined surface impoundments regulated by the California regional water quality control boards.

[AB 478](#) (Waldron R) Sport fishing licenses: age requirement.

Introduced: 2/13/2017

Status: 5/26/2017-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. on 5/26/2017)(May be acted upon Jan 2018)

Location: 5/26/2017-A. 2 YEAR

Summary: Current law requires every person 16 years of age or older who takes any fish, reptile, or amphibian for any purpose other than profit to first obtain a sport fishing license for that purpose, with specified exceptions, and to have that license on his or her person or in his or her immediate possession when engaged in carrying out any activity authorized by the license. This bill would raise the age at which a person is required to obtain a sport fishing license to 18 years of age or older and would make other conforming changes.

[AB 510](#) (Quirk-Silva D) State property acquisition: West Coyote Hills project site: funding.

Introduced: 2/13/2017

Last Amend: 7/20/2017

Status: 7/20/2017-From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on APPR.

Location: 7/11/2017-S. APPR.

Summary: Would require that the \$15,000,000 appropriated in the Budget Act of 2017 for the purposes of SB 714 of the 2017–18 Regular Session be deposited in the West Coyote Hills Conservancy Program Account in the Coastal Trust Fund to be used for the purchase of specified property and related projects. The bill would make findings and declarations regarding funding under the bill for the Wildlife Conservation Board to open up, operate, and maintain the Robert E. Ward Nature Preserve. The bill would state the intent of the Legislature in enacting this act to specify the particular uses of the appropriated funds.

[AB 521](#) (Frazier D) Hunting: elk tags: apprentice elk hunt tags: fees for residents.

Introduced: 2/13/2017

Last Amend: 6/26/2017

Status: 7/14/2017-Failed Deadline pursuant to Rule 61(a)(10). (Last location was N.R. & W. on 6/14/2017)(May be acted upon Jan 2018)

Location: 7/14/2017-S. 2 YEAR

Summary: Under current law, a hunting license grants the privilege to take birds and mammals. Current law authorizes the Department of Fish and Wildlife to issue a tag that is required in addition to a hunting license to take an elk. Current law sets the fee for an elk tag for a resident of the state at \$165, as adjusted annually pursuant to a specified index. This bill would reduce the fee for an elk tag for a resident of the state to \$100 and would prohibit the fee from being adjusted, except pursuant to an analysis of the fee to ensure that the appropriate fee amount is charged and a recommendation to the Legislature or the Fish and Game Commission that the fee be adjusted.

[AB 573](#) (Bigelow R) Depredation: wild pigs: damage guidelines.

Introduced: 2/14/2017

Last Amend: 3/23/2017

Status: 4/28/2017-Failed Deadline pursuant to Rule 61(a)(2). (Last location was W.,P. & W. on 3/23/2017)(May be acted upon Jan 2018)

Location: 4/28/2017-A. 2 YEAR

Summary: Current law provides that any wild pig that is encountered while in the act of inflicting injury to, or damaging or destroying, or threatening to immediately damage or destroy, land or other property may be taken immediately by the owner or the owner's employee or agent, as specified. Current law

defines “damage” for purposes of these provisions and requires the department to develop statewide guidelines to aid in determining the damage caused by wild pigs. This bill would require the guidelines to consider additional factors and would require the department to update the guidelines as needed.

AB 661 **(Mayes R) Magnesia Spring Ecological Reserve: Mirage Trail.**

Introduced: 2/14/2017

Last Amend: 7/3/2017

Status: 7/17/2017-In committee: Hearing postponed by committee.

Location: 7/3/2017-S. APPR.

Summary: Current law requires, until January 1, 2018, that the Mirage Trail within the Magnesia Spring Ecological Reserve be open 9 months of the year during the months of May to January, inclusive, and closed for 3 months during the months of February to April, inclusive, to recreational hiking if the Fish and Game Commission determines that specified conditions relating to providing funding and ensuring the proper use and monitoring of the reserve are met. This bill would require the commission, beginning January 1, 2020, and by January 1 every 2 years thereafter, at a public hearing, to assess compliance with the requirements of those provisions and post its findings and any recommendations on its Internet Web site.

AB 707 **(Aguiar-Curry D) Clear Lake.**

Introduced: 2/15/2017

Last Amend: 7/3/2017

Status: 7/11/2017-From committee: Do pass and re-refer to Com. on APPR. (Ayes 9. Noes 0.) (July 11). Re-referred to Com. on APPR.

Location: 7/11/2017-S. APPR.

Summary: Would establish in the Natural Resources Agency, the Blue Ribbon Committee for the Rehabilitation of Clear Lake. The bill would require the committee to consist of specified persons, including the Secretary of the Natural Resources Agency, or his or her designee. The bill would require the committee to meet quarterly for the purposes of discussion, reviewing research, planning, and providing oversight regarding the health of Clear Lake. The bill would require the committee to hold 2 meetings per year in the County of Lake.

AB 718 **(Frazier D) Mosquito abatement and vector control districts: managed wetland habitat: memoranda of understanding.**

Introduced: 2/15/2017

Last Amend: 7/18/2017

Status: 7/18/2017-Read second time and amended. Re-referred to Com. on APPR.

Location: 7/18/2017-S. APPR.

Summary: Current law provides for the formation of mosquito abatement and vector control districts, and prescribes the powers, functions, and duties of those districts, as specified. This bill would authorize a private landowner whose property includes managed wetland habitat, as defined, located within the boundaries of a district and meets other criteria to initiate the opportunity to enter into a memorandum of understanding with the district to establish a process to implement best management practices with regard to the managed wetland habitat.

AB 721 **(Bigelow R) Firearms: prohibited firearms.**

Introduced: 2/15/2017

Status: 7/21/2017-Failed Deadline pursuant to Rule 61(a)(11). (Last location was PUB. S. on 5/10/2017)(May be acted upon Jan 2018)

Location: 7/21/2017-S. 2 YEAR

Summary: Current law prohibits the manufacture, importation, sale, or possession in the state of short-barreled rifles and short-barreled shotguns, as defined. Current law authorizes certain government entities and certain peace officers to purchase and possess these firearms under certain circumstances, as specified. This bill would add district attorney’s offices and peace officer members of

these offices to the specified entities and persons authorized to purchase and possess these weapons under specified circumstances.

[AB 748](#) (Ting D) Peace officers: video and audio recordings: disclosure.

Introduced: 2/15/2017

Last Amend: 7/19/2017

Status: 7/19/2017-Read second time and amended. Re-referred to Com. on RLS.

Location: 7/19/2017-S. RLS.

Summary: The California Public Records Act requires that public records, as defined, be available to the public for inspection and made promptly available to any person. Current law makes records of investigations conducted by any state or local police agency exempt from these requirements. Current law requires specified information regarding the investigation of crimes to be disclosed to the public unless disclosure would endanger the safety of a person involved in an investigation or would endanger the successful completion of the investigation. This bill would, notwithstanding the above provisions, allow a video or audio recording that relates to a matter of public concern because it depicts an incident involving a peace officer's use of force, or is reasonably believed to involve a violation of law or agency policy by a peace officer, to be withheld for a maximum of 120 calendar days if disclosure would substantially impede an active investigation.

[AB 816](#) (Kiley R) California Environmental Protection Agency: Natural Resources Agency: Web casts of public meetings and workshops.

Introduced: 2/15/2017

Status: 7/11/2017-From committee: Do pass and re-refer to Com. on APPR. with recommendation: To Consent Calendar. (Ayes 9. Noes 0.) (July 11). Re-referred to Com. on APPR.

Location: 7/11/2017-S. APPR.

Summary: Would require that each department, board, and commission of the Natural Resources Agency, except as specified, and each department, board, and office of the California Environmental Protection Agency Web cast all onsite public meetings, in a manner that enables listeners and viewers to ask questions and provide public comment by telephone or electronic communication commensurate with those attending the meeting. The bill would require the agencies to make the recording of a Web cast available online for no less than 3 years for subsequent viewing by interested members of the public.

[AB 947](#) (Gallagher R) Department of Fish and Wildlife: lake or streambed alteration agreements: definitions.

Introduced: 2/16/2017

Last Amend: 4/17/2017

Status: 5/26/2017-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/3/2017)(May be acted upon Jan 2018)

Location: 5/26/2017-A. 2 YEAR

Summary: Current law prohibits an entity from substantially diverting or obstructing the natural flow of, or substantially changing or using any material from the bed, channel, or bank of, any river, stream, or lake, or from depositing certain material where it may pass into any river, stream, or lake, without first notifying the Department of Fish and Wildlife of that activity, and entering into a lake or streambed alteration agreement if required by the department to protect fish and wildlife resources. This bill would define "river" and "stream" for purposes of these provisions.

[AB 975](#) (Friedman D) Natural resources: wild and scenic rivers.

Introduced: 2/16/2017

Last Amend: 5/4/2017

Status: 7/14/2017-Failed Deadline pursuant to Rule 61(a)(10). (Last location was INACTIVE FILE on 6/5/2017)(May be acted upon Jan 2018)

Location: 7/14/2017-A. 2 YEAR

Summary: Current law establishes that it is the policy of the state that certain rivers that possess extraordinary scenic, recreational, fishery, or wildlife values shall be preserved in their free-flowing state, together with their immediate environments, for the benefit and enjoyment of the people of the state. This bill would revise that policy to specify that certain rivers that possess scenic, recreational, fishery, wildlife, historical, cultural, geological, or other similar values shall be preserved in their free-flowing state, together with their immediate environments, for the benefit and enjoyment of the people of the state, and would revise the definition of “immediate environments,” and define the term “extraordinary value” for purposes of that policy.

[AB 986](#) (Gallagher R) Hunting and sport fishing licenses: sport fishing license duration: reduction in license fees for veterans.

Introduced: 2/16/2017

Status: 5/26/2017-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. on 3/21/2017)(May be acted upon Jan 2018)

Location: 5/26/2017-A. 2 YEAR

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. This bill would instead require a resident or a nonresident, 16 years of age or older, upon payment of the fee, to be issued a sport fishing license for the period of 12 consecutive months beginning on the date of issuance.

[AB 1000](#) (Friedman D) Water conveyance: use of facility with unused capacity.

Introduced: 2/16/2017

Last Amend: 7/3/2017

Status: 7/11/2017-From committee: Do pass and re-refer to Com. on APPR. (Ayes 6. Noes 2.) (July 11). Re-referred to Com. on APPR.

Location: 7/11/2017-S. APPR.

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, finds that the transfer of the water will not adversely affect the natural or cultural resources of those federal and state lands.

[AB 1031](#) (Waldron R) Personal income taxes: voluntary contributions: Native California Wildlife Rehabilitation Voluntary Tax Contribution Fund.

Introduced: 2/16/2017

Last Amend: 4/4/2017

Status: 7/11/2017-Read second time. Ordered to third reading.

Location: 7/11/2017-S. THIRD READING

Summary: Would allow an individual to designate on his or her tax return that a specified amount in excess of his or her tax liability be transferred to the Native California Wildlife Rehabilitation Voluntary Tax Contribution Fund, which would be created by this bill. The bill would require the Franchise Tax Board to revise the tax return form to include a space for the designation of contributions to the fund when another voluntary designation is removed from the form or there is space, whichever occurs first.

[AB 1050](#) (Allen, Travis R) California Endangered Species Act: Delta smelt.

Introduced: 2/16/2017

Last Amend: 3/28/2017

Status: 4/28/2017-Failed Deadline pursuant to Rule 61(a)(2). (Last location was W.,P. & W. on 3/27/2017)(May be acted upon Jan 2018)

Location: 4/28/2017-A. 2 YEAR

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 requires the commission to add or remove species from either list if it finds, upon the receipt of sufficient scientific information, that the action is warranted. The act prohibits the taking of an endangered or threatened species, except as specified. This bill would require the commission to remove the Delta smelt from the endangered species list.

[AB 1097](#) (Levine D) Department of Fish and Wildlife: Significant Natural Areas Program.

Introduced: 2/17/2017

Status: 4/28/2017-Failed Deadline pursuant to Rule 61(a)(2). (Last location was W.,P. & W. on 3/6/2017)(May be acted upon Jan 2018)

Location: 4/28/2017-A. 2 YEAR

Summary: Current law requires the Department of Fish and Wildlife to administer the Significant Natural Areas Program, and requires the department, as part of its administration of the program, to maintain, expand, and keep current a data management system, designated the California Natural Diversity Database. Current law requires that data to be made available to interested parties on request. This bill would instead require that data to be made available on the department's Internet Web site.

[AB 1133](#) (Dahle R) California Endangered Species Act: experimental populations.

Introduced: 2/17/2017

Last Amend: 7/13/2017

Status: 7/13/2017-Read second time and amended. Re-referred to Com. on APPR.

Location: 7/13/2017-S. APPR.

Summary: Would provide that a person who obtains a federal enhancement of survival permit that authorizes the take of endangered or threatened species that is also listed as endangered, threatened, or candidate under CESA, in order to establish or maintain an experimental population of the species pursuant to FESA, requires no further authorization or approval under CESA for that person to take that species as identified in, and in accordance with, the enhancement of survival permit, if specified requirements are met. These provisions would remain in effect only until the effective date of an amendment to FESA that alters the requirements for issuing an enhancement of survival permit.

[AB 1151](#) (Gloria D) Vaquita-friendly fish and fish products.

Introduced: 2/17/2017

Last Amend: 5/30/2017

Status: 7/10/2017-In committee: Referred to APPR. suspense file.

Location: 7/10/2017-S. APPR. SUSPENSE FILE

Summary: Current law makes it unlawful for any person to possess, sell, offer for sale, trade, or distribute a shark fin, as defined. Current law generally makes violations of provisions relating to fish and wildlife a crime. This bill would, commencing January 1, 2019, make it unlawful to sell, offer for sale, trade, or distribute fish and fish products that are not vaquita-friendly, as defined. The bill would require the Department of Fish and Wildlife to adopt regulations on or before January 1, 2019, to enforce this prohibition and would prohibit the department from enforcing the prohibition until July 1, 2019.

[AB 1197](#) **(Limón D) Oil spill contingency plans: spill management teams.**

Introduced: 2/17/2017

Last Amend: 4/17/2017

Status: 7/6/2017-From committee: Do pass and re-refer to Com. on APPR. (Ayes 6. Noes 0.) (July 5). Re-referred to Com. on APPR.

Location: 7/5/2017-S. APPR.

Summary: Current law provides for the rating of oil spill response organizations (OSROs) by the administrator pursuant to specified provisions and requires an oil spill contingency plan to identify at least one rated OSRO for each rating level established pursuant to those provisions. This bill would no longer require an oil spill contingency plan to identify at least one rated OSRO for each rating level and would instead require the plan to identify at least one OSRO rated pursuant to those provisions, and would authorize an owner or operator to rely on its own response equipment and personnel, if they have been rated by the administrator, as specified.

[AB 1228](#) **(Bloom D) Marine fisheries: experimental fishing permits.**

Introduced: 2/17/2017

Last Amend: 7/17/2017

Status: 7/17/2017-Read second time and amended. Re-referred to Com. on APPR.

Location: 7/17/2017-S. APPR.

Summary: Would authorize the Fish and Game Commission to approve experimental fishing permits to be issued by the Department of Fish and Wildlife for specified purposes that would authorize commercial or recreational marine fishing activity otherwise prohibited by the Fish and Game Code or regulations adopted pursuant to that code, subject to certain requirements, including a requirement that activities conducted under the permit be consistent with specified policies enacted as part of the Marine Life Management Act of 1998 and any applicable fishery management plan and a requirement that the permit be subject to certain commission conditions.

[AB 1254](#) **(Wood D) Production or cultivation of a controlled substance: civil penalties.**

Introduced: 2/17/2017

Last Amend: 7/10/2017

Status: 7/11/2017-Withdrawn from committee. Re-referred to Com. on APPR. In committee: Hearing postponed by committee.

Location: 7/11/2017-S. APPR.

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. With respect to a violation that occurs on land that a person owns, leases, or otherwise uses or occupies with the consent of the landowner, existing law makes each day that a violation occurs or continues to occur a separate violation subject to the additional civil penalty. This bill would also make each day that a violation occurs or continues to occur on the specified types of public or private land or while the person was trespassing on public or private land a separate violation subject to the additional civil penalty.

[AB 1273](#) **(Gallagher R) California Environmental Quality Act: exemption: levee repairs.**

Introduced: 2/17/2017

Last Amend: 5/2/2017

Status: 7/14/2017-Failed Deadline pursuant to Rule 61(a)(10). (Last location was N.R. & W. on 7/6/2017)(May be acted upon Jan 2018)

Location: 7/14/2017-S. 2 YEAR

Summary: Would, until July 1, 2023, exempt from the requirements of CEQA repairs of critical levees of the State Plan of Flood Control within an existing levee footprint to meet standards of public health and safety, except as otherwise provided in a specified regulation. The bill would require the lead agency to take certain actions regarding the repairs. This bill contains other existing laws.

[AB 1282](#) (Mullin D) Transportation Permitting Taskforce.

Introduced: 2/17/2017

Last Amend: 6/29/2017

Status: 7/20/2017-Read third time. Passed. Ordered to the Assembly. In Assembly. Concurrence in Senate amendments pending. May be considered on or after August 18 pursuant to Assembly Rule 77.

Location: 7/20/2017-A. DESK

Summary: Would require, by April 1, 2018, the Secretary of Transportation, in consultation with the Secretary of the Natural Resources Agency, to establish a Transportation Permitting Taskforce consisting of representatives from specified entities to develop a process for early engagement for all parties in the development of transportation projects, establish reasonable deadlines for permit approvals, and provide for greater certainty of permit approval requirements. The bill would require the Secretary of Transportation, by December 1, 2019, to prepare and submit to the relevant policy and fiscal committees of the Legislature a report of findings based on the efforts of the taskforce.

[AB 1337](#) (Patterson R) Fish and Game Commission: meetings and hearings: live broadcast.

Introduced: 2/17/2017

Status: 7/11/2017-Read second time. Ordered to third reading.

Location: 7/11/2017-S. THIRD READING

Summary: Would require the Fish and Game Commission to provide a live video broadcast on its Internet Web site of every commission meeting or hearing that is open and public and every meeting or hearing conducted by the marine resources committee, wildlife resources committee, or tribal committee that is open and public.

[AB 1404](#) (Berman D) California Environmental Quality Act: categorical exemption: infill development.

Introduced: 2/17/2017

Last Amend: 7/10/2017

Status: 7/10/2017-Read second time and amended. Re-referred to Com. on APPR.

Location: 7/10/2017-S. APPR.

Summary: CEQA requires the Office of Planning and Research to prepare and develop, and the Secretary of the Natural Resources Agency to certify and adopt, guidelines for the implementation of CEQA. CEQA requires the guidelines to include a list of classes of projects that have been determined not to have a significant effect on the environment and that shall be exempt from CEQA (categorical exemption). Current guidelines for the implementation of CEQA exempts from the requirements of CEQA infill development meeting certain requirements, including the requirement that the proposed development occurs within city limits. This bill would revise the above-described categorical exemption to include proposed residential and mixed-use housing projects occurring within an unincorporated area of a county.

[AB 1420](#) (Aguilar-Curry D) Water rights: small irrigation use: lake or streambed alteration agreements.

Introduced: 2/17/2017

Status: 7/10/2017-In committee: Referred to APPR. suspense file.

Location: 7/10/2017-S. APPR. SUSPENSE FILE

Summary: Would require the State Water Resources Control Board to give priority to adopting, on or before June 30, 2021, except as provided, general conditions that permit a registrant to store water for small irrigation use during times of high streamflow in exchange for the registrant reducing diversions during periods of low streamflow, as specified. The bill would require that the actions of the board under these provisions be deemed an action taken for the protection of the environment for purposes of specified California Environmental Quality Act guidelines, if those actions do not result in the relaxation of streamflow standards.

[AB 1433](#) (Wood D) Natural and working lands: unified program application and process.

Introduced: 2/17/2017

Last Amend: 7/18/2017

Status: 7/18/2017-Read second time and amended. Re-referred to Com. on APPR.

Location: 7/18/2017-S. APPR.

Summary: Current law establishes various programs to provide financial assistance for natural or working lands. This bill would require the Strategic Growth Council, on or before April 1, 2018, to establish and convene an interagency task force consisting of representatives from various state agencies who are knowledgeable in programs for natural or working lands to develop a common application form and process for those programs. The bill would require the task force, on or before January 1, 2019, to develop and implement the common application form and process for those programs.

AB 1471 (Kiley R) Firearms: silencers.

Introduced: 2/17/2017

Last Amend: 5/3/2017

Status: 5/12/2017-Failed Deadline pursuant to Rule 61(a)(3). (Last location was PUB. S. on 3/13/2017)(May be acted upon Jan 2018)

Location: 5/12/2017-A. 2 YEAR

Summary: Current law generally makes it a felony for any person, firm, or corporation to possess a silencer within this state. Existing law exempts from that prohibition the sale to, purchase by, or possession by certain law enforcement agencies of a silencer for use in the discharge of their official duties, or possession by peace officers employed by those law enforcement agencies. This bill would make the crime of possessing a silencer inapplicable to the sale or other transfer in interstate or foreign commerce by registered dealers or manufacturers when the sale or other transfer is in accordance with federal law.

AB 1544 (Dahle R) Hunting: nonlead ammunition.

Introduced: 2/17/2017

Last Amend: 3/28/2017

Status: 4/28/2017-Failed Deadline pursuant to Rule 61(a)(2). (Last location was W.,P. & W. on 3/16/2017)(May be acted upon Jan 2018)

Location: 4/28/2017-A. 2 YEAR

Summary: Current law requires the use of nonlead centerfire rifle and pistol ammunition, as determined by the Fish and Game Commission, when taking big game with a rifle or pistol, and when taking coyote, within the California condor range. Current law further requires by no later than July 1, 2019, the use of nonlead ammunition for the taking of all wildlife, including game mammals, game birds, nongame birds, and nongame mammals, with any firearm, and requires the commission to promulgate regulations by July 1, 2015, that phase in the requirements of these provisions. This bill would require the commission to temporarily suspend the latter prohibition for a specific hunting season and caliber if the commission finds that nonlead ammunition of the specific caliber is not available for any reason.

AB 1587 (Levine D) Invasive species: dreissenid mussels.

Introduced: 2/17/2017

Last Amend: 6/29/2017

Status: 7/17/2017-In committee: Hearing postponed by committee.

Location: 7/3/2017-S. APPR.

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 his or her designee to engage in various enforcement activities with regard to dreissenid mussels. 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 waters or facilities to conveyances or otherwise restrict access to the waters or facilities, with the concurrence of the Secretary of the Natural Resources Agency. This bill would also authorize a peace officer to engage in certain of these

enforcement activities, as prescribed, and would extend to January 1, 2023, the repeal date of those provisions.

AB 1608 **(Kalra D) Vibrant landscapes for California.**

Introduced: 2/17/2017

Last Amend: 5/1/2017

Status: 5/26/2017-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/10/2017)(May be acted upon Jan 2018)

Location: 5/26/2017-A. 2 YEAR

Summary: Would require the Department of Conservation to develop the Vibrant Landscape Program to assist eligible applicants in the development and implementation of county and regional plans to, among other things, integrate the conservation and management of natural and working lands with other sectors to reduce the emissions of greenhouse gases and achieve other public and environmental benefits. The bill would require the department, in collaboration with the Strategic Growth Council and the State Air Resources Board, to develop guidelines and criteria for the program.

AB 1617 **(Bloom D) Department of Fish and Wildlife: Fish and Game Commission: funding: strategic vision.**

Introduced: 2/17/2017

Last Amend: 5/15/2017

Status: 7/14/2017-Failed Deadline pursuant to Rule 61(a)(10). (Last location was N.R. & W. on 6/14/2017)(May be acted upon Jan 2018)

Location: 7/14/2017-S. 2 YEAR

Summary: Current law requires the Secretary of the Natural Resources Agency to convene a committee to develop and submit to the Governor and Legislature, before July 1, 2012, a strategic vision for the Department of Fish and Wildlife and the Fish and Game Commission that addresses specified matters relating to state fish and wildlife resource management. This bill would require the Department of Fish and Wildlife, in cooperation with the above-mentioned parties and additional specified parties, to identify and propose new sources of revenue to fund the department's necessary wildlife, land, and marine conservation, restoration, and resources management and protection responsibilities.

AB 1630 **(Bloom D) Transportation: wildlife movement and barriers to passage.**

Introduced: 2/17/2017

Last Amend: 4/17/2017

Status: 4/28/2017-Failed Deadline pursuant to Rule 61(a)(2). (Last location was TRANS. on 4/4/2017)(May be acted upon Jan 2018)

Location: 4/28/2017-A. 2 YEAR

Summary: Current law requires the department to seek input from representatives of other state agencies, local government, federal agencies, nongovernmental conservation organizations, landowners, agriculture, recreation, scientific entities, and industry in determining essential wildlife corridors and habitat linkages. Current law also declares that it is the policy of the state to encourage, wherever feasible and practicable, voluntary steps to protect the functioning of wildlife corridors through various means. This bill would authorize the Department of Fish and Wildlife or the Department of Transportation to pursue development of a programmatic environmental review process with appropriate state and federal regulatory agencies for wildlife connectivity-related transportation infrastructure.

SB 1 **(Beall D) Transportation funding.**

Introduced: 12/5/2016

Last Amend: 4/3/2017

Status: 4/28/2017-Approved by the Governor. Chaptered by Secretary of State. Chapter 5, Statutes of 2017.

Location: 4/28/2017-S. CHAPTERED

Summary: Would create the Road Maintenance and Rehabilitation Program to address deferred maintenance on the state highway system and the local street and road system. The bill would require the California Transportation Commission to adopt performance criteria, consistent with a specified asset management plan, to ensure efficient use of certain funds available for the program.

SB 5

(De León D) California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Act of 2018.

Introduced: 12/5/2016

Last Amend: 7/18/2017

Status: 7/18/2017-From committee with author's amendments. Read second time and amended. Re-referred to Com. on W.,P., & W.

Location: 6/29/2017-A. W.,P. & W.

Summary: Would enact the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Act of 2018, which, if approved by the voters, would authorize the issuance of bonds in an amount of \$3,832,000,000 pursuant to the State General Obligation Bond Law to finance a drought, water, parks, climate, coastal protection, and outdoor access for all program.

SB 22

(Hill D) Firearms: law enforcement agencies: agency firearm accounting.

Introduced: 12/5/2016

Last Amend: 3/28/2017

Status: 5/26/2017-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/25/2017)(May be acted upon Jan 2018)

Location: 5/26/2017-S. 2 YEAR

Summary: Would require a law enforcement agency, as defined, to adopt a written procedure to account for firearms that are owned, acquired, maintained, sold, loaned, lost, stolen, or in any way possessed by that agency or by an employee of that agency if used or carried for purposes of carrying out the official duties of his or her employment, as specified. The bill would require that firearms that are lost, stolen, or otherwise disposed of be entered into the AFS. By imposing additional duties on local law enforcement agencies, this bill would impose a state-mandated local program.

SB 49

(De León D) California Environmental, Public Health, and Workers Defense Act of 2017.

Introduced: 12/5/2016

Last Amend: 7/18/2017

Status: 7/18/2017-Read second time and amended. Re-referred to Com. on APPR.

Location: 7/11/2017-A. APPR.

Summary: 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. The Protect California Air Act of 2003 prohibits air quality management districts and air pollution control districts from amending or revising their new source review rules or regulations to be less stringent than those rules or regulations that existed on December 30, 2002. This bill would prohibit state or local agencies from amending or revising their rules and regulations implementing the above state laws to be less stringent than the baseline federal standards, as defined, and would require specified agencies to take prescribed actions to maintain and enforce certain requirements and standards pertaining to air, water, and protected species.

SB 50

(Allen D) Federal public lands: conveyances.

Introduced: 12/5/2016

Last Amend: 7/12/2017

Status: 7/12/2017-Read second time and amended. Re-referred to Com. on APPR.

Location: 7/11/2017-A. APPR.

Summary: Would establish, except as provided, a policy of the state to discourage conveyances of federal public lands in California from the federal government. The bill would, except as provided,

specify that these conveyances are void ab initio unless the State Lands Commission was provided with the right of first refusal or the right to arrange for the transfer of the federal public land to another entity.

SB 58

(McGuire D) Wildlife management areas: payment of taxes and assessments.

Introduced: 12/12/2016

Status: 5/26/2017-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/25/2017)(May be acted upon Jan 2018)

Location: 5/26/2017-S. 2 YEAR

Summary: Existing law regulates real property acquired and operated by the state as wildlife management areas, and authorizes the Department of Fish and Wildlife, when income is directly derived from that real property, to annually pay to the county in which the property is located an amount equal to the county taxes levied upon the property at the time it was transferred to the state. Existing law requires those payments to only be made from funds that are appropriated to the department for those purposes. This bill would, commencing with the 2018–19 fiscal year and each fiscal year thereafter, require, instead of authorize, the department to make these payments subject to appropriation by the Legislature.

SB 80

(Wieckowski D) California Environmental Quality Act: notices.

Introduced: 1/11/2017

Last Amend: 6/21/2017

Status: 7/20/2017-Read second time. Ordered to third reading.

Location: 7/20/2017-A. THIRD READING

Summary: The California Environmental Quality Act requires the lead agency to mail certain notices to persons who have filed a written request for notices. The act provides that if the agency offers to provide the notices by email, upon filing a written request for notices, a person may request that the notices be provided to him or her by email. This bill would require the lead agency to post those notices on the agency's Internet Web site. The bill would require the agency to offer to provide those notices by email. Because this bill would increase the level of service provided by a local agency, this bill would impose a state-mandated local program.

SB 92

(Committee on Budget and Fiscal Review) Public resources.

Introduced: 1/11/2017

Last Amend: 6/9/2017

Status: 6/27/2017-Approved by the Governor. Chaptered by Secretary of State. Chapter 26, Statutes of 2017.

Location: 6/27/2017-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 commercial fishing fees, referred to as a "landing tax," calculated on the total weight of fish delivered, based on a rate-per-pound schedule applicable to specified aquatic species. This bill would rename the "landing tax" as a "landing fee" and would revise the rate schedule by increasing certain fees while decreasing other fees to specified amounts. The bill would make conforming and other related changes.

SB 94

(Committee on Budget and Fiscal Review) Cannabis: medicinal and adult use.

Introduced: 1/11/2017

Last Amend: 6/9/2017

Status: 6/27/2017-Approved by the Governor. Chaptered by Secretary of State. Chapter 27, Statutes of 2017.

Location: 6/27/2017-S. CHAPTERED

Summary: The Medical Marijuana Program also provides immunity from arrest to those exempt patients or designated primary caregivers who engage in certain acts involving marijuana, up to certain limits, and who have identification cards issued pursuant to the program unless there is reasonable cause to believe that the information contained in the card is false or fraudulent, the card

has been obtained by means of fraud, or the person is otherwise in violation of the law. This bill would require probable cause to believe that the information on the card is false or fraudulent, the card was obtained by fraud, or the person is otherwise in violation of the law to overcome immunity from arrest to patients and primary caregivers in possession of an identification card.

[SB 144](#) (McGuire D) Fish and wildlife: steelhead trout: fishing report-restoration card.

Introduced: 1/13/2017

Last Amend: 3/15/2017

Status: 7/20/2017-Read second time. Ordered to third reading.

Location: 7/20/2017-A. THIRD READING

Summary: Current law requires revenues from steelhead trout fishing license fees to be deposited in the Fish and Game Preservation Fund and to be available for expenditure, upon appropriation by the Legislature, to monitor, restore, or enhance steelhead trout resources consistent with specified law, and to administer the fishing report-restoration card program. This bill would extend the operation of those provisions to July 1, 2022, to be repealed as of January 1, 2023. The bill would require the department to report to the Legislature regarding the fishing report-restoration card program's projects on or before July 1, 2021.

[SB 161](#) (McGuire D) Fish and Game Commission: tribal committee.

Introduced: 1/19/2017

Status: 7/19/2017-July 19 set for first hearing. Placed on APPR. suspense file.

Location: 7/19/2017-A. APPR. SUSPENSE FILE

Summary: Current law requires the Fish and Game Commission to form a marine resources committee and a wildlife resources committee from its membership. This bill would require the commission to form a tribal committee from its membership consisting of at least one commissioner and would require the committee to report to the commission from time to time on its activities and to make recommendations on all tribal matters considered by the commission.

[SB 183](#) (Lara D) Marine protected areas: Native American tribes.

Introduced: 1/24/2017

Status: 4/28/2017-Failed Deadline pursuant to Rule 61(a)(2). (Last location was N.R. & W. on 2/2/2017)(May be acted upon Jan 2018)

Location: 4/28/2017-S. 2 YEAR

Summary: Current law requires that any proposals for marine protected areas made after January 1, 2002, follow the guidelines set forth in the MMAIA and that specified areas and reserves be designated, deleted, or modified by the commission pursuant to the MMAIA, and the restrictions and allowable uses applicable to those areas be as set forth in the MMAIA. Current law establishes the Native American Heritage Commission and vests the commission with specified powers and duties. This bill would authorize a California Native American tribe to submit a request to the Native American Heritage Commission to approve the tribe's record of aboriginal use of a specified area of the marine environment for subsistence and cultural purposes.

[SB 187](#) (Berryhill R) Sport fishing licenses: duration.

Introduced: 1/25/2017

Last Amend: 5/3/2017

Status: 7/19/2017-July 19 set for first hearing. Placed on APPR. suspense file.

Location: 7/19/2017-A. APPR. SUSPENSE FILE

Summary: Would require 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 12 consecutive months beginning on the date specified on the license, instead of for the period of a calendar year, or the remainder thereof. The bill would require the commission to include, among the costs required to be recovered by an adjustment of the fee amount, transition costs related to the new licensing period.

- [SB 193](#)** **(Cannella R) Monterey County Water Resources Agency: Lake Nacimiento and Lake San Antonio: white bass.**
Introduced: 1/30/2017
Last Amend: 6/8/2017
Status: 6/8/2017-From committee with author's amendments. Read second time and amended. Re-referred to Com. on N.R. & W.
Location: 6/8/2017-S. N.R. & W.
Summary: Current law makes it unlawful to place, plant, or cause to be placed or planted, in any of the waters of this state, any live fish, any fresh or salt water animal, or any aquatic plant, whether taken without or within the state, without first submitting it for inspection to, and securing the written permission of, the Department of Fish and Wildlife. Current law also makes it unlawful to transport or possess any live white bass, whether taken within or without the state, unless it is first submitted for inspection to, and written permission is obtained from, the department. This bill would exempt the movement of white bass between Lake Nacimiento and Lake San Antonio through the interlake underground tunnel or pipeline from the above-described provisions relating to fish and wildlife.
- [SB 214](#)** **(Atkins D) San Diego River Conservancy.**
Introduced: 2/1/2017
Last Amend: 4/6/2017
Status: 6/29/2017-Read second time. Ordered to third reading.
Location: 6/29/2017-A. THIRD READING
Summary: The San Diego River Conservancy Act establishes the San Diego River Conservancy in the Natural Resources Agency, and prescribes the territory, membership, functions, and duties of the conservancy with regard to, among other things, the acquisition, protection, and management of public lands within the San Diego River area, as defined. This bill would specify that the powers of the conservancy include improving, developing, and preserving lands for the purpose of protecting the natural, cultural, and historical resources, and entering into a joint powers agreement, as specified.
- [SB 216](#)** **(Moorlach R) Property: wild animals.**
Introduced: 2/1/2017
Status: 5/12/2017-Failed Deadline pursuant to Rule 61(a)(3). (Last location was RLS. on 2/1/2017)(May be acted upon Jan 2018)
Location: 5/12/2017-S. 2 YEAR
Summary: Current law provides 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 section of law.
- [SB 224](#)** **(Jackson D) California Environmental Quality Act: baseline conditions.**
Introduced: 2/2/2017
Last Amend: 4/5/2017
Status: 5/26/2017-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/25/2017)(May be acted upon Jan 2018)
Location: 5/26/2017-S. 2 YEAR
Summary: Would require the Office of Planning and Research, on or after January 1, 2018, at the time of the next review of the guidelines, to prepare, develop, and transmit to the secretary proposed changes or amendments to determine the baseline physical conditions by which a lead agency determines whether a project has a significant effect on the environment. The bill would require the office, in developing the recommendations to limit the consideration of modifications to the environment at the project site caused by certain actions. The bill would require the secretary to certify and adopt the recommended proposed changes or amendments.
- [SB 249](#)** **(Allen D) Off-highway motor vehicle recreation.**
Introduced: 2/7/2017
Last Amend: 7/13/2017

Status: 7/13/2017-Read second time and amended. Re-referred to Com. on APPR.

Location: 7/13/2017-A. APPR.

Summary: Would revise and recast various provisions of the Off-Highway Motor Vehicle Recreation Act of 2003. The bill would expand the duties of the Division of Off-Highway Motor Vehicle Recreation. The bill would require the division to take specified measures to protect natural and cultural resources within state vehicular recreation areas, including measures to mitigate harmful impacts to these areas and to protect them from off-highway vehicle recreation use, as specified.

SB 259

(Wilk R) Reports.

Introduced: 2/8/2017

Status: 4/28/2017-Failed Deadline pursuant to Rule 61(a)(2). (Last location was G.O. on 3/28/2017)(May be acted upon Jan 2018)

Location: 4/28/2017-S. 2 YEAR

Summary: Would require a written report, as defined, submitted by any state agency or department to the Legislature, a Member of the Legislature, or any state legislative or executive body to include a signed statement by the head of the agency or department declaring that the factual contents of the written report are true, accurate, and complete to the best of his or her knowledge.

SB 287

(Dodd D) Habitat restoration: invasive species: Phytophthora pathogens.

Introduced: 2/9/2017

Last Amend: 3/15/2017

Status: 5/26/2017-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/25/2017)(May be acted upon Jan 2018)

Location: 5/26/2017-S. 2 YEAR

Summary: Current law establishes the Department of Fish and Wildlife and sets forth the powers and duties of the department with regard to the implementation and administration of, among other things, projects and programs to protect wildlife and wildlife habitat in the state. This bill would require the department, on or before December 31, 2019, to adopt regulations to minimize the risk of Phytophthora pathogens in plant materials used for habitat restoration projects authorized, funded, or required by the state.

SB 345

(Bradford D) Law enforcement agencies: public records.

Introduced: 2/14/2017

Last Amend: 5/26/2017

Status: 7/12/2017-From committee: Do pass and re-refer to Com. on APPR. (Ayes 5. Noes 1.) (July 11). Re-referred to Com. on APPR.

Location: 7/11/2017-A. APPR.

Summary: Would, commencing January 1, 2019, require the Department of Alcoholic Beverage Control, the Department of the California Highway Patrol, the Department of Corrections and Rehabilitation, the Department of Fish and Wildlife, the Department of Justice, the Commission on Peace Officer Standards and Training, and each local law enforcement agency to conspicuously post on their Internet Web sites all current standards, policies, practices, operating procedures, and education and training materials, to the extent not prohibited by the California Public Records Act.

SB 347

(Jackson D) State Remote Piloted Aircraft Act.

Introduced: 2/14/2017

Last Amend: 6/21/2017

Status: 7/14/2017-Failed Deadline pursuant to Rule 61(a)(10). (Last location was P. & C.P. on 6/12/2017)(May be acted upon Jan 2018)

Location: 7/14/2017-A. 2 YEAR

Summary: Would enact the State Remote Piloted Aircraft Act. The bill would prohibit a person from operating a remote piloted aircraft in any number of specified manners and would require any person using, operating, or renting a remote piloted aircraft and every commercial operator of a remote piloted aircraft to maintain adequate liability insurance or proof of financial responsibility, as specified.

- [SB 402](#)** **(Allen D) Marine fisheries: state policy.**
Introduced: 2/15/2017
Last Amend: 5/2/2017
Status: 5/26/2017-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/25/2017)(May be acted upon Jan 2018)
Location: 5/26/2017-S. 2 YEAR
Summary: Would declare that it is the policy of the state to robustly protect and enhance the significant economic, environmental, recreational, aesthetic, and educational values provided by the Pacific fisheries and would require the Department of Fish and Wildlife and Fish and Game Commission to consider this policy when revising, adopting, or establishing policies, regulations, expenditures, or grant criteria relating to the protection and management of marine fisheries. The bill would require the department and commission, to the extent feasible, to attempt to work collaboratively with the federal government and all fisheries stakeholders in furtherance of this policy.
- [SB 473](#)** **(Hertzberg D) California Endangered Species Act.**
Introduced: 2/16/2017
Last Amend: 7/3/2017
Status: 7/11/2017-From committee: Do pass and re-refer to Com. on APPR. (Ayes 8. Noes 6.) (July 11). Re-referred to Com. on APPR.
Location: 7/11/2017-A. APPR.
Summary: The California Endangered Species Act prohibits the taking of an endangered or threatened species, except in certain situations. Under the act, the Department of Fish and Wildlife may authorize the take of listed species pursuant to an incidental take permit if the take is incidental to an otherwise lawful activity, the impacts are minimized and fully mitigated, and the issuance of the permit would not jeopardize the continued existence of the species. The act requires the department to adopt regulations for issuance of incidental take permits. This bill would also apply the take prohibition to public agencies.
- [SB 503](#)** **(Newman D) Personal income taxes: voluntary tax contributions funds.**
Introduced: 2/16/2017
Last Amend: 7/20/2017
Status: 7/20/2017-From committee with author's amendments. Read second time and amended. Re-referred to Com. on APPR.
Location: 7/17/2017-A. APPR.
Summary: Current law requires that when establishing or extending the operation of specified voluntary tax contribution funds the words "voluntary tax contribution" be included in the name of the fund, that the administering agency comply with specified Internet Web site reporting requirements, that the fund provisions remain in effect only until January 1 of the 7th calendar year following the first appearance of the voluntary tax contribution on the personal income tax return, that the required calendar year minimum contribution amount for the fund to continue appearing on the return is \$250,000, and that the contributions be continuously appropriated from the fund to the administering entity. This bill would conform with those requirements by extending the operation of the provisions of the Keep Arts in Schools Fund to January 1, 2025, renaming the fund as the Keep Arts in Schools Voluntary Tax Contribution Fund, continuously appropriating the fund to the Franchise Tax Board, the Controller, and the Arts Council for purposes of carrying out these provisions, and requiring the Arts Council to comply with those Internet Web site reporting requirements.
- [SB 506](#)** **(Nielsen R) Department of Fish and Wildlife: lake or streambed alteration agreements: Internet Web site.**
Introduced: 2/16/2017
Last Amend: 6/5/2017
Status: 7/21/2017-Vetoed by the Governor. In Senate. Consideration of Governor's veto pending.
Location: 7/21/2017-S. VETOED

Summary: Would require the Department of Fish and Wildlife, on or before December 31, 2018, and periodically thereafter, to upgrade the information on its Internet Web site regarding lake or streambed alteration agreements, to update its "Frequently Asked Questions" document and other appropriate sources of information regarding the lake and streambed alteration program, and to provide guidance on its Internet Web site to facilitate members of the public in obtaining individualized guidance regarding the lake and streambed alteration program, as specified.

SB 532 **(Dodd D) California State Safe Harbor Agreement Program Act: tricolored blackbird.**

Introduced: 2/16/2017

Status: 4/28/2017-Failed Deadline pursuant to Rule 61(a)(2). (Last location was N.R. & W. on 3/2/2017)(May be acted upon Jan 2018)

Location: 4/28/2017-S. 2 YEAR

Summary: Would extend the California State Safe Harbor Agreement Program Act indefinitely and would exempt the approval of a safe harbor agreement covering only tricolored blackbird from CEQA. This bill contains other existing laws.

SB 580 **(Pan D) Water development projects: Sacramento-San Joaquin watersheds.**

Introduced: 2/17/2017

Status: 7/19/2017-July 19 set for first hearing. Placed on APPR. suspense file.

Location: 7/19/2017-A. APPR. SUSPENSE FILE

Summary: Current law adopts and authorizes federally adopted and approved projects, including a project for flood control along the American and Sacramento Rivers. The projects are authorized at an estimated cost to the state of the sum that may be appropriated by the Legislature for state participation upon the recommendation and advice of the Department of Water Resources or the Central Valley Flood Protection Board. This bill would revise the authorization for the project for flood control along the American and Sacramento Rivers as further modified by a specified report adopted by Congress.

SB 588 **(Hertzberg D) Marine resources and preservation.**

Introduced: 2/17/2017

Last Amend: 6/19/2017

Status: 7/14/2017-Failed Deadline pursuant to Rule 61(a)(10). (Last location was NAT. RES. on 6/27/2017)(May be acted upon Jan 2018)

Location: 7/14/2017-A. 2 YEAR

Summary: Would revise and recast the California Marine Resources Legacy Act to establish a similar program to allow, 2 years after the payment of startup costs, a prospective transferor, as defined, to offer and the department to accept title to an artificial reef converted from a decommissioned oil and gas platform for incorporation into the California Artificial Reef Program if similar conditions to as specified are met, except if the platform is required to be fully removed by conditions in a lease issued by the State Lands Commission. As part of the implementation of the program, the bill would require the department to revise the Artificial Reef Plan prepared pursuant to the California Artificial Reef Program.

SB 615 **(Hueso D) Salton Sea restoration.**

Introduced: 2/17/2017

Last Amend: 5/1/2017

Status: 6/27/2017-From committee: Do pass and re-refer to Com. on APPR. (Ayes 14. Noes 1.) (June 27). Re-referred to Com. on APPR.

Location: 6/27/2017-A. APPR.

Summary: Would require the Natural Resources Agency, by January 1, 2018, to develop a 10-year plan to implement the memorandum of understanding between the agency and the United States Department of the Interior entered into on August 31, 2016, and its addendum, entered into on January 18, 2017, and would require the agency to address certain issues in the plan. The bill would

rename the Salton Sea Restoration Act as the “John J. Benoit Salton Sea Restoration Act.” This bill contains other related provisions.

SB 667 **(Atkins D) Department of Water Resources: riverine and riparian stewardship improvements.**

Introduced: 2/17/2017

Last Amend: 6/20/2017

Status: 7/19/2017-July 19 set for first hearing. Placed on APPR. suspense file.

Location: 7/19/2017-A. APPR. SUSPENSE FILE

Summary: Current law authorizes the Director of Water Resources to establish a program of flood control and urban creek restoration, known as the Urban Streams Restoration Program, consisting of the development of the capability by the Department of Water Resources to respond to requests from local agencies and organizations for planning and design assistance for efficient and effective urban creek protection, restoration, and enhancement. This bill, upon an appropriation of funds from the Legislature, would require the department to establish a program to implement watershed-based riverine and riparian stewardship improvements by providing technical and financial assistance in support of projects with certain benefits.

SB 709 **(Wiener D) Oil spill response and contingency planning.**

Introduced: 2/17/2017

Last Amend: 4/26/2017

Status: 5/26/2017-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/25/2017)(May be acted upon Jan 2018)

Location: 5/26/2017-S. 2 YEAR

Summary: Would define “nonfloating oil” for purposes of the Lempert-Keene-Seastrand Oil Spill Prevention and Response Act. The bill would require the administrator, by January 1, 2020, to conduct and complete an independent scientific study on the best achievable protection of state waters from spills of nonfloating or potentially nonfloating oils, including criteria for oil spill contingency plans and oil spill response organizations (OSROs) responsible for remediating those spills. The bill would require that the scientific study evaluate the hazards and risks and potential hazards and risks that nonfloating or potentially nonfloating oils pose to natural resources and public, occupational, and environmental health and safety.

SB 710 **(Anderson R) Silencers.**

Introduced: 2/17/2017

Status: 5/12/2017-Failed Deadline pursuant to Rule 61(a)(3). (Last location was PUB. S. on 3/9/2017)(May be acted upon Jan 2018)

Location: 5/12/2017-S. 2 YEAR

Summary: Current law makes it a felony to possess a silencer in the state, punishable by imprisonment in county jail or by a fine not to exceed \$10,000 or by both that fine and imprisonment. This bill would delete the felony prohibition on possession of a silencer and would authorize an individual in lawful possession of a device that will silence, suppress, or muffle the sound or natural report of a firearm when the firearm is discharged to use that device to hunt a bird, mammal, fish, reptile, or amphibian for which the individual is licensed if the firearm to which the device is attached is lawfully possessed.

SB 771 **(De León D) California Environmental Quality Act: continuing education: public employees.**

Introduced: 2/17/2017

Last Amend: 7/18/2017

Status: 7/18/2017-Read second time and amended. Re-referred to Com. on APPR.

Location: 7/10/2017-A. APPR.

Summary: Would establish a continuing education requirement for employees of public agencies who have primary responsibility to administer the California Environmental Quality Act (CEQA, as specified). Because this bill would require a public agency to ensure that this continuing education requirement is met, this bill would impose a state-mandated local program.

SB 809 (Committee on Natural Resources and Water) Natural resources.

Introduced: 3/8/2017

Last Amend: 6/20/2017

Status: 7/20/2017-Read second time. Ordered to third reading.

Location: 7/20/2017-A. THIRD READING

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 requires the commissioners to annually elect one of their number as president and one as vice president, by a concurrent vote of at least 3 commissioners. Current law prohibits a president or vice president from serving more than 2 consecutive years. This bill would eliminate this prohibition.

For more information call:

Susan LaGrande, CDFW Deputy Director at (916) 651-6719

Julie Oltmann, CDFW Legislative Representative at (916) 653-9772

You can also find legislative information on the web at <http://leginfo.legislature.ca.gov/> and follow the prompts from the 'bill information' link.

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Fish and Game Commission



Wildlife Heritage and Conservation
Since 1870

August X, 2017

The Honorable Lorena S. Gonzalez Fletcher, Chair
The Honorable Frank Bigelow, Vice Chair
Assembly Appropriations Committee
State Capitol, Room 2114
Sacramento, California 95814

Re: Senate Bill 234: withdraw support and oppose

Dear Chair Lorena Gonzalez Fletcher and Vice Chair Bigelow:

The California Fish and Game Commission (Commission) writes to withdraw formal support for and to oppose the March 21, 2017 version of Senate Bill 234 (SB 234). SB 234 was amended to direct Commission staff to identify and catalog local ordinances that regulate fishing and, specifically, evaluate whether these ordinances are within or outside of the scope of the holding of *People v. Mueller* (1970) 8 Cal.App.3d. 949 and submit this evaluation to the Legislature in a report by December 31, 2018.

The California Legislature has delegated to the Commission authority to regulate the take, possession and conservation of birds, mammals, fish, amphibians, and reptiles from the Oregon border to the Mexican border, and from the Nevada border to three miles out into the Pacific Ocean. The Commission also addresses fish, wildlife, and conservation issues on a broad scale, through such subjects as climate change, predator management, tribal nation engagement, fisheries bycatch, and marine protected areas. The Commission's powers are delegated within California statutes, primarily the Fish and Game Code.

In its original form, SB 234 would have prohibited a local agency from adopting or enforcing an ordinance to regulate fishing. As fish and wildlife do not respect state lines or administrative boundaries, wildlife regulations and management must be conducted on a broad scale that accounts for migration and overall range of the species. The Commission was supportive of this action.

However, SB 234 was recently amended to now require the Commission to conduct a survey and evaluation, identifying and cataloging local ordinances tied to fishing, and

The Honorable Lorena S. Gonzalez Fletcher
The Honorable Frank Bigelow
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specifically evaluate whether these ordinances are within or outside of the scope of the holding of People v. Mueller (1970) 8 Cal.App.3d. 949 or within or outside the scope of local police powers generally, and recommend to the Legislature a course of action with regard to ordinances that the commission determines to be unlawful.

Completing this complex survey and evaluation, and determining if the scope is within or outside the Mueller opinion, will be a substantial effort. While the number of local ordinances ultimately may be small, the workload needed to go through such a statewide survey and evaluation is significant. The proposed analysis requires review of all California local government's "whole purpose and scope of the legislative scheme" and does not simply look at the face of the ordinance itself. Additionally, the analysis is subject to a great deal of interpretation depending on what ordinances may exist statewide.

The assembly appropriations bill analysis notes, "The cost will depend on the number of local ordinances that must undergo legal review and the difficulty in obtaining this information...It also assumes that implementation will result in the redirection of one existing staff position for up to one year."

Importantly, the Commission's staff is quite small and it does not have the resources to redirect its only attorney to this effort. To conduct the survey and evaluation would require additional staffing for the Commission. The Fish and Game Preservation Fund, the Commission's primary funding source, is in structural deficit, and the proposed survey and evaluation is not mission critical. There are many other priority topics at the forefront of the Commission's responsibilities that require its attention, such as emergency abalone regulations, wild pig issues, California endangered species act listings, fisheries bycatch, and working with tribal nations on resource management issues.

Thank you for your continued leadership and support in the effort to protect California's natural resources. The Commission strongly urges the appropriations committee *not* to support this bill.

Thank you,

Valerie Termini
Executive Director

ec: Members, California Fish and Game Commission
The Honorable Tom Berryhill, California State Senate
Charlton Bonham, Director, California Department of Fish and Wildlife
Susan LaGrande, Deputy Director, California Department of Fish and Wildlife