

STAFF SUMMARY FOR AUGUST 7-8, 2019

6B. ACTING EXECUTIVE DIRECTOR'S REPORT – LEGISLATIVE REPORT**Today's Item**Information Action

Review and discuss legislation of interest and provide staff direction on potential actions.

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

FGC staff has prepared a list of state and federal legislation that may affect FGC's resources and workload or be of interest. DFW has provided a report on state bills it has identified as being of interest, including the current status of each (Exhibit 1).

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

State Legislation*Legislative Calendar Highlights for 2019-2020*

- Last day for policy committees to meet and report bills. Summer recess began upon adjournment Jul 12, 2019
- Legislature reconvenes from summer recess Aug 12, 2019
- Last day for fiscal committees to meet and report bills Aug 30, 2019
- Floor session only. No committee may meet for any purpose, except Rules Committee and conference committees Sep 3-13, 2019
- Last day to amend on the floor Sep 6, 2019
- Last day for any bill to be passed. Interim recess begins upon adjournment Sep 13, 2019
- Last day for Governor to sign or veto bills passed by the legislature on or before Sep 13 and in the Governor's possession after Sep 13 Oct 13, 2019

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Bills Introduced during the 2019-2020 Session

A number of the state bills identified in DFW's report may affect FGC's resources and workload or are potentially of interest; these bills are listed below with their status, and a brief summary of each is found in Exhibit 1.

- AB 44 (Friedman) Fur products: prohibition (Senate Appropriations)
- AB 202 (Mathis) Endangered species: conservation: California State Safe Harbor Agreement Program Act (2-year)
- AB 273 (Gonzalez) Fur-bearing and nongame mammals: recreational and commercial fur trapping: prohibition (Senate Third Reading)
- AB 284 (Frazier) Junior hunting licenses: eligibility: age requirement (2-year)
- AB 312 (Cooley) State government: administrative regulations: review (2-year)
- AB 441 (Eggman) Water: underground storage (2-year)
- AB 454 (Kalra) Migratory birds: California Migratory Bird Protection Act (Senate Appropriations)
- AB 527 (Voepel) Importation, possession or sale of endangered wildlife (2-year)
- AB 584 (Gallagher) Sport fishing licenses (2-year)
- AB 834 (Quirk) Safe recreational water use: standards: Freshwater and Estuarine Harmful Algal Bloom Program (Senate Appropriations)
- AB 883 (Dahle) Fish and wildlife: catastrophic wildfires: report (2-year)
- AB 1254 (Kamlager-Dove) Bobcats: take prohibition (Senate Appropriations)
- AB 1260 (Maienschein) Endangered wildlife (Senate Appropriations Suspense)
- AB 1387 (Wood) Sport fishing licenses: 12-consecutive-month licenses (2-year)
- SB 1 (Atkins) California Environmental, Public Health, and Workers Defense Act of 2019 (Assembly Appropriations)
- SB 61 (Portantino) Firearms: transfers (Assembly Appropriations Suspense)
- SB 62 (Dodd) Endangered species: accidental take associated with routine and ongoing agricultural activities: state safe harbor agreements (Enrolled and presented to the Governor)
- SB 69 (Wiener) Ocean Resiliency Act of 2019 (Assembly Appropriations)
- SB 262 (McGuire) Commercial fishing: landing fees: sea cucumbers (Assembly Appropriations)
- SB 307 (Roth) Water conveyance: use of state facility with unused capacity (Senate Desk)
- SB 395 (Archuleta) Accidental taking and possession of wildlife: collision with a vehicle (Assembly Appropriations)
- SB 410 (Nielsen) Hunting and fishing guides (2-year)
- SB 757 (Allen) Fish and Game Code: name change (Senate Rules)

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Another state bill not in Exhibit 1 that is potentially of interest is AB 129:

- *AB 129 (Bloom) Microfiber pollution*. Introduced: 12/04/2018. Status: 04/09/19: In Asm Environmental Safety and Toxic Materials Committee: Set, first hearing. Hearing canceled at the request of author.

Summary: Would require the State Water Resources Control Board to take specified actions relating to microfiber pollution on or before July 1, 2020, and would require the board to identify best practices for clothing manufacturers to reduce the amount of microfibers released into the environment. The bill would require, on or before January 1, 2020, a public entity that uses a laundry system, and a private entity that contracts with a state agency for laundry services, to install a filtration system to capture microfibers that are shed during washing. The bill would require, on or before January 1, 2021, a private entity that uses an industrial or commercial laundry system to install a filtration system to capture microfibers.

Federal Legislation

- *H.R. 30 (SAVES Act)*: Rep. Louie Gohmert (TX-1). Status: House – 02/05/2019. Committee on Natural Resources. Referred to the Subcommittee on Water, Oceans, and Wildlife.
Summary: Limits the protection of endangered and threatened species to species that are native to the United States, thus removing protection given to non-native species in the United States that are listed as threatened or endangered.
- *H.R. 548 (FISH Act)*: Rep. Ken Calvert (CA-42). Status: House - 02/04/2019. Committee on Natural Resources. Referred to the Subcommittee on Water, Oceans, and Wildlife.
Summary: Amends the Endangered Species Act of 1973 to vest in the Secretary of the Interior functions under that Act with respect to species of fish that spawn in fresh or estuarine waters and migrate to ocean waters, and species of fish that spawn in ocean waters and migrate to fresh waters.
- *H.R. 1240 (Young Fishermen's Development Act of 2019)*: Rep. Don Young (AK-At Large). Status: House – 05/08/2019. House Natural Resources Subcommittee on Water, Oceans, and Wildlife. Subcommittee hearings held.
Summary: Effort to preserve United States fishing heritage through a national program dedicated to training and assisting the next generation of commercial fishermen.
- *H.R. 3742 (Recovering America's Wildlife Act (RAWA))*: Rep. Debbie Dingell (MI-12). Status: House – 07/12/2019. Referred to the Committee on Natural Resources, in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

Summary: Amends the Pittman-Robertson Wildlife Restoration Act to make supplemental funds available for management of fish and wildlife species of greatest conservation need as determined by State fish and wildlife agencies, and for other education and enforcement related purposes. The Secretary of the Treasury shall

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annually transfer \$1.3 billion to a fund established for the management and implementation of wildlife and habitat conservation and restoration programs.

- *S. 2092 (Modernizing the Pittman-Robertson Fund for Tomorrow's Needs Act)*: Senator Jim Risch (ID). Status: Senate – 07/11/2019. Read twice and referred to the Committee on Environment and Public Works.

Summary: Provides flexibility to state agencies to use Pittman-Robertson funds for the recruitment, retention, and reactivation of hunters and recreational shooters. The bill does not increase taxes or existing user fees, but would allow state fish and wildlife agencies to use existing revenues in new ways. This legislation is identical to H.R. 877 that was introduced earlier this year by Representatives Austin Scott (GA), Mark Veasey (TX), Debbie Dingell (MI), and Richard Hudson (NC).

Federal Regulatory Notices

Gray wolves: On Mar 15, 2019, the U.S. Fish and Wildlife Service published a proposed rule to remove gray wolves (*Canis lupus*) from the list of endangered and threatened wildlife under the federal Endangered Species Act. At its Apr 17, 2019 meeting, FGC authorized the acting executive director to work with President Sklar to draft and send a comment letter regarding the proposed regulation change, which was sent on Jul 15, 2019 (Exhibit 2).

Significant Public Comments (N/A)**Recommendation (N/A)****Exhibits**

1. [DFW legislative report, dated Jul 26, 2019](#)
2. [FGC letter to the U.S. Fish and Wildlife Service, dated Jul 15, 2019](#)

Motion/Direction (N/A)



Department of Fish & Wildlife Legislative Report

August 2019
(as of July 26, 2019)

[AB 44](#)

(Friedman D) Fur products: prohibition.

Introduced: 12/3/2018

Last Amend: 6/27/2019

Status: 7/10/2019-From committee: Do pass and re-refer to Com. on APPR. (Ayes 7. Noes 1.) (July 9). Re-referred to Com. on APPR.

Location: 7/10/2019-S. APPR.

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 137](#)

(Cooper D) Facilities of the State Plan of Flood Control.

Introduced: 12/7/2018

Last Amend: 7/11/2019

Status: 7/11/2019-From committee: Amend, and do pass as amended and re-refer to Com. on APPR. with recommendation: To Consent Calendar. (Ayes 8. Noes 0.) (July 9). Read second time and amended. Re-referred to Com. on APPR.

Location: 7/9/2019-S. APPR.

Summary: Would prohibit a person from concealing, defacing, destroying, modifying, using, occupying, cutting, altering, or physically or visually obstructing any levee along a river or bypass at any of those specified places, any levee forming part of any flood control plan, or any other facility of the State Plan of Flood Control, including, but not limited to, any and all associated rights of way, without permission of the board. By expanding the behavior that would be punishable as a misdemeanor, the bill would impose a state-mandated local program.

[AB 202](#)

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

Introduced: 1/14/2019

Last Amend: 2/26/2019

Status: 7/12/2019-Failed Deadline pursuant to Rule 61(a)(10). (Last location was N.R. & W. on 4/24/2019)(May be acted upon Jan 2020)

Location: 7/12/2019-S. 2 YEAR

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: 5/9/2019-Failed Deadline pursuant to Rule 61(a)(2). (Last location was NAT. RES. on 2/7/2019)(May be acted upon Jan 2020)(Recorded 4/26/2019)

Location: 2/7/2019-A. 2 YEAR

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 243](#)

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

Introduced: 1/18/2019

Last Amend: 4/22/2019

Status: 6/25/2019-From committee: Do pass and re-refer to Com. on APPR. (Ayes 5. Noes 1.) (June 25). Re-referred to Com. on APPR.

Location: 6/25/2019-S. APPR.

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-Signed by the Governor

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: 6/28/2019

Status: 7/10/2019-From committee: Do pass and re-refer to Com. on APPR. with recommendation: To Consent Calendar. (Ayes 8. Noes 0.) (July 9). Re-referred to Com. on APPR.

Location: 7/9/2019-S. APPR.

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 and 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: 6/25/2019-Read second time. Ordered to third reading.

Location: 6/25/2019-S. THIRD READING

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: 5/17/2019-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 4/3/2019)(May be acted upon Jan 2020)

Location: 5/17/2019-A. 2 YEAR

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: 5/16/2019-In committee: Held under submission.

Location: 5/1/2019-A. APPR. SUSPENSE FILE

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: 5/3/2019-Failed Deadline pursuant to Rule 61(a)(3). (Last location was H. & C.D. on 2/15/2019)(May be acted upon Jan 2020)

Location: 5/3/2019-A. 2 YEAR

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: 5/17/2019-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 4/3/2019)(May be acted upon Jan 2020)

Location: 5/17/2019-A. 2 YEAR

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) California Global Warming Solutions Act of 2006: Greenhouse Gas Reduction Fund: grant programs and Transformative Climate Communities Program.

Introduced: 2/4/2019

Last Amend: 5/20/2019

Status: 7/12/2019-Failed Deadline pursuant to Rule 61(a)(10). (Last location was E.Q. on 6/12/2019)(May be acted upon Jan 2020)

Location: 7/12/2019-S. 2 YEAR

Summary: Would, beginning July 1, 2020, would 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, to include a specified application timeline.

[AB 392](#)

(Weber D) Peace officers: deadly force.

Introduced: 2/6/2019

Last Amend: 5/23/2019

Status: 7/10/2019-In Assembly. Ordered to Engrossing and Enrolling.

Location: 7/10/2019-A. ENROLLMENT

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](#)

(Obornolte R) California Environmental Quality Act: exemption: egress route project or activity: fire safety.

Introduced: 2/6/2019

Last Amend: 6/13/2019

Status: 7/9/2019-VOTE: Do pass as amended, but first amend, and re-refer to the Committee on [Appropriations] (PASS)

Location: 7/9/2019-S. APPR.

Summary: Would, until January 1, 2025, exempt from CEQA egress route projects or activities 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 or activity is exempt. The bill would require the lead agency to file a notice of exemption with the Office of Planning and Research and with the clerk of the county in which the project or activity will be located.

[AB 430](#)

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

Introduced: 2/7/2019

Last Amend: 7/8/2019

Status: 7/10/2019-VOTE: Do pass as amended, but first amend, and re-refer to the Committee on [Appropriations] (PASS)

Location: 7/10/2019-S. APPR.

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: 4/26/2019-Failed Deadline pursuant to Rule 61(a)(2). (Last location was NAT. RES. on 2/15/2019)(May be acted upon Jan 2020)

Location: 4/26/2019-A. 2 YEAR

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: 5/17/2019-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 4/24/2019)(May be acted upon Jan 2020)
Location: 5/17/2019-A. 2 YEAR
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: 5/17/2019-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 4/24/2019)(May be acted upon Jan 2020)
Location: 5/17/2019-A. 2 YEAR
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: 7/10/2019-From committee: Do pass and re-refer to Com. on APPR. (Ayes 6. Noes 1.) (July 9). Re-referred to Com. on APPR.
Location: 7/9/2019-S. APPR.
Summary: Current federal law, the Migratory Bird Treaty Act, provides for the protection of migratory birds, as specified. This bill, the California Migratory Bird Protection Act, would, 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: 6/25/2019-Read second time. Ordered to third reading.
Location: 6/25/2019-S. THIRD READING
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](#)** (**[Voepel R](#)**) **Importation, possession, or sale of endangered wildlife.**
Introduced: 2/13/2019
Last Amend: 4/22/2019
Status: 6/4/2019-Failed Deadline pursuant to Rule 61(a)(8). (Last location was APPR. on 4/23/2019)

Location: 6/4/2019-A. 2 YEAR

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: 4/26/2019-Failed Deadline pursuant to Rule 61(a)(2). (Last location was W.,P. & W. on 2/25/2019)(May be acted upon Jan 2020)

Location: 4/26/2019-A. 2 YEAR

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 584

(Gallagher R) Sport fishing licenses.

Introduced: 2/14/2019

Status: 5/3/2019-Failed Deadline pursuant to Rule 61(a)(3). (Last location was PRINT on 2/14/2019)(May be acted upon Jan 2020)

Location: 5/3/2019-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 their person or in their immediate possession when engaged in carrying out any activity authorized by the license. This bill would make nonsubstantive changes to this provision.

AB 658

(Arambula D) Water rights: water management.

Introduced: 2/15/2019

Last Amend: 7/11/2019

Status: 7/11/2019-From committee: Amend, and do pass as amended and re-refer to Com. on APPR. (Ayes 8. Noes 0.) (July 9). Read second time and amended. Re-referred to Com. on APPR.

Location: 7/9/2019-S. APPR.

Summary: Would authorize a groundwater sustainability agency or local agency to apply for, and the State Water Resources Control 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 719

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

Introduced: 2/19/2019

Last Amend: 6/25/2019

Status: 7/9/2019-VOTE: Do pass as amended, but first amend, and re-refer to the Committee on [Appropriations] (PASS)

Location: 7/9/2019-S. APPR.

Summary: Current law, commencing January 1, 2020, 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 crocodile or alligator. This bill 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, 2025.

AB 782

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

Introduced: 2/19/2019

Last Amend: 5/28/2019

Status: 7/1/2019-Read third time. Passed. Ordered to the Assembly. (Ayes 39. Noes 0.). In Assembly. Concurrence in Senate amendments pending. May be considered on or after July 3 pursuant to Assembly Rule 77.

Location: 7/1/2019-A. CONCURRENCE

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) Safe recreational water use: standards: Freshwater and Estuarine Harmful Algal Bloom Program.

Introduced: 2/20/2019

Last Amend: 6/20/2019

Status: 7/3/2019-From committee: Do pass and re-refer to Com. on APPR. with recommendation: To Consent Calendar. (Ayes 7. Noes 0.) (July 3). Re-referred to Com. on APPR.

Location: 7/3/2019-S. APPR.

Summary: Would require the State Water Resources Control Board, by regulation and in consultation with the State Department of Public Health, local health officers, California Native American tribes, as defined, and the public, to establish, maintain, and amend, as necessary, minimum standards for the safety of freshwater recreational bodies as related to harmful algal blooms, as the board determines are reasonably necessary for the protection of public health and safety and water quality.

[AB 855](#)

(McCarty D) Department of Justice: law enforcement policies on the use of deadly force.

Introduced: 2/20/2019

Last Amend: 3/19/2019

Status: 4/26/2019-Failed Deadline pursuant to Rule 61(a)(2). (Last location was PUB. S. on 3/18/2019)(May be acted upon Jan 2020)

Location: 4/26/2019-A. 2 YEAR

Summary: Would require the Attorney General to convene a task force, as specified, to study the use of deadly force by law enforcement officers and to develop recommendations, including a model written policy, for law enforcement agencies.

[AB 883](#)

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

Introduced: 2/20/2019

Status: 5/17/2019-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 4/24/2019)(May be acted upon Jan 2020)

Location: 5/17/2019-A. 2 YEAR

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: 4/26/2019-Failed Deadline pursuant to Rule 61(a)(2). (Last location was HEALTH on 3/4/2019)(May be acted upon Jan 2020)

Location: 4/26/2019-A. 2 YEAR

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: 4/26/2019-Failed Deadline pursuant to Rule 61(a)(2). (Last location was NAT. RES. on 3/21/2019)(May be acted upon Jan 2020)

Location: 4/26/2019-A. 2 YEAR

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: 6/26/2019

Status: 7/3/2019-From committee: Do pass and re-refer to Com. on APPR. (Ayes 5. Noes 1.) (July 3). Re-referred to Com. on APPR.

Location: 7/3/2019-S. APPR.

Summary: Would define "nonfloating oil" for purposes of the Lempert-Keene-Seastrand Oil Spill Prevention and Response Act. The bill would require the administrator for oil spill response to hold, on or before January 1, 2022, a technology workshop devoted solely to the topic of technology for addressing nonfloating oil spills, to conduct and publish a review of scientific and technical literature concerning that technology, to make a set of findings defining the elements of state-of-the-art response capability to nonfloating oil spills and identifying the best achievable technology and best practices for responding to those spills, and to update those findings at least biennially thereafter.

[AB 948](#)

(Kalra D) Coyote Valley Conservation Program.

Introduced: 2/20/2019

Last Amend: 6/18/2019

Status: 7/3/2019-In committee: Hearing postponed by committee.

Location: 6/26/2019-S. APPR.

Summary: Would authorize the Santa Clara Valley Open-Space 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](#)

(Obornolte R) State agencies: grant applications.

Introduced: 2/21/2019

Last Amend: 6/12/2019

Status: 6/12/2019-Read second time and amended. Ordered to third reading.

Location: 6/12/2019-S. THIRD READING

Summary: Current law authorizes various state agencies to award grant money for various purposes. This bill would prohibit a state agency from selecting as an evaluator of a grant application a person who, within the five-year period preceding receipt of that application, was a representative, member, or staff member of an organization or person, as those terms are defined, that is applying to receive grant funding from that state agency.

[AB 1040](#)

(Muratsuchi D) Protection of cetaceans: unlawful activities.

Introduced: 2/21/2019

Status: 4/26/2019-Failed Deadline pursuant to Rule 61(a)(2). (Last location was W.,P. & W. on 3/7/2019)(May be acted upon Jan 2020)

Location: 4/26/2019-A. 2 YEAR

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: 7/11/2019
Status: 7/11/2019-Read second time and amended. Re-referred to Com. on APPR.
Location: 7/11/2019-S. APPR.
Summary: Would, until January 1, 2025, create the Peace Officer Peer Support and Crisis Referral Services Pilot Program. The bill would, for purposes of the act, define a "peer support team" as a team composed of emergency service personnel, as defined, hospital staff, clergy, and educators who have been appointed to the team by a Peer Support Labor-Management Committee, as defined, and 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: 4/26/2019-Failed Deadline pursuant to Rule 61(a)(2). (Last location was NAT. RES. on 3/25/2019)(May be acted upon Jan 2020)
Location: 4/26/2019-A. 2 YEAR
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-Signed by the Governor
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: 5/16/2019
Status: 7/10/2019-From committee: Do pass and re-refer to Com. on APPR. (Ayes 7. Noes 1.) (July 9). Re-referred to Com. on APPR.
Location: 7/10/2019-S. APPR.
Summary: Would, unless a longer retention period is required by statute or regulation, require a public agency for purposes of the California Public Records Act to retain and preserve for at least 2 years every writing containing information relating to the conduct of the public's business prepared, owned, or used by any public agency 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: 6/19/2019-Referred to Com. on RLS.
Location: 5/24/2019-S. RLS.
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: 6/27/2019

Status: 6/27/2019-Read second time and amended. Re-referred to Com. on APPR.

Location: 6/27/2019-S. APPR.

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, exclude from the term "project" certain activities approved or carried out by the City of Los Angeles related to supportive housing and emergency shelters and would thereby exempt those projects from CEQA.

[AB 1237](#) ([Aguilar-Curry D](#)) Greenhouse Gas Reduction Fund: guidelines.

Introduced: 2/21/2019

Status: 6/27/2019-From Consent Calendar. Ordered to third reading.

Location: 6/27/2019-S. THIRD READING

Summary: Would require an agency that receives an appropriation from the Greenhouse Gas Reduction Fund to post on its internet website the agency's guidelines, as specified, for how moneys from the fund are allocated.

[AB 1244](#) ([Fong R](#)) Environmental quality: judicial review: housing projects.

Introduced: 2/21/2019

Status: 5/3/2019-Failed Deadline pursuant to Rule 61(a)(3). (Last location was NAT. RES. on 3/11/2019)(May be acted upon Jan 2020)

Location: 5/3/2019-A. 2 YEAR

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.

Introduced: 2/21/2019

Last Amend: 7/11/2019

Status: 7/11/2019-Read second time and amended. Re-referred to Com. on APPR.

Location: 7/11/2019-S. APPR.

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 of Fish and Wildlife to enter into cooperative agreements with any state or federal agency for the purpose of controlling harmful 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.

[AB 1260](#) ([Maienschein D](#)) Endangered wildlife.

Introduced: 2/21/2019

Last Amend: 4/11/2019

Status: 7/8/2019-In committee: Referred to APPR. suspense file.

Location: 7/8/2019-S. APPR. SUSPENSE FILE

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 1305 (Obernolte R) Junior hunting licenses: eligibility: age requirement.

Introduced: 2/22/2019

Last Amend: 6/18/2019

Status: 6/19/2019-Withdrawn from committee. Re-referred to Com. on RLS.

Location: 6/19/2019-S. RLS.

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: 7/12/2019-Failed Deadline pursuant to Rule 61(a)(10). (Last location was N.R. & W. on 6/12/2019)(May be acted upon Jan 2020)

Location: 7/12/2019-S. 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. 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 1472 (Stone, Mark D) California Dungeness Crab Commission.

Introduced: 2/22/2019

Last Amend: 6/19/2019

Status: 7/10/2019-From committee: Do pass and re-refer to Com. on APPR. with recommendation: To Consent Calendar. (Ayes 8. Noes 0.) (July 9). Re-referred to Com. on APPR.

Location: 7/10/2019-S. APPR.

Summary: Would create the California Dungeness Crab Commission. The bill would specify the membership, powers, duties, and responsibilities of the commission. The commission would be authorized to approve the payment of a stipend to commission members, as specified. The commission also would be authorized to carry out programs of education, public information, promotion, marketing, and research relating to Dungeness crab. The bill would authorize the commission to levy an assessment, as specified, on Dungeness crab fishers, as defined, and would authorize the expenditure of those moneys for the purposes of carrying out the commission's powers, duties, and responsibilities, thereby making an appropriation.

AB 1549 (O'Donnell D) Wildlife: deer: Santa Catalina Island: report.

Introduced: 2/22/2019

Last Amend: 3/21/2019

Status: 5/17/2019-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 4/24/2019)(May be acted upon Jan 2020)

Location: 5/17/2019-A. 2 YEAR

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: 4/26/2019-Failed Deadline pursuant to Rule 61(a)(2). (Last location was W.,P. & W. on 3/28/2019)(May be acted upon Jan 2020)
Location: 4/26/2019-A. 2 YEAR
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 1657](#) (Garcia, Eduardo D) Salton Sea: Office of the Salton Sea: Salton Sea Oversight Committee.**
Introduced: 2/22/2019
Status: 7/12/2019-Failed Deadline pursuant to Rule 61(a)(10). (Last location was N.R. & W. on 6/12/2019)(May be acted upon Jan 2020)
Location: 7/12/2019-S. 2 YEAR
Summary: The Salton Sea Restoration Act requires the Secretary of the Natural Resources Agency, in consultation and coordination with the Salton Sea Authority, to lead Salton Sea restoration efforts. This bill would establish an Office of the Salton Sea within the Natural Resources Agency. The bill would require the secretary to establish a Salton Sea Oversight Committee.
- [AB 1788](#) (Bloom D) Pesticides: use of anticoagulants.**
Introduced: 2/22/2019
Last Amend: 6/24/2019
Status: 7/10/2019-From committee: Do pass and re-refer to Com. on APPR. (Ayes 7. Noes 1.) (July 9). Re-referred to Com. on APPR.
Location: 7/9/2019-S. APPR.
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. Existing law requires the director, and each county agricultural commissioner under the direction and supervision of the director, to enforce the provisions regulating the use of pesticides. This bill would create the California Ecosystems Protection Act of 2019 and expand this prohibition against the use of a pesticide containing specified anticoagulants in wildlife habitat areas to the entire state.
- [AB 1798](#) (Levine D) California Racial Justice Act: death penalty.**
Introduced: 2/22/2019
Last Amend: 3/21/2019
Status: 5/17/2019-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/1/2019)(May be acted upon Jan 2020)
Location: 5/17/2019-A. 2 YEAR
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.
- [SB 1](#) (Atkins D) California Environmental, Public Health, and Workers Defense Act of 2019.**
Introduced: 12/3/2018
Last Amend: 7/1/2019
Status: 7/9/2019-From committee: Do pass and re-refer to Com. on APPR. (Ayes 8. Noes 2.) (July 9). Re-referred to Com. on APPR.
Location: 7/9/2019-A. APPR.
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 require specified agencies to take prescribed actions regarding certain federal requirements and standards pertaining to air, water, and protected species, as specified.

[SB 4](#)

(McGuire D) Housing.

Introduced: 12/3/2018

Last Amend: 4/10/2019

Status: 4/26/2019-Failed Deadline pursuant to Rule 61(a)(2). (Last location was GOV. & F. on 4/2/2019)(May be acted upon Jan 2020)

Location: 4/26/2019-S. 2 YEAR

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: 7/3/2019-July 3 set for first hearing. Placed on APPR. suspense file.

Location: 7/3/2019-A. APPR. SUSPENSE FILE

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 34](#)

(Wiener D) Cannabis: donations.

Introduced: 12/3/2018

Last Amend: 7/3/2019

Status: 7/9/2019-From committee: Do pass and re-refer to Com. on APPR. (Ayes 10. Noes 0.) (July 8). Re-referred to Com. on APPR.

Location: 7/9/2019-A. APPR.

Summary: Current administrative law prohibits a retailer licensee from providing free cannabis goods to any person or allowing individuals who are not employed by the retailer to provide free cannabis goods to any person on the licensed premises. Current administrative law provides an exception to this prohibition for specified medicinal retailer and microbusiness licensees to provide access to medicinal cannabis patients who have difficulty accessing medicinal cannabis goods, as specified. This bill, the Dennis Peron and Brownie Mary Act, would similarly authorize those specified licensees to provide free cannabis or cannabis products to a medicinal cannabis patient or the patient's primary caregiver if specified requirements are met, including that the cannabis or cannabis products otherwise meet specified requirements of MAUCRSA.

[SB 45](#)

(Allen D) Wildfire, Drought, and Flood Protection Bond Act of 2020.

Introduced: 12/3/2018

Last Amend: 4/4/2019

Status: 5/1/2019-May 6 set for first hearing canceled at the request of author.

Location: 4/25/2019-S. APPR.

Summary: Would enact the Wildfire, Drought, and Flood Protection Bond Act of 2020, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$4,300,000,000 pursuant to the State General Obligation Bond Law to finance projects to restore fire damaged areas, reduce wildfire risk, create healthy forest and watersheds, reduce climate impacts on urban areas and vulnerable populations, protect water supply and water quality, protect rivers, lakes, and streams, reduce flood risk, protect fish and wildlife

from climate impacts, improve climate resilience of agricultural lands, and protect coastal lands and resources.

SB 50

(Wiener D) Planning and zoning: housing development: streamlined approval: incentives.

Introduced: 12/3/2018

Last Amend: 6/4/2019

Status: 6/4/2019-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/13/2019)(May be acted upon Jan 2020)

Location: 6/4/2019-S. 2 YEAR

Summary: Would authorize a development proponent of a neighborhood multifamily 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 structure on vacant land, or to convert an existing structure that does not require substantial exterior alteration into a multifamily structure, consisting of up to 4 residential dwelling units and that meets local height, setback, and lot coverage zoning requirements as they existed on July 1, 2019.

SB 61

(Portantino D) Firearms: transfers.

Introduced: 1/3/2019

Last Amend: 6/11/2019

Status: 7/10/2019-July 10 set for first hearing. Placed on APPR. suspense file.

Location: 7/10/2019-A. APPR. SUSPENSE FILE

Summary: Current law, subject to exceptions, prohibits a person from making more than one application to purchase a handgun within any 30-day period. A violation of that prohibition is a crime. Current law prohibits a firearms dealer from delivering a handgun to a person whenever the dealer is notified by the Department of Justice that within the preceding 30-day period the purchaser has made another application to purchase a handgun that does not fall within an exception to the 30-day prohibition. A violation of that delivery prohibition by the dealer is a crime. This bill would, effective July 1, 2021, make the 30-day prohibition and the dealer delivery prohibition described above applicable to all types of firearms.

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: 7/19/2019-Enrolled and presented to the Governor.

Location: 7/19/2019-S. ENROLLED AND PRESENTED TO THE GOVERNOR

Summary: the California Endangered Species Act 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: 7/11/2019-Read second time and amended. Re-referred to Com. on APPR.

Location: 7/11/2019-A. APPR.

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: 2/6/2019- Referred to Com. on RLS.

Location: 1/29/2019-S. RLS.

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: 2/13/2019- Referred to Com. on RLS.

Location: 1/31/2019-S. RLS.

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: 2/13/2019- Referred to Com. on RLS.

Location: 1/31/2019-S. RLS.

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: 7/3/2019- Read second time and amended. Re-referred to Com. on APPR.

Location: 7/3/2019-A. APPR.

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: 6/26/2019

Status: 7/3/2019- July 3 set for first hearing. Placed on APPR. suspense file.

Location: 7/3/2019-A. APPR. SUSPENSE FILE

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: 2/21/2019-Referred to Com. on RLS.
Location: 2/11/2019-S. RLS.
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: 7/11/2019
Status: 7/11/2019-Read second time and amended. Re-referred to Com. on APPR.
Location: 7/11/2019-A. APPR.
Summary: Current law requires each electrical corporation to annually prepare a wildfire mitigation plan and to submit its plan to the commission for review and approval, as specified. Current law requires that an electrical corporation's wildfire mitigation plan include plans for vegetation management. Current law requires the commission, at the time it approves each plan, to authorize the utility to establish a memorandum account to track costs incurred to implement the plan. Current law requires the Public Utilities Commission to oversee compliance with the approved plans. This bill would, on or after January 1, 2021, require an electrical corporation to notify the Department of Forestry and Fire Protection after it completes all or a substantial portion of the vegetation management requirements in its wildfire mitigation plan.
- [SB 262](#)** **(McGuire D) Marine resources: commercial fishing and aquaculture: regulation of operations.**
Introduced: 2/12/2019
Last Amend: 7/11/2019
Status: 7/11/2019-Read second time and amended. Re-referred to Com. on APPR.
Location: 7/11/2019-A. APPR.
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. Existing 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 307](#)** **(Roth D) Water conveyance: use of facility with unused capacity.**
Introduced: 2/15/2019
Last Amend: 4/30/2019
Status: 7/11/2019-Read second time. Ordered to third reading. Art. IV. Sec. 8(b)(1) of the Constitution dispensed with. Assembly Rule 63 suspended. Read third time. Passed. Ordered to the Senate.
Location: 7/11/2019-S. DESK
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: 7/1/2019

Status: 7/1/2019-Read second time and amended. Re-referred to Com. on APPR.

Location: 6/25/2019-A. APPR.

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 376

(Portantino D) Firearms: transfers.

Introduced: 2/20/2019

Last Amend: 6/11/2019

Status: 7/9/2019-From committee: Do pass and re-refer to Com. on APPR. (Ayes 7. Noes 1.) (July 9). Re-referred to Com. on APPR.

Location: 7/9/2019-A. APPR.

Summary: Current law generally prohibits the purchase or receipt of a firearm by, or sale, transfer, or loan of a firearm, to, a person who does not have a firearm safety certificate. Current law exempts from this requirement, the infrequent loan of a firearm. Existing law defines "infrequent" for purposes of this exemption to mean less than six handgun transactions per calendar year, or, for firearms other than handguns, an indefinite number of transactions that are "occasional and without regularity." This bill would redefine "infrequent" to mean less than six firearm transactions per calendar year, regardless of the type of firearm, and no more than 50 total firearms within those transactions.

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: 7/3/2019

Status: 7/3/2019-Read second time and amended. Re-referred to Com. on APPR.

Location: 7/3/2019-A. APPR.

Summary: Would require 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: 7/2/2019-Coauthors revised. From committee: Do pass and re-refer to Com. on APPR. (Ayes 10. Noes 0.) (July 2). Re-referred to Com. on APPR.

Location: 7/2/2019-A. APPR.

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: 4/26/2019-Failed Deadline pursuant to Rule 61(a)(2). (Last location was N.R. & W. on

2/28/2019)(May be acted upon Jan 2020)

Location: 4/26/2019-S. 2 YEAR

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

Status: 7/10/2019-VOTE: Do pass as amended and be re-referred to the Committee on [Appropriations] (PASS)

Location: 7/10/2019-A. APPR.

Summary: Current law designates illnesses and conditions that constitute a compensable injury for various employees, such as California Highway Patrol members, 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. This bill 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.

SB 474

(Stern D) The California Wildlife Protection Act of 1990: Habitat Conservation Fund.

Introduced: 2/21/2019

Last Amend: 5/21/2019

Status: 7/12/2019-Failed Deadline pursuant to Rule 61(a)(10). (Last location was W.,P. & W. on 6/6/2019)(May be acted upon Jan 2020)

Location: 7/12/2019-A. 2 YEAR

Summary: Would establish the Wildlife Protection Subaccount in the Habitat Conservation Fund and would require the Controller, if an appropriation is made for this purpose in any fiscal year, to transfer \$30,000,000 from the General Fund to the subaccount, less any amount transferred from specified accounts and funds, to be expended by the board for the acquisition, enhancement, or restoration of wildlife habitat.

SB 542

(Stern D) Workers' compensation.

Introduced: 2/22/2019

Status: 7/10/2019-VOTE: Do pass as amended and be re-referred to the Committee on [Appropriations] (PASS)

Location: 7/10/2019-A. APPR.

Summary: Would provide that in the case of certain state and local firefighting personnel and peace officers, the term "injury" also includes a mental health condition or mental disability that results in a diagnosis of post-traumatic stress or mental health disorder that develops or manifests itself during a period in which the firefighting member or peace officer is in the service of the department or unit. These provisions would apply to claims for benefits filed or pending on or after January 1, 2017.

SB 566

(Borgeas R) Fish and Game Commission.

Introduced: 2/22/2019

Status: 3/7/2019-Referred to Com. on RLS.

Location: 2/22/2019-S. RLS.

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 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: 7/11/2019-Read second time and amended. Re-referred to Com. on APPR.

Location: 7/11/2019-A. APPR.

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 744

(Caballero D) Planning and zoning: California Environmental Quality Act: permanent supportive housing.

Introduced: 2/22/2019

Last Amend: 7/11/2019

Status: 7/11/2019-Read second time and amended. Re-referred to Com. on APPR.

Location: 7/11/2019-A. APPR.

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 757

(Allen D) Fish and Game Code: name change.

Introduced: 2/22/2019

Status: 3/14/2019-Referred to Com. on RLS.

Location: 2/22/2019-S. RLS.

Summary: Current law establishes the Fish and Game Code. This bill would rename the Fish and Game Code as the Fish and Wildlife Code and would require that any reference to the Fish and Game Code in that code or any other code means the Fish and Wildlife Code.

SB 761

(Jones R) Forestry: exemptions: emergency notices: reporting.

Introduced: 2/22/2019

Status: 3/14/2019-Referred to Com. on RLS.

Location: 2/22/2019-S. RLS.

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 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: 6/24/2019

Status: 7/9/2019-From committee: Do pass and re-refer to Com. on APPR. with recommendation: To consent calendar. (Ayes 11. Noes 0.) (July 8). Re-referred to Com. on APPR.

Location: 7/8/2019-A. 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 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.

For more information call:

Clark Blanchard, CDFW Acting Deputy Director at (916) 651-7824
Julie Oltmann, CDFW Legislative Representative at (916) 653-9772
Kristin Goree, CDFW Legislative Coordinator at (916) 653-4183

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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July 15, 2019

Public Comments Processing
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Submitted via the Federal eRulemaking Portal at <http://www.regulations.gov>

ATTN: Docket No. FWS- HQ-ES-2018-0097, Removal of Gray Wolf (*Canis Lupus*)
from the List of Endangered and Threatened Wildlife

Dear U.S. Fish and Wildlife Service staff:

This letter is in response to the U.S. Fish and Wildlife Service (USFWS) proposed rule *Removing the Gray Wolf (Canis lupus) From the List of Endangered and Threatened Wildlife and Maintaining Protections for the Mexican Wolf (Canis lupus baileyi) by Listing It as Endangered.*

On behalf of the California Fish and Game Commission (Commission), I am writing to oppose the proposed rule as it prematurely terminates recovery efforts for gray wolf in the lower-48 states.

A proclamation of recovery appears very premature. The limited gray wolf return to some of the states that will be impacted by the proposed rule, including California, has been for only a brief period in the thousands of years history of gray wolf as a species, and most of the suitable habitat in these states has not yet been repopulated. Gray wolf needs the protection of the federal Endangered Species Act (ESA) to repopulate ecosystems around the country, including California. Gray wolf should continue to be monitored, studied, and allowed to continue to expand where suitable habitat and movement corridors exist.

The proposed rule also does not address the lack of gray wolf population in most of the species' historic range. The proposed rule defines "range" to only mean "current range," which is a nonsensical definition in that it arbitrarily sets the range to one reflecting past losses, thereby creating a "shifting baseline." This shift is particularly relevant to

California as gray wolf has only recently reappeared and has not yet repopulated its historic California range. While efforts to recover gray wolf in the northern Rocky Mountains and western Great Lakes have made significant progress, these areas represent a small fraction of the gray wolf's historic range and a fraction of the remaining habitat identified by scientists as suitable for supporting gray wolf, including in the southern Rocky Mountains, California, Pacific Northwest, and Northeast. Discounting California and other vital, historic habitats ignores science and the law.

In addition, recovery requires a goal of maintaining a minimum population number, as well as adequate genetic diversity. There is uncertainty as to whether the gray wolf's reproductive potential is secure enough to maintain a genetically viable population and how that may change if it is delisted. The degree to which dispersing or colonizing wolves in California can breed with and exchange individuals between other states wolf packs may influence both the genetic diversity and the level of risk posed by small population size. The USFWS proposed rule for removing gray wolf from protection does not provide adequate safeguards for the genetic diversity of the population or a large enough population for maintaining long-term reproductive potential.

In fact, much of the rule bases its recovery analysis on an outdated recovery plan using decades-old science. The science regarding ecology, taxonomy, and the human dimensions of carnivores in general, and wolves in particular, has advanced considerably since the wolf recovery plan was produced. It is highly likely that a recovery plan written with the current scientific understandings of wolves as a background would look substantially different. In short, the recovery criteria on which the rule is heavily based does not factor in the best available science, and therefore any analysis in the rule which is based on it does not either.

Two conservation principles cited in the proposed rule are resiliency and redundancy. Establishing and maintaining redundant populations of gray wolf across its historic range, with robust numbers of healthy individuals existing in suitable habitat, can help ensure long-term survival of the species, especially when adverse conditions result in localized or regional population decline or even collapse. The capacity to recover quickly, and having nearby, redundant sources of individuals for rebuilding a population are critical for long-term recovery success. However, if gray wolf is delisted, there is a potential risk of populations stalling or even declining from hunting and lethal management.

A number of states that would be affected by the proposed rule have already indicated that they would initiate hunting seasons on gray wolf if the proposed rule is adopted. Additionally, as gray wolf populations recover and expand, tensions have grown between agriculture and public sectors in addressing suspected wolf depredation, where the focus is often on lethal management. Increased hunting and lethal management can hinder the ability to re-establish gray wolf populations in its full historic range. For recovery efforts in California, it is important that federal law continues to protect source populations of gray wolf in adjacent and nearby states.

On a related note, the discussion of the role of public attitudes is cursory and glosses over one of the key factors in establishing wolf recovery. Contrary to the proposed rule's assertion, people's attitudes, and the behaviors that stem from those attitudes, are well understood; the proposed rule cites much of the research, and there is much beyond that, but astoundingly none of it is discussed. As an example, consider poaching. Rather than being "impossible to accurately determine," the number of illegal wolf killings can be and has been estimated using proper scientific methods; estimates have shown that poaching is more prevalent than previously believed. Wolves cannot properly be delisted until a full understanding of illegal human mortality causes is brought to bear in the discussion, much of which is counterintuitive or surprising. We urge USFWS to factor in the peer-reviewed literature on illegal wolf killing and on other large carnivores analogous to gray wolf.

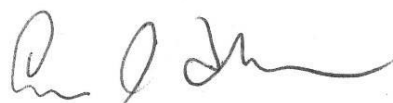
Human attitudes can change, and the behaviors that result from those changes can be beneficial or detrimental to the wolf; delisting will likely have an effect on these attitudes. Since targeted extirpation of the species was one of the main factors that led to gray wolf's near extinction in the U.S., it behooves USFWS to conduct a thorough analysis to demonstrate that such attitudes will not become a detriment to the future of the species.

The Commission celebrates the success some other states have achieved in reestablishing gray wolf; however, gray wolf was extirpated in California nearly a century ago and, while gray wolf has recently returned, self-sustaining populations needed for recovery have not yet been achieved in the state. The Commission is committed to supporting collaborative efforts with USFWS and other agencies on gray wolf conservation and recovery efforts in California, which are enhanced by federal ESA protection. Federal ESA protection contributes to conserving gray wolf in California through federal prosecution for illegal take, federal funding, cooperative management with federal agencies, and protecting wolves in other states that may contribute to the genetic diversity of the wolf population in California.

Federal policy should reflect a greater commitment to active gray wolf recovery efforts, identifying and protecting critical habitat and movement corridors, maintaining a population level consistent with ecosystem functionality, and innovative policy and guidance to reduce lethal control as a management strategy.

If you have any questions, please contact Ari Cornman, wildlife advisor to the Commission, at (916) 653-4899 or FGC@fgc.ca.gov.

Sincerely,



Eric Sklar
President

U.S. Fish and Wildlife Service

July 15, 2019

Page 4 of 4

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