

STAFF SUMMARY FOR APRIL 14, 2021

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

Receive updates from the executive director on staffing changes, committee workload prioritization, legislation, and action taken under delegated authorities.

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

We have entered another transitional time for staffing at FGC. Longtime regulatory analyst Jon Snellstrom retired on Mar 31, after 29 years of service with FGC. We look forward to honoring his incredible dedication at the Jun 2021 meeting. Thanks to rapid recruitment efforts, FGC's newest regulatory analyst, David Haug, began work in mid-March allowing two weeks of overlap for Jon to share some of his expertise and begin training David.

In mid-Feb, Sea Grant State Fellow Corinna Hong began her yearlong assignment with FGC; her start overlapped with outgoing fellow Rose Dodgen by several weeks to allow training and a smooth transition.

Regulatory Analyst Craig Castleton, who most recently has been on a contact tracing assignment with the California Department of Public Health, has accepted a promotional opportunity with another agency. Craig joined FGC staff in Aug 2018 and, while we will miss his steady and abundant talents, we are excited for his bright future and the continuing contributions he will make on behalf of the people of California. Recruitment efforts for Craig's replacement began recently.

For additional biographical information on FGC staff as of March 2021, see Exhibit 2.

After a statewide recruitment effort, we are pleased that Charles "Chuck" Striplen has accepted our offer to be FGC's first-ever tribal advisor and liaison. Currently working for the North Coast Regional Water Quality Control Board, Chuck helped develop the board's tribal affairs program and is the Elk River watershed steward. He has a deep background in stakeholder engagement and multidisciplinary research teams, and is a member of the California Ocean Protection Council Science Advisory Team. Chuck will join FGC staff on May 3.

Committee Workload Prioritization

At and following FGC's Feb 2021 meeting, commissioners provided feedback on a draft staff recommendation (<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=189167&inline>) for a framework to prioritize topics and projects referred to committee. Staff were directed to consider a wider and more nuanced ranking scale and define each ranking level in more detail.

Staff has begun modifying the draft framework as directed, including expanding the ranking scale. Additionally, staff is developing a method of integrating the numerous individual criterion rankings, leading to a single "score" that would allow FGC to rank potential projects and topics

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relative to each other. Staff is testing the revised methods on individual committee topics to evaluate how they are functioning, and to refine the proposed approach to ensure it will function as intended and provide a systematic foundation for staff recommendations regarding committee prioritization. Staff plans to bring a final proposed framework to the Commission for consideration at the June 2021 meeting.

Legislative Matters

FGC staff has identified state legislation that may affect FGC's resources and workload or be of interest (see below), but currently relies heavily on colleagues at DFW to monitor and track legislation. DFW has provided a report on state bills that DFW is tracking during the current legislative session (Exhibit 3).

At any meeting, FGC may direct staff to provide information to, or share concerns with, bill authors or regulatory agencies. Today is an opportunity for FGC to provide direction to staff concerning proposed legislation.

Legislative Calendar Highlights

- Apr 30: Last day for policy committees to hear and report to fiscal committees fiscal bills introduced in their houses
- May 7: Last day for policy committees to hear and report to the floor non-fiscal bills introduced in their houses
- May 14: Last day for policy committees to meet prior to Jun 7
- May 21: Last day for fiscal committees to meet prior to Jun 7 and to hear and report to the floor bills introduced in their house'
- Jun 1-4: Floor session only
- Jun 4: Last day for bills to be passed out of the house of origin
- Jun 7: Committee meetings may resume

Bills Introduced during the 2021-2022 Session

Ten state assembly bills (AB) and three senate bills (SB) identified in DFW's report may affect FGC's resources and workload or are of particular interest:

- AB 29 (*Cooper*) *State bodies: meetings* (Bagley-Keene Open Meeting Act)
- AB 30 (*Kalra*) *Outdoor access to nature: environmental equity*
- AB 63 (*Petrie-Norris*) *Marine resources: Marine Managed Areas Improvement Act: restoration activities*
- AB 303 (*Rivas*) *Aquaculture: mariculture production and restoration: pilot program*
- AB 339 (*Lee*) *State and local government: open meetings* (public attendance via call-in or Internet-based service options)
- AB 534 (*Bonta*) *Fishing: ropeless fishing gear*

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- AB 554 (*Mathis*) *Department of Fish and Wildlife: Office of the Ombudsperson*
- AB 564 (*Lorena Gonzalez*) *Biodiversity Protection and Restoration Act*
- AB 885 (*Quirk*) *Bagley-Keene Open Meeting Act: teleconferencing*
- AB 1429 (*Holden*) *State agency records: management coordinator duties: personnel training*
- SB 80 (*McGuire*) *Commercial fishing: inspection: crab traps*
- SB 470 (*Jones*) *Fishing and hunting: annual combined hunting and fishing licenses*
- SB 822 (*Cmte on NR&W*) *Marine resources*

Significant Public Comments

- The California Dungeness Crab Task Force opposes AB 534, indicating that it will jeopardize the safety, economic viability and productivity of California's Dungeness crab industry and could result in adverse impacts to the marine ecosystem and health of marine life. The task force details the reasons for its conclusions. (Exhibit 4)
- Over a dozen individual commenters write in opposition to AB 534, indicating that recreational fishermen are not the source of whale entanglements, and that ropeless gear is not yet well-developed and will be cost-prohibitive. Representative examples are provided in Exhibit 5.

Recommendation (N/A)**Exhibits**

1. [Staff Time Allocation and Activities, dated Apr 5, 2021](#)
2. [Staff Member Biographies, dated Mar 29, 2021](#)
3. [DFW legislative report, dated Apr 5, 2021](#)
4. [Email from Rachelle Fisher, Principal, Strategic Earth Consulting, providing a letter from the California Dungeness Crab Task Force to Assembly Member Bonta opposing AB 534, received Mar 29, 2021](#)
5. [Emails opposing AB 534, received Mar 16-21, 2021](#)

Motion (N/A)

California Fish and Game Commission
Staff Time Allocation and Activities
April 5, 2021

This report identifies for the months of February and March 2021 where California Fish and Game Commission staff time was allocated in general activity categories, trends in staff time allocation, and examples of the specific activities in which staff engaged.

General Time Allocation

Task Category	February Staff Time	March Staff Time
Regulatory Program	10%	6%
Non-Regulatory Programs	3%	3%
Commission/Committee Meetings	25%	18%
Legal Matters	5%	4%
External Affairs	9%	8%
Special Projects	11%	14%
Administration	27%	31%
Leave Time	18%	16%
Unfilled Positions	0%	0%
Total Staff Time ¹	107%	106%

¹ Total staff time is greater than 100% due to overtime

Trends

Allocated time across most task categories remained stable for this period; however, larger than normal allocations in the Special Projects and Administration categories are again noteworthy.

Special Projects is higher, in part, due to preparations for the Commission staff move to the new Natural Resources Building (currently scheduled in late August) for such activities as responding to requests for information regarding move logistics, mapping out space allocations, identifying phone configurations, coordinating equipment needs, converting paper to digital files, and regular information-sharing calls with the transition planning team.

Additionally, the coyote workshop planning and implementation intensified, and the next annual update for service-based budgeting began in March and will continue through April. Other ongoing projects include bullfrog and non-natives turtles stakeholder engagement, the *Coastal Fishing Communities Project*, committee workload prioritization, the justice, equity, diversity and inclusion initiative, and planning for the second coyote workshop.

Administration time remains high in large part due to the time dedicated to recruitment, onboarding and training for several positions (Sea Grant fellow, two regulatory analysts, and tribal advisor and liaison), bi-weekly California Natural Resources Agency COVID-19 Task Force meetings, requests for data and information related to the pandemic, and initiating the orientation process for a new commissioner.

Sample Activities for February 2021

- Advanced effort at developing and finalizing a work plan for creating a justice, equity, diversity and inclusion (JEDI) plan
- Engaged in marine protected area (MPA) communications kickoff for MPA Program and 2022 decadal review for MPAs
- Furthered progress in addressing existing aquaculture lease amendment requests
- As an MPA Policy Advisory Committee member, began reviewing draft reports of the California Ocean Protection Council Science Advisory Team working group on scientific guidance in support of MPA decadal management review
- Participated in Association of Fish and Wildlife Agency's new director's orientation meeting
- Began onboarding Sea Grant state fellow
- Prepared for and conducted one publicly noticed meeting (Commission), and began preparations for three publicly noticed meetings (Marine Resources Committee, JEDI Listening Session, and Coyotes in the Urban Environment Workshop #1)

Sample Activities for March 2021

- Attended panel presentation with the California Department of Rehabilitation on making the workplace a more inclusive and welcoming environment for people with disabilities and participated in training for mitigating implicit bias
- Participated in first meeting of the Southern California Offshore Aquaculture Interagency Working Group, and in agency-industry meetings to clarify application process for new offshore state aquaculture leases
- Initiated a series of conversations with fishery organization leaders regarding *Coastal Fishing Communities* Project engagement
- Advanced existing aquaculture lease amendment requests and new lease applications
- Conducted meetings with various state and local agencies and stakeholders regarding bullfrogs and non-native turtles
- Conducted initial orientation for new commissioner, Erika Zavaleta
- Began analysis for service-based budgeting current state (time spent on specific tasks, by position, for Fiscal Year 2020-2021)
- Prepared for and conducted three publicly noticed meetings (Marine Resources Committee, JEDI Listening Session, Coyotes in the Urban Environment Workshop #1).
- Began preparations for two publicly noticed meetings (Tribal Committee, Commission).
- Bid farewell to our colleague Jon Snellstrom with a field trip to the Mather Vernal Pools.

Sample Tasks for the General Allocation Categories

Regulatory Program

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

Non-Regulatory Program

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

Commission/Committee Meetings and Support

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

Legal Matters

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

External Affairs

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

Special Projects

- Coastal Fishing Communities
- Paper to digital conversion
- Bullfrogs and non-native turtles stakeholder engagement

- Streamline routine regulatory actions
- Aquaculture best management practices
- Service-based budgeting

- Move to 715 P Street, new Natural Resources Building

Administration

- Staff training and development
- Purchases and payments
- Contract management
- Personnel management
- Budget development and tracking

- Health and safety oversight and COVID-19 responses
- Internal processes and procedures
- Document archival

Leave Time

- Holidays
- Sick
- Vacation or annual
- Jury duty

- Bereavement
- Contact tracing
- Personal Leave Program 2020

California Fish and Game Commission
Staff Member Biographies
March 2021

Executive Director (Commission appointee): *Melissa Miller-Henson*

Melissa began her work at the Commission in 2012 focused on organizational effectiveness and efficiency, and then became the program manager where she managed appeals, oversaw the rulemaking program, and provided program and policy advice to the executive director and Commission as well as general administrative direction and supervision for staff. She was the deputy executive director and then the acting executive director until appointment by the Commission as executive director in September 2019. She is responsible for creating an environment where the public, scientists, government agencies, and tribal nations can work with the Commission to realize sound stewardship of California's fish and wildlife resources.

In the first part of her career, Melissa worked for the California Natural Resources Agency on various natural resource management issues, including seven years managing the Marine Life Protection Act Initiative, and a year managing the California Fish and Wildlife Strategic Vision Project. Melissa's experience includes policy analysis, facilitating multi-disciplinary teams, project management, media and stakeholder communications, translating science for policy-makers, strategic planning, and ecosystem-based conservation and management.

Melissa received a bachelor of science degree from UC Davis in environmental policy analysis and planning. Her master's in business administration work, also completed at UC Davis, emphasized public sector and human resources management. In her spare time, she is a professional whitewater raft guide and loves spending time outdoors.

Deputy Executive Director (career executive assignment): *Rachel Ballanti*

Rachel joined the Commission in March 2020 as the deputy executive director where she focuses on advising the executive director in resolving administrative issues, implementing administrative priorities, aiding the executive director in strategic planning, overseeing Commission meeting preparation, and directing the activities of a professional staff.

Prior to joining the Commission, Rachel served as a section chief and program manager for the California Department of Water Resources' (DWR) Financial Assistance Branch, managing the Integrated Regional Water Management Implementation Grant Program and the Water-Energy Grant Program. Previously, she held several positions at the California Water Commission, including assistant executive officer and acting executive officer. At the Water Commission, she worked in the areas of policy and program development, interagency coordination, and tribal and stakeholder involvement for programs, including the Water Storage Investment Program. She also held several positions within DWR, including as advisor to the chief deputy director. She holds a bachelor's degree from UC Irvine and a master of public administration degree from the University of Southern California.

Legal Counsel (attorney IV): *Michael Yaun*

Mike joined the Commission staff in 2015 as legal counsel. He provides legal advice to the Commission in both open and closed sessions of all regular, special and emergency meetings. He conducts legal research and provides advice to the commissioners, the executive director, and other Commission staff members on issues before the Commission to help implement

direction from the Commission and prepare for Commission meetings. He also coordinates with litigation counsel provided by the California State Attorney General's office.

Prior to working for the Commission, Mike worked for almost 14 years as an attorney for the Florida Fish and Wildlife Conservation Commission. In various roles at the Florida commission, he worked on a wide variety of issues dealing with both state and federal regulation of fish and wildlife; his focus was on state- and federally-listed species.

Mike has a bachelor's degree from the University of Florida and a law degree from Florida State University. When he's not working, Mike loves to explore nature with his wife, usually by trail running, mountain biking, and whitewater kayaking.

Marine Advisor (senior environmental scientist – specialist): *Susan Ashcraft*

Susan joined the Commission in February 2014 as a senior environmental scientist, where she provides independent guidance and recommendations on a wide range of marine policy and management issues; supports the activities of the Marine Resources Committee; conducts scientific, regulatory and policy review and analysis; and is the Commission's liaison to partners, stakeholders, and the California Department of Fish and Wildlife (CDFW) Marine Region. In 2019 she served as the acting deputy executive director for 12 months, a responsibility she also held in 2016 for a year.

Prior to joining the Commission, she worked for CDFW's Marine Region for over 16 years on a range of marine fisheries and resource management projects with state and federal agencies and stakeholders, served as a California representative on the Pacific Fishery Management Council Groundfish Management Team, and supported the marine protected areas planning project as supervisor and specialist under the Marine Life Protection Act Initiative. Her many years of service with the Marine Region provide a unique foundational working relationship among Commission and department leadership, project staff, and stakeholders.

Susan received a bachelor's degree from UC Santa Cruz in biology, with an emphasis in marine biology, and completed master's work in marine science at Boston University's Marine Program in Woods Hole, Massachusetts.

Wildlife Advisor (senior environmental scientist – specialist): *Ari Cornman*

Ari joined the Commission staff in May 2018 and functions as the staff expert on terrestrial wildlife and inland fisheries for issues throughout the state. Previously, Ari worked on wildlife issues for a tribe in Michigan and worked at the Attwater Prairie Chicken National Wildlife Refuge in Eagle Lake, Texas, where he helped restore endangered bird populations and their habitat. He also worked in the U.S. Fish and Wildlife Service Colorado Field Office and the Mountain-Prairie Regional Office on wetlands, endangered species, waterfowl, wildfire, and regulations. He has studied and coauthored papers on carnivore biology and human-wildlife interactions. He teaches and facilitates conservation planning and adaptive management using the Open Standards for the Practice of Conservation as a member of the international Conservation Coaches Network.

Ari earned a bachelor of science degree in ecology and philosophy (dual major) from Juniata College in Pennsylvania and an M.S. in biology from Truman State University in Missouri.

Program Manager (staff services manager I): *David Thesell*

David began with the Commission in November 2017 and serves as a member of the executive leadership team, oversees general administrative functions to ensure the Commission's daily office operations promote accountability, effectiveness and efficiency; administers a statewide regulatory program to meet statutory mandates; renders management advice that impacts Commission programs and policies; oversees development of materials for all Commission meetings; manages special projects; ensures timely response to Public Records Act requests; oversees records management; and provides direction and supervision of regulatory staff.

Previously, David worked for the California Department of Conservation (DOC) for over ten years. He served as deputy chief for the DOC Division of Land Resource Protection, where he was the administrative chief overseeing daily operations and programs dedicated to preserving farmland. In 2012, David was named program manager for the division's various grant programs, which included the department's popular watershed coordinator program, a statewide, bond-funded program to improve natural resource conditions on a watershed basis. He also served as program manager and liaison to the California Strategic Growth Council, to issue grant funds to assist local agencies in adopting sustainable and climate-friendly strategies into their planning updates. Prior to joining the state, David was a grants and financial manager for a private family foundation in San Francisco.

David earned his bachelor of science degree in business administration from California State University, Sacramento. A Sacramento native, he enjoys camping with his wife and two daughters, long-distance trail running, and volunteering as a ski patroller with the Eldorado Backcountry Ski Patrol. Since 2011, he serves as an advisory council member for Save the American River Association, a local grassroots environmental organization.

Administrative Officer and Regulatory Analyst (associate governmental program analyst): *Sherrie Fonbuena*

Sherrie joined the Commission staff in 1998. She reviews, analyzes and develops regulatory documents, with a general focus on marine issues; consults with Office of Administrative Law staff attorneys regarding, and provides research related to, rulemaking files; serves as the administrative officer for the Commission, coordinating documents with the California Department of Fish and Wildlife and advising the executive director on personnel, budget/fiscal and business service activities, and recommending solutions to administrative problems; administers the Commission website; assists in developing regulatory training materials and providing training to other staff; and researches and responds to correspondence.

Regulatory Analyst (associate governmental program analyst): *Jon Snellstrom*

Jon began his state service in 1991 with what was then known as the California Department of Fish and Game License and Revenue Branch and then joined the Commission staff in 1992. As the most senior staff member and unofficial historian, Jon works primarily with sport fish and hunting general regulations, emergency regulations, and regulations that are non-substantive or that have no regulatory effect by reviewing, analyzing and developing regulatory documents; consults with Office of Administrative Law staff attorneys regarding, and provides research related to, rulemaking files, maintains the Commission's rulemaking timetable and reports annual regulatory expectations to the Office of Administrative Law; develops and

maintains regulatory training materials for new California Department of Fish and Wildlife and Commission staff; and tracks, researches and responds to correspondence. He is also the Commission's talented in-house artist and graphic designer.

After 29 years with the Commission, Jon has decided to retire; his last day is March 31, 2021. David Haug was recently hired to assume Jon's responsibilities.

Regulatory Analyst (associate governmental program analyst): *Craig Castleton*

Craig moved to California from Scotland in 2015 and began his career in Sacramento by volunteering in the visitor office and archives of the Historic City Cemetery. He also worked as a visitor services associate at the California Museum, and started working for the State of California in 2016 as a park interpretive specialist with the California State Railroad Museum Library and Archives. In 2017, Craig became a staff services analyst with the California Conservation Corps, where he worked for human resources in hiring and position control. Craig joined the Commission staff in August 2018, and reviews, analyzes and develops regulatory documents, with a general focus on sport and commercial fishing; consults with Office of Administrative Law staff attorneys regarding, and provides research related to, rulemaking files; assists in editing the Commission website; prepares materials for Commission meetings and administers the Commission's records management system.

Craig graduated from the University of Aberdeen with a bachelor of science degree in archeology and geography (joint major). Craig lives in Sacramento with his wife, Fiona, their new baby, and two cats, and is proud to call the city home. He enjoys camping, hiking, and exploring the diverse landscapes of California, and is a keen long-distance runner.

Since June 2020, Craig has been on assignment as a COVID-19 contact tracer. He recently accepted a promotion to staff services manager with another state agency and will leave the Commission in April 2021. Recruitment for his position will begin soon.

California Endangered Species Act Analyst and Regulatory Analyst (associate governmental program analyst): *Jenn Greaves*

Jenn joined the Commission in April 2020. In addition to managing a suite of rulemakings, she reviews, analyzes and develops regulatory files related to threatened and endangered species, as well as other subjects related to hunting and commercial and recreational fishing, and consults with Office of Administrative Law staff attorneys regarding, and provides research related to, rulemaking files. She also reviews and processes petitions for listing threatened, endangered and other protected species, and prepares administrative records of regulatory and petitioned actions for court challenges.

Jenn graduated from Sacramento State University with a bachelor's degree in psychology and criminal justice, and a certificate in applied behavioral analysis. She worked for many years as a behavioral therapist, teaching autistic adolescents school curriculum, social, and life skills. She returned to school to earn a masters degree in justice and security. Most recently, before joining the Commission staff, Jenn worked as a data analyst at the California Department of Social Services.

Jenn volunteered for many years at the Folsom Zoo and Sanctuary, assisting with animal rehabilitation and conducting educational outreach. Her husband and she are the proud

parents of three non-human boys (two dogs and a red-tailed boa). They enjoy spending time outdoors, traveling, and checking off their national park bucket list.

Regulatory Analyst (staff services analyst): *David Haug*

David is a graduate student at Sacramento State University, where he is pursuing a master's degree in political science with an emphasis on the State of California and its political environment. To conclude his undergraduate career at Sacramento State, where he earned a bachelor's degree in political science, David interned for Lieutenant Governor Eleni Kounalakis, giving him firsthand experience in a supportive capacity to an executive serving on important environmental boards, including the California State Lands Commission and the California Ocean Protection Council.

While an undergraduate, David fronted the Sacramento-based heavy metal band Heat Of Damage, which released two full-length albums during his tenure, established itself as a core part of Sacramento's music scene, and performed shows all over the West Coast. Criss-crossing California while on tour allowed David to see and appreciate the state's unique geography. To commemorate the end of his last tour, the band camped overnight at Yosemite National Park.

In his free time, David can usually be found with his face in a book. He is also a passionate aviation enthusiast and flies around the world with virtual airliners on his home flight simulator. And fishing has been part of his life since before he was born; as far back as he can remember, David has fished California's lakes and rivers. He is married to Isabel, a native of Germany and they enjoy traveling as much as possible, whether they day trips into California's countless scenic attractions or to visit friends and family across the Atlantic.

Executive Assistant (staff services analyst): *Cynthia McKeith*

Cynthia joined the Commission in March 2020 as an executive assistant to the executive director and performs a wide variety of analytical, administrative, consultative, and executive-level support duties. Cynthia provides support to the executive director, deputy executive director, Commission president and members, and staff. She also arranges travel itineraries, completes commissioner expense claims, and facilitates site management for all Commission meetings, including making reservations for meeting sites and travel arrangements for commissioners and staff.

Cynthia completed two years at UC Berkeley with concentrations in math and science and then transferred to Scripps College, graduating with a bachelor's degree in fine art. She has a great love of the outdoors and is a certified California Naturalist, an active member of the Sierra Club, and a regular contributor to a number of citizen science projects. She enjoys volunteering for the American River Parkway Foundation and Sacramento SPCA, hiking, kickboxing, and mountain biking.

Seasonal Clerk: *Karen Peng*

Karen joined the Commission in November 2020 and works as a Seasonal Clerk. She assists in various clerical duties such as general reception, Commission meeting preparations, helping update the Commission website, and processing public phone calls and mail.

She is currently a student at Sacramento State University, majoring in Environmental Studies. She has always been interested in wildlife conservation and is passionate about being a part of efforts to better the environment and the diverse species that inhabit it. In her free time, Karen also volunteers at the local Front Street Animal Shelter to help homeless animals within the Sacramento community.

Sea Grant State Fellow (contractor): *Corinna Hong*

Corinna joined the Commission in February 2021 for a 12-month fellowship under the California Sea Grant State Fellows Program. She will primarily participate in Commission and committee meeting preparations and in advancing work on the Coastal Fishing Communities Project. Corinna will also contribute to the Justice, Equity, Diversity and Inclusion Project and the Importation of American Bullfrogs and Non-native Turtles Project. Previously, Corinna worked at Aquarium of the Bay in San Francisco as an education specialist. She wrote lessons for K–12 students and traveled around the Bay Area to teach in classrooms.

Corinna received her bachelor of science degree in marine biology from the University of Hawai'i at Mānoa and graduated with a master of environmental science and management in 2020 from the Bren School of Environmental Science & Management. Her graduate research identified social and economic barriers to vessel tracking technology adoption in small-scale fisheries. She also studied the application of behavioral science to environmental problems as an intern at The Root Solutions. Corinna enjoys spending her time reading, hiking, and going to the beach.



Department of Fish & Wildlife Legislative Report

April 2021

(as of April 5, 2021)

[AB 2](#)

(Fong R) Regulations: legislative review: regulatory reform.

Introduced: 12/7/2020

Status: 1/11/2021-Referred to Com. on A. & A.R.

Location: 1/11/2021-A. A. & A.R.

Summary: The Administrative Procedure Act requires an agency, prior to submitting a proposal to adopt, amend, or repeal an administrative regulation, to determine the economic impact of that regulation, in accordance with certain procedures. The act defines a major regulation as a regulation, as specified, that will have an economic impact on California business enterprises and individuals in an amount exceeding \$50,000,000, as estimated by the agency. The act requires the office to transmit a copy of a regulation to the Secretary of State for filing if the office approves the regulation or fails to act on it within 30 days. The act provides that a regulation or an order of repeal of a regulation becomes effective on a quarterly basis, as prescribed, except in specified instances. This bill would require the office to submit to each house of the Legislature for review a copy of each major regulation that it submits to the Secretary of State.

[AB 17](#)

(Cooper D) Peace officers: disqualification from employment.

Introduced: 12/7/2020

Last Amend: 1/12/2021

Status: 1/13/2021-Re-referred to Com. on PUB. S.

Location: 1/11/2021-A. PUB. S.

Summary: Would disqualify a person from being a peace officer if the person has been discharged from the military for committing an offense that would have been a felony if committed in California or if the person has been certified as a peace officer and has had that certification revoked by the Commission on Peace Officer Standards and Training.

[AB 26](#)

(Holden D) Peace officers: use of force.

Introduced: 12/7/2020

Last Amend: 3/25/2021

Status: 3/25/2021-Read second time and amended.

Location: 3/24/2021-A. APPR.

Summary: Would require those law enforcement policies to require those officers to immediately report potential excessive force, and to intercede when present and observing an officer using excessive force, as defined. The bill would additionally

require those policies to, among other things, prohibit retaliation against officers that report violations of law or regulation of another officer to a supervisor, as specified, and to require that an officer who fails to intercede be disciplined in the same manner as the officer who used excessive force. By imposing additional duties on local agencies, this bill would create a state-mandated local program. This bill contains other related provisions and other existing laws.

AB 29

(Cooper D) State bodies: meetings.

Introduced: 12/7/2020

Status: 1/11/2021-Referred to Com. on G.O.

Location: 1/11/2021-A. G.O.

Summary: The Bagley-Keene Open Meeting Act requires that all meetings of a state body, as defined, be open and public, and that all persons be permitted to attend any meeting of a state body, except as otherwise provided in that act. Current law requires the state body to provide notice of its meeting, including specified information and a specific agenda of the meeting, as provided, to any person who requests that notice in writing and to make that notice available on the internet at least 10 days in advance of the meeting. This bill would require that notice to include all writings or materials provided for the noticed meeting to a member of the state body by the staff of a state agency, board, or commission, or another member of the state body that are in connection with a matter subject to discussion or consideration at the meeting.

AB 30

(Kalra D) Outdoor access to nature: environmental equity.

Introduced: 12/7/2020

Last Amend: 3/22/2021

Status: 3/23/2021-Re-referred to Com. on W.,P., & W.

Location: 3/18/2021-A. W.,P. & W.

Summary: Current law establishes various state agencies, including the Natural Resources Agency, which consists of various departments, including the Department of Conservation, the Department of Fish and Wildlife, and the Department of Parks and Recreation. Current law vests in the Natural Resources Agency various powers, including those related to conservation of lands. Current law establishes, within state agencies, state departments, including the Department of Transportation under the Transportation Agency. This bill would declare that it is the established policy of the state that access to nature and access to the benefits of nature is a human right and that every human has the right to safe and affordable outdoor access, among other things.

AB 60

(Salas D) Law enforcement.

Introduced: 12/7/2020

Last Amend: 3/16/2021

Status: 3/17/2021-Re-referred to Com. on PUB. S.

Location: 1/11/2021-A. PUB. S.

Summary: Would disqualify a person from being employed as a peace officer if that person has been convicted of, or has been adjudicated by a military tribunal as having committed an offense that would have been a felony if committed in this state. The bill

would also disqualify any person who has been certified as a peace officer by the Commission on Peace Officer Standards and Training and has had that certification revoked by the commission.

AB 63

(Petrie-Norris D) Marine resources: Marine Managed Areas Improvement Act: restoration activities.

Introduced: 12/7/2020

Status: 1/11/2021-Referred to Com. on W.,P., & W.

Location: 1/11/2021-A. W.,P. & W.

Summary: Under the MMAIA, in a state marine conservation area, it is unlawful to injure, damage, take, or possess any living, geological, or cultural marine resource for commercial or recreational purposes, or a combination of commercial and recreational purposes, that the designating entity or managing agency determines would compromise protection of the species of interest, natural community, habitat, or geological features. The MMAIA authorizes the designating entity or managing agency to permit, among other things, research, education, and recreational activities. This bill would authorize the designating entity or managing agency to also permit restoration activities.

AB 89

(Jones-Sawyer D) Peace officers: minimum qualifications.

Introduced: 12/7/2020

Last Amend: 2/17/2021

Status: 2/18/2021-Re-referred to Com. on PUB. S.

Location: 1/11/2021-A. PUB. S.

Summary: Current law requires peace officers in this state to meet specified minimum standards, including age and education requirements. This bill would increase the minimum qualifying age from 18 to 25 years of age. This bill would permit an individual under 25 years of age to qualify for employment as a peace officer if the individual has a bachelor's or advanced degree from an accredited college or university. The bill would specify that these requirements do not apply to individuals 18 to 24 years of age who are already employed as a peace officer as of the effective date of this act. The bill would provide legislative findings in support of the measure.

AB 125

(Rivas, Robert D) Equitable Economic Recovery, Healthy Food Access, Climate Resilient Farms, and Worker Protection Bond Act of 2022.

Introduced: 12/18/2020

Last Amend: 3/18/2021

Status: 3/22/2021-Re-referred to Com. on AGRI.

Location: 3/18/2021-A. AGRI.

Summary: Would enact the Equitable Economic Recovery, Healthy Food Access, Climate Resilient Farms, and Worker Protection Bond Act of 2022, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$3,122,000,000, pursuant to the State General Obligation Bond Law, to finance programs related to, among other things, agricultural lands, food and fiber infrastructure, climate resilience, agricultural professionals, including farmers, ranchers, and farmworkers, workforce development and training, air quality, tribes, disadvantaged communities, nutrition, food

aid, meat processing facilities, fishing facilities, and fairgrounds.

AB 223

(Ward D) Wildlife: dudleya: taking and possession.

Introduced: 1/11/2021

Status: 1/28/2021-Referred to Com. on W.,P., & W.

Location: 1/28/2021-A. W.,P. & W.

Summary: Would make it unlawful to uproot, remove, harvest, or cut dudleya, as defined, from land owned by the state or a local government or from property not their own without written permission from the landowner in their immediate possession, except as provided, and would make it unlawful to sell, offer for sale, possess with intent to sell, transport for sale, export for sale, or purchase dudleya uprooted, removed, harvested, or cut in violation of that provision. The bill would require a violation of those provisions, or any rule, regulation, or order adopted pursuant to those provisions, to be a misdemeanor punishable by a specified fine, imprisonment in a county jail for not more than a year, or both the fine and imprisonment.

AB 267

(Valladares R) California Environmental Quality Act: exemption: prescribed fire, thinning, and fuel reduction projects.

Introduced: 1/15/2021

Last Amend: 3/16/2021

Status: 3/30/2021-Coauthors revised.

Location: 3/24/2021-A. APPR.

Summary: Current law, until January 1, 2023, exempts from the requirements of CEQA prescribed fire, thinning, or fuel reduction projects undertaken on federal lands to reduce the risk of high-severity wildfire that have been reviewed under the federal National Environmental Policy Act of 1969, as provided. Current law requires the Department of Forestry and Fire Protection, beginning December 31, 2019, and annually thereafter until January 1, 2023, to report to the relevant policy committees of the Legislature the number of times the exemption was used. This bill would extend the exemption from CEQA and the requirement on the department to report to the relevant policy committees of the Legislature to January 1, 2026.

AB 303

(Rivas, Robert D) Aquaculture: mariculture production and restoration: pilot program.

Introduced: 1/25/2021

Last Amend: 3/30/2021

Status: 3/30/2021-From committee chair, with author's amendments: Amend, and refer to Com. on W.,P., & W. Read second time and amended.

Location: 2/12/2021-A. W.,P. & W.

Summary: Would require the Department of Fish and Wildlife to, by January 1, 2024, create a pilot program in state waters to test alternative shellfish and seaweed mariculture production and restoration strategies. The bill would require the department to designate tracts for shellfish and seaweed mariculture production and restoration as part of the pilot program, as specified. The bill would authorize an applicant with a proposed shellfish, seaweed, or shellfish and seaweed mariculture production and restoration project to apply for a lease of any pilot program tract, or a portion thereof.

The bill would require the State Lands Commission or the Fish and Game Commission, or both, if applicable to approve, deny, or return for revision a lease application within 4 months.

AB 315

(Stone D) Voluntary stream restoration property owner liability: indemnification.

Introduced: 1/25/2021

Last Amend: 3/11/2021

Status: 3/15/2021-Re-referred to Com. on W.,P., & W.

Location: 2/12/2021-A. W.,P. & W.

Summary: Current law authorizes a habitat restoration or enhancement project proponent to submit a written request for approval of the project to the Director of Fish and Wildlife. Current law requires the director to approve the project if the written request includes certain information, as specified, and provides for an alternate authorization process by the State Water Resources Control Board. This bill would require the state to indemnify and hold harmless a property owner who voluntarily allows their property to be used for such a project to restore fish and wildlife habitat from civil liability for property damage or personal injury resulting from the project if the project meets specified requirements, including that the project is funded, at least in part, by a state or federal agency whose mission includes restoring habitat for native fish and wildlife, and the liability arises from, and the property owner or any person or entity retained by the property owner does not perform, the construction, design specifications, surveying, planning, supervision, testing, or observation of construction related to the project to restore fish and wildlife habitat.

AB 334

(Mullin D) Workers' compensation: skin cancer.

Introduced: 1/27/2021

Status: 2/12/2021-Referred to Com. on INS.

Location: 2/12/2021-A. INS.

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

AB 339

(Lee D) State and local government: open meetings.

Introduced: 1/28/2021

Status: 1/29/2021-From printer. May be heard in committee February 28.

Location: 1/28/2021-A. PRINT

Summary: Current law requires all meetings, as defined, of a house of the Legislature or a committee thereof to be open and public, and requires all persons to be permitted to attend the meetings, except as specified. This bill would require all meetings, including gatherings using teleconference technology, to include an opportunity for all persons to attend via a call-in option or an internet-based service option that provides closed captioning services and requires both a call-in and an internet-based service

option to be provided to the public.

AB 379

(Gallagher R) Wildlife conservation: conservation lands.

Introduced: 2/1/2021

Status: 2/12/2021-Referred to Com. on W.,P., & W.

Location: 2/12/2021-A. W.,P. & W.

Summary: The Wildlife Conservation Law of 1947 establishes the Wildlife Conservation Board in the Department of Fish and Wildlife. Current law authorizes the department, with the approval of the board, to enter into agreements with any other department or agency of this state, any local agency, or nonprofit organization, to provide for the construction, management, or maintenance of the facilities authorized by the board, and authorizes such other department or agency of this state, local agency, or nonprofit organization, and each of them to construct, manage, or maintain those facilities pursuant to the agreement. Existing law authorizes the board to make grants or loans to nonprofit organizations, local governmental agencies, federal agencies, and state agencies for various purposes in connection with fish and wildlife habitats. This bill would authorize the department to also enter into that type of agreement with a California Native American tribe. The bill would also authorize the board to make grants or loans to California Native American tribes for various purposes in connection with fish and wildlife habitats.

AB 380

(Seyarto R) Forestry: priority fuel reduction projects.

Introduced: 2/2/2021

Status: 2/12/2021-Referred to Com. on NAT. RES.

Location: 2/12/2021-A. NAT. RES.

Summary: Under the authority provided pursuant to the California Emergency Services Act, the Governor, on March 22, 2019, issued a proclamation of a state of emergency directing the Department of Forestry and Fire Protection to implement, without delay, fuel reduction projects identified using a methodology developed by the department to determine which communities are at greatest risk of wildfire based on best available science and socioeconomic factors and to identify projects that would reduce the risk of catastrophic wildfire, if completed. The proclamation of a state of emergency exempts those identified fuel reduction projects from various legal requirements, including, among others, requirements regarding public contracting for those projects, requirements for environmental review under the California Environmental Quality Act for those projects, and licensure requirements for individual conducting certain activities for those projects, as provided. This bill would require the department, before December 31, 2022, and before December 31 of each year thereafter, to identify priority fuel reduction projects, as provided.

AB 391

(Villapudua D) Pollinator habitat conservation: funding.

Introduced: 2/2/2021

Status: 2/12/2021-Referred to Com. on AGRI.

Location: 2/12/2021-A. AGRI.

Summary: Would appropriate \$5,000,000 from the General Fund to the Department of Food and Agriculture in order to provide funding to partner with the University of

California Extension Services, California resource conservation districts, and the United States Department of Agriculture Natural Resources Conservation Service to deliver technical assistance, outreach, and provide grants to incentivize participation in state and federal conservation programs where pollinator habitat and forage is established. The bill would make related findings and declarations.

AB 434

(Rivas, Robert D) Public lands: grazing leases.

Introduced: 2/4/2021

Status: 2/12/2021-Referred to Com. on W.,P., & W.

Location: 2/12/2021-A. W.,P. & W.

Summary: Current law authorizes the Department of Fish and Wildlife, the Department of Parks and Recreation, and State Lands Commission to lease certain lands for specified purposes, including agricultural purposes and grazing, as specified. This bill would require those agencies, in issuing certain of those leases, to give preference to certain farmers and ranchers and other applicants. The bill would prohibit certain of those leases from being for a period of less than 5 years, except as specified, and from being for a period of more than 20 years. The bill would require those agencies, upon the expiration of a grazing lease, to offer a subsequent grazing lease for those lands to the lessee if the agency plans to sell another grazing lease for those lands and the lessee has substantially complied with all terms of the expiring grazing lease

AB 490

(Gipson D) Law enforcement agency policies: arrests: positional asphyxia.

Introduced: 2/8/2021

Last Amend: 3/18/2021

Status: 3/22/2021-Re-referred to Com. on PUB. S.

Location: 3/18/2021-A. PUB. S.

Summary: Would prohibit a law enforcement agency from authorizing techniques or transport methods that involve a substantial risk of positional asphyxia, as defined. By requiring local agencies to amend use of force policies, this bill would impose a state-mandated local program.

AB 517

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

Introduced: 2/10/2021

Status: 2/18/2021-Referred to Com. on W.,P., & W.

Location: 2/18/2021-A. W.,P. & W.

Summary: The California State Safe Harbor Agreement Program Act establishes a program to encourage landowners to manage their lands voluntarily, by means of state safe harbor agreements approved by the Department of Fish and Wildlife, to benefit endangered, threatened, or candidate species without being subject to additional regulatory restrictions as a result of their conservation efforts. Current law requires a participating landowner to provide the department, its contractors, or agents with access to the land or water proposed to be enrolled in the agreement to develop the agreement, determine the baseline conditions, monitor the effectiveness of management actions, or safely remove or salvage species proposed to be taken. Current law requires the department to provide notice to the landowner at least 7 days before accessing the land or water for these purposes. This bill would increase the

notice period to the landowner to at least 7 business days.

AB 522

(Fong R) Forestry: Forest Fire Prevention Exemption.

Introduced: 2/10/2021

Status: 2/18/2021-Referred to Com. on NAT. RES.

Location: 2/18/2021-A. NAT. RES.

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 the Department of Forestry and Fire Protection. The act authorizes the State Board of Forestry and Fire Protection to exempt from some or all of those provisions of the act a person engaging in specified forest management activities, as prescribed, including the harvesting of trees for the purpose of reducing the rate of fire spread, duration and intensity, fuel ignitability, or ignition of tree crowns, as provided, known as the Forest Fire Prevention Exemption. This bill would extend the operation of the Forest Fire Prevention Exemption indefinitely. The bill would delete the requirement that the tree harvesting area not exceed 300 acres and the requirement that temporary road construction or reconstruction be limited to no more than 2 miles of road per ownership in a planning watershed per any 5-year period.

AB 525

(Chiu D) Energy: offshore wind generation.

Introduced: 2/10/2021

Status: 2/18/2021-Referred to Coms. on U. & E. and NAT. RES.

Location: 2/18/2021-A. U. & E.

Summary: Would require the Energy Commission, in coordination with specified agencies, to develop a strategic plan to achieve a goal of at least 10,000 megawatts of offshore wind energy developments installed off the California coast by 2040, with an interim target of 3,000 megawatts installed by 2030. The bill would require the Energy Commission to submit the strategic plan to the Natural Resources Agency and the Legislature on or before June 1, 2022. The bill would impose various requirements on the Energy Commission in relation to the strategic plan and would require the strategic plan to include specified information relating to identification of sea space, economic and workforce development, transmission planning, and permitting.

AB 534

(Bonta D) Fishing: ropeless fishing gear.

Introduced: 2/10/2021

Status: 2/18/2021-Referred to Com. on W.,P., & W.

Location: 2/18/2021-A. W.,P. & W.

Summary: Would require, by no later than November 1, 2025, ropeless fishing gear, as determined by the Department of Fish and Wildlife, to be used when taking any species of fish for commercial or recreational purposes in any trap fishery. The bill would require the department and the commission to promulgate regulations to implement the above requirement, including establishing a public process to certify fishing gear as ropeless and defining ropeless gear as including only gear in which there is no static vertical buoy line. The bill would specify when ropeless fishing gear is not required to be used, including for traps used for scientific or management purposes, traps set in freshwater,

traps set from piers or from shore, or traps used to take minnow in tidewaters. Because a violation of these provisions would be a crime, this bill would impose a state-mandated local program.

AB 554

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

Introduced: 2/10/2021

Status: 2/18/2021-Referred to Com. on W.,P., & W.

Location: 2/18/2021-A. W.,P. & W.

Summary: Would establish in the Department of Fish and Wildlife the Office of the Ombudsperson, administered through the ombudsperson. The bill would require the Fish and Game Commission to appoint the ombudsperson and would require the office to operate independently of department staff and to report to the president of the commission. The bill would require the office to undertake specified duties under the supervision of the president of the commission, including working independently as an intermediary to provide individuals with a confidential process to address complaints regarding the department and resolve disputes with the department.

AB 564

(Gonzalez, Lorena D) Biodiversity Protection and Restoration Act.

Introduced: 2/11/2021

Status: 2/18/2021-Referred to Coms. on A. & A.R. and W.,P., & W.

Location: 2/18/2021-A. A. & A.R.

Summary: Would establish the Biodiversity Protection and Restoration Act and would provide that it is the policy of the state that all state agencies, boards, and commissions shall utilize their authorities in furtherance of the biodiversity conservation purposes and goals of certain executive orders. The bill would require all state agencies, boards, and commissions to consider and prioritize the protection of biodiversity in carrying out their statutory mandates. The bill would require strategies related to the goal of the state to conserve at least 30% of California's land and coastal waters by 2030 to be made available to the public and provided to certain legislative committees by no later than June 30, 2022.

AB 592

(Friedman D) Foster youth: transitional housing.

Introduced: 2/11/2021

Status: 2/18/2021-Referred to Com. on HUM. S.

Location: 2/18/2021-A. HUM. S.

Summary: Under current law, a transitional housing placement provider is an organization licensed by the department to provide transitional housing to foster children at least 16 years of age and not more than 18 years of age and to nonminor dependents to promote their transition to adulthood. Current law requires a transitional housing unit to include, among other things, a host family certified by a transitional housing placement provider. Under existing law, a violation of the act is a misdemeanor. This bill would additionally authorize a resource family, a licensed foster family home, a certified foster home, an approved relative caregiver, or a nonrelative extended family member of a participant to operate as a host family. The bill would require the transitional housing unit to include supervised transitional housing services provided by a licensed transitional housing placement provider. Because a violation of the act is a crime, the

bill would impose a state-mandated local program.

AB 614

(Aguilar-Curry D) Wildlife habitat: birds.

Introduced: 2/12/2021

Status: 2/25/2021-Referred to Com. on W.,P., & W.

Location: 2/25/2021-A. W.,P. & W.

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

AB 620

(Mullin D) Unified online environmental permit application.

Introduced: 2/12/2021

Status: 2/13/2021-From printer. May be heard in committee March 15.

Location: 2/12/2021-A. PRINT

Summary: Current law declares the intent of the Legislature to provide a mechanism by which the California Environmental Protection Agency may further this objective of environmental protection by bringing relevant agencies together to synchronize, to the maximum extent feasible, the environmental permit requirements imposed on applicants by the departments or boards within the agency, among other objectives. This bill would express the intent of the Legislature to enact subsequent legislation creating a unified online environmental permit application and process for state agencies that simplify the submittal and tracking of environmental permits for permit applicants and state agencies, and supports interagency coordination.

AB 645

(Gallagher R) Fish and wildlife: poaching: penalties: probation period.

Introduced: 2/12/2021

Last Amend: 3/11/2021

Status: 3/15/2021-Re-referred to Com. on W.,P., & W.

Location: 2/25/2021-A. W.,P. & W.

Summary: Current law prescribes certain penalties for the illegal sale or purchase of abalone taken by a person required to be licensed, as specified. Current law prescribes certain penalties for the illegal take, possession, import, export, sale, purchase, barter, trade, or exchange of a bird, fish, mammal, reptile, amphibian, or part of any of those animals, or the illegal take or possession in the field of more than 3 times the daily bag limit, or the illegal possession of more than 3 times the legal possession limit, of those animals. Current law prescribes certain penalties for the knowing violation and conviction of certain provisions involving trophy deer, elk, antelope, bighorn sheep, or wild turkey. This bill would prohibit, if the court grants probation to a person punished pursuant to the above provisions, the period of probation from exceeding 3 years.

AB 669

(Lackey R) Firearms: unsafe handguns.

Introduced: 2/12/2021

Status: 2/25/2021-Referred to Com. on PUB. S.

Location: 2/25/2021-A. PUB. S.

Summary: Current law prohibits the manufacture, importation, sale, or transfer of an unsafe handgun, as defined. Current law exempts from this prohibition sales to specified law enforcement agencies or other specified government agencies for use by specified employees and sales to specified peace officers. Current law further requires that the sale of an unsafe handgun to certain specified entities, including a county probation department, and members of those entities, is only authorized if the handgun is to be used as a service weapon by a peace officer who has successfully completed the basic course prescribed by the Commission on Peace Officer Standards and Training (POST) and who qualifies with the handgun, as specified, at least every 6 months. This bill would instead exempt sales to or purchases by a county probation department and sworn members thereof who have completed specified firearms training prescribed by POST.

AB 695

(Arambula D) Elder and dependent adults.

Introduced: 2/16/2021

Status: 3/10/2021-In committee: Set, first hearing. Hearing canceled at the request of author.

Location: 2/25/2021-A. AGING & L. T.C.

Summary: Current law requires each county welfare department to establish and support a system of protective services for elderly and dependent adults who may be subjected to neglect, abuse, or exploitation or who are unable to protect their own interests. Current law authorizes, in certain circumstances, an elder or dependent adult to be taken into temporary emergency protective custody. For the purposes of the above-described provisions, existing law defines an elder as a person who is 65 years of age or older and a dependent adult as an adult between 18 and 64 years of age who has specific limitations.

AB 718

(Cunningham R) Peace officers: investigations of misconduct.

Introduced: 2/16/2021

Status: 2/25/2021-Referred to Com. on PUB. S.

Location: 2/25/2021-A. PUB. S.

Summary: Would require a law enforcement agency or oversight agency to complete its investigation into an allegation of the use of force resulting in death or great bodily injury, sexual assault, discharge of a firearm, or dishonesty relating to the reporting, investigation, or prosecution of a crime or misconduct by another peace officer or custodial officer, despite the peace officer's or custodial officer's voluntary separation from the employing agency. The bill would require the investigation to result in a finding that the allegation is either sustained, not sustained, unfounded, or exonerated, as defined. The bill would also require an agency other than an officer's employing agency that conducts an investigation of these allegations to disclose its findings with the employing agency no later than the conclusion of the investigation.

AB 804

(Dahle, Megan R) Free hunting days.

Introduced: 2/16/2021

Status: 2/25/2021-Referred to Com. on W.,P., & W.

Location: 2/25/2021-A. W.,P. & W.

Summary: Current law authorizes the Director of Fish and Wildlife to establish 2 free hunting days per year: one in the fall, and one in the winter. Current law authorizes a California unlicensed resident to hunt during a free hunting day if accompanied by a licensed hunter, subject to certain conditions. Existing law prohibits these provisions from being implemented until the Department of Fish and Wildlife's Automated License Data System is fully operational for at least one year. This bill would require, rather than authorize, the director to establish 2 free hunting days per year, one in the fall and one in the spring, no later than July 1, 2022. The bill would delete the prohibition requiring a delay in implementation of the above-described provisions.

AB 817

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

Introduced: 2/16/2021

Status: 2/25/2021-Referred to Com. on W.,P., & W.

Location: 2/25/2021-A. W.,P. & W.

Summary: Would require the Department of Fish and Wildlife, on or before January 1, 2023, to provide an option to display a sport fishing license, validation, report card, or other sport fishing entitlement issued pursuant to the Fish and Game Code or regulations adopted pursuant to this code electronically on a mobile device, except as provided. The bill would provide that a person who displays a sport fishing entitlement electronically on a mobile device in accordance with this provision shall be deemed to be in compliance with any requirement to possess or affix the entitlement.

AB 819

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

Introduced: 2/16/2021

Last Amend: 3/16/2021

Status: 3/26/2021-From committee: Amend, and do pass as amended and re-refer to Com. on APPR. (Ayes 11. Noes 0.) (March 24).

Location: 3/24/2021-A. 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. The act requires the lead agency to mail certain notices to persons who have filed a written request for notices. This bill would require a lead agency to submit to the State Clearinghouse, in an electronic form, the above-described environmental review documents for all projects and would require the lead agency to post those documents on its internet website.

AB 836

(Gabriel D) California Building Standards Commission: recycled water: nonpotable water systems.

Introduced: 2/17/2021

Last Amend: 3/25/2021

Status: 3/25/2021-Referred to Com. on E.S. & T.M. From committee chair, with author's amendments: Amend, and re-refer to Com. on E.S. & T.M. Read second time and amended.

Location: 3/25/2021-A. E.S. & T.M.

Summary: Would require, on or before January 1, 2023, the California Building Standards Commission to adopt mandatory building standards requiring that a newly constructed nonresidential building be constructed with dual plumbing to allow the use of recycled water for all applicable nonpotable water demands, as defined, if that building is located within an existing or planned recycled water service area, as specified. This bill would require, on or before January 1, 2023, the commission to adopt mandatory building standards requiring that a newly constructed nonresidential building with a total gross floor area of 100,000 square feet or more be constructed with dual plumbing to allow the use of nonpotable water sources for all applicable nonpotable water demands and provide for the collection, onsite treatment, and reuse of available onsite rainwater, graywater, and foundation drainage.

AB 853

(Stone D) Mountainous, forest-, brush-, and grass-covered lands: timber operations: clearings: notice: enforcement: limitations periods.

Introduced: 2/17/2021

Last Amend: 3/25/2021

Status: 3/25/2021-Referred to Coms. on NAT. RES. and U. & E. From committee chair, with author's amendments: Amend, and re-refer to Com. on NAT. RES. Read second time and amended.

Location: 3/25/2021-A. NAT. RES.

Summary: Current law requires a person who owns, controls, operates, or maintains an electrical transmission or distribution line upon specified lands to maintain clearances and firebreaks around certain electrical equipment, as provided. Current law provides that a person is not required to comply with the above provisions relating to the clearing on any land if the person does not have the legal right to maintain that clearing. This bill would delete the above provision of law that excludes a person, as provided, from having to maintain the clearing and would make conforming changes.

AB 878

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

Introduced: 2/17/2021

Status: 2/25/2021-Referred to Com. on W.,P., & W.

Location: 2/25/2021-A. W.,P. & W.

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

department approval of the planning agreement. This bill would expand the time for public review and comment on a proposed planning agreement from 21 calendar days to 21 business days.

AB 885

(Quirk D) Bagley-Keene Open Meeting Act: teleconferencing.

Introduced: 2/17/2021

Last Amend: 3/24/2021

Status: 3/25/2021-Re-referred to Com. on G.O.

Location: 2/25/2021-A. G.O.

Summary: Would require a state body that elects to conduct a meeting or proceeding by teleconference to make the portion that is required to be open to the public both audibly and visually observable. The bill would require a state body that elects to conduct a meeting or proceeding by teleconference to post an agenda at the designated primary physical meeting location in the notice of the meeting where members of the public may physically attend the meeting and participate. The bill would extend the above requirements of meetings of multimember advisory bodies that are held by teleconference to meetings of all multimember state bodies. The bill would require a multimember state body to provide a means by which the public may both audibly and visually remotely observe a meeting if a member of that body participates remotely.

AB 910

(Bigelow R) Forestry: Small Timberland Owner Exemption.

Introduced: 2/17/2021

Status: 2/25/2021-Referred to Com. on NAT. RES.

Location: 2/25/2021-A. NAT. RES.

Summary: Would increase the acreage owned by a small forestland owner within the northern forest district and southern forest district to which the Small Timberland Owner Exemption is applicable to 300 acres or less. The bill would repeal the limitation on authority of the department to grant no more than 3 Small Timberland Owner Exemptions to each landowner. The bill would authorize the construction or reconstruction of temporary roads on slopes of 30 percent or less that meet certain requirements under the Small Timberland Owner Exemption.

AB 912

(Bigelow R) Z'berg-Nejedly Forest Practice Act of 1973: working forest management plans.

Introduced: 2/17/2021

Status: 2/25/2021-Referred to Com. on NAT. RES.

Location: 2/25/2021-A. NAT. RES.

Summary: Would revise the definition of "working forest landowner" to mean an owner of timberland with less than 15,000 acres who has an approved working forest management plan and is not primarily engaged in the manufacture of forest products. The bill would revise the definition of "working forest management plan" to allow multiple working forest landowners to submit a working forest management plan, but provide that the plan may cover no more than 15,000 acres of timberland. The bill would also make nonsubstantive changes to other definitions applicable to working forest management plans.

AB 931

(Villapudua D) Peace officer training: duty to intercede.

Introduced: 2/17/2021

Last Amend: 3/11/2021

Status: 3/15/2021-Re-referred to Com. on PUB. S.

Location: 3/11/2021-A. PUB. S.

Summary: Current law requires specified categories of law enforcement officers to meet training standards pursuant to courses of training certified by the Commission on Peace Officer Standards and Training. Current law requires the course or courses of the regular basic course for law enforcement officers to include, among other things, training on the duty to intercede. This bill would require the commission to model that training on the duty to intercede on a specified program, and would require the training to include both classroom instruction and extensive simulator-based training or live scenario-based training.

AB 953

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

Introduced: 2/17/2021

Last Amend: 3/17/2021

Status: 3/18/2021-Re-referred to Com. on P. & C.P.

Location: 2/25/2021-A. P. & C.P.

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

AB 954

(Petrie-Norris D) City of Laguna Woods: leases: fire protection and public safety.

Introduced: 2/17/2021

Last Amend: 3/25/2021

Status: 3/25/2021-Referred to Com. on L. GOV. From committee chair, with author's amendments: Amend, and re-refer to Com. on L. GOV. Read second time and amended.

Location: 3/25/2021-A. L. GOV.

Summary: Would authorize the City of Laguna Woods to lease to a public agency or joint powers authority, for purposes related to fire protection or public safety, the park property upon which improvements were made pursuant to specified grant agreements funded in accordance with the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002. The bill would require those leases to be subject to the requirements set forth in the grant contracts that are otherwise applicable to property sales or other dispositions. This bill would make legislative findings and declarations as to the necessity of a special statute for the City of Laguna Woods.

AB 956

([Flora](#) R) Wildfire mitigation plans: fire retardants.

Introduced: 2/17/2021

Status: 3/4/2021-Referred to Com. on U. & E.

Location: 3/4/2021-A. U. & E.

Summary: Current law requires the State Fire Marshal to establish minimum standard requirements and adopt rules and regulations to regulate the manufacture, sale, and application of flame-retardant chemicals. This bill would expressly authorize a wildfire mitigation plan to include the use of fire-retardant chemicals approved by the State Fire Marshal on a planned basis for wildfire mitigation and risk management.

[AB 1138](#)

([Rubio, Blanca](#) D) Unlawful cannabis activity: enforcement.

Introduced: 2/18/2021

Status: 3/23/2021-From committee: Do pass and re-refer to Com. on JUD. (Ayes 17. Noes 0.) (March 23). Re-referred to Com. on JUD.

Location: 3/23/2021-A. JUD.

Summary: Would impose a civil penalty on persons aiding and abetting unlicensed commercial cannabis activity of up to \$30,000 for each violation. The bill would prohibit filing an action for civil penalties brought against a person pursuant to MAUCRSA 3 years after the first date of discovery of the violation by a licensing authority or a participating agency, whichever is earlier or earliest.

[AB 1154](#)

([Patterson](#) R) California Environmental Quality Act: exemption: egress route projects: fire safety.

Introduced: 2/18/2021

Status: 3/4/2021-Referred to Com. on NAT. RES.

Location: 3/4/2021-A. NAT. RES.

Summary: Would, until January 1, 2029, exempt from CEQA egress route projects undertaken by a public agency that are specifically recommended by the State Board of Forestry and Fire Protection that improve the fire safety of an existing subdivision if certain conditions are met. The bill would require the lead agency to hold a noticed public meeting to hear and respond to public comments before determining that a project is exempt. The bill would require the lead agency, if it determines that a project is not subject to CEQA and approves or carries out that project, to file a notice of exemption with the Office of Planning and Research and with the clerk of the county in which the project will be located.

[AB 1183](#)

([Ramos](#) D) California Desert Conservation Program.

Introduced: 2/18/2021

Status: 3/4/2021-Referred to Com. on W.,P., & W.

Location: 3/4/2021-A. W.,P. & W.

Summary: Would establish the California Desert Conservation Program under the administration of the Wildlife Conservation Board to protect, preserve, and restore desert lands, water, and wildlife by the acquisition of interests and rights in real property and waters, as specified.

[AB 1219](#)

([Berman](#) D) Income taxes: Natural Heritage Preservation Tax Credit Act of 2000.

Introduced: 2/19/2021

Status: 3/4/2021-Referred to Com. on REV. & TAX.

Location: 3/4/2021-A. REV. & TAX

Summary: The Personal Income Tax Law and the Corporation Tax Law allow a credit against the taxes imposed by those laws in the amount equal to 55% of the fair market value of any qualified contribution, defined as a contribution of property that has been approved for acceptance by the Wildlife Conservation Board, that is made on or after January 1, 2010, and no later than June 30, 2020, during the taxable year pursuant to the Natural Heritage Preservation Tax Credit Act of 2000, as provided. Those laws allow the credit to be carried over for 15 years if necessary. This bill would renew this tax credit for qualified contributions on or after January 1, 2021, and no later than June 30, 2026.

[AB 1255](#)

([Bloom](#) D) Fire prevention: Department of Forestry and Fire Protection: grant programs.

Introduced: 2/19/2021

Status: 3/4/2021-Referred to Com. on NAT. RES.

Location: 3/4/2021-A. NAT. RES.

Summary: Would require the Department of Forestry and Fire Protection, in coordination with the Secretary of the Natural Resources Agency, to facilitate regional, habitat-specific, and area-specific approaches to fire risk reduction, prevention, and restoration of projects that improve community safety, protect sites and structures, restore burned habitat, reduce catastrophic wildfires, and protect natural resources. The bill would require the department to develop policies, funding programs for which the funding shall be contingent upon subsequent appropriation in the annual Budget Act or a similar statute for this purpose, and relevant program guidelines that promote specified objectives. The bill would require various state entities, as specified, to establish grant programs, for which funding shall be contingent upon subsequent appropriation, to fulfill the specified objectives.

[AB 1260](#)

([Chen](#) R) California Environmental Quality Act: exemptions: transportation-related projects.

Introduced: 2/19/2021

Status: 3/4/2021-Referred to Com. on NAT. RES.

Location: 3/4/2021-A. NAT. RES.

Summary: CEQA includes exemptions from its environmental review requirements for numerous categories of projects, including, among others, projects for the institution or increase of passenger or commuter services on rail or highway rights-of-way already in use and projects by a public transit agency to construct or maintain infrastructure to charge or refuel zero-emission transit buses. This bill would further exempt from the requirements of CEQA projects by a public transit agency to construct or maintain infrastructure to charge or refuel zero-emission trains.

[AB 1298](#)

([Bloom](#) D) Pesticides: use of 2nd generation anticoagulant rodenticides.

Introduced: 2/19/2021

Last Amend: 3/25/2021

Status: 3/25/2021-From committee chair, with author's amendments: Amend, and re-refer to Com. on E.S. & T.M. Read second time and amended. (Amended 3/25/2021)

Location: 3/4/2021-A. E.S. & T.M.

Summary: Current law prohibits the use of 2nd generation anticoagulant rodenticides in wildlife habitat areas. Current law additionally prohibits the use of 2nd generation anticoagulant rodenticides in the state until the director certifies to the Secretary of State that certain conditions have occurred including that the Department of Fish and Wildlife determines that control or eradication of invasive rodent populations is necessary for the protection of threatened or endangered species or their habitats and requires the use of a 2nd generation anticoagulant rodenticide. Current law exempts the use of 2nd generation anticoagulant rodenticides from these prohibitions under certain circumstances. This bill would delete the requirement that the director certify that the Department of Fish and Wildlife has made that specified determination.

AB 1384

(Gabriel D) Resiliency Through Adaptation, Economic Vitality, and Equity Act of 2022.

Introduced: 2/19/2021

Status: 3/11/2021-Referred to Com. on NAT. RES.

Location: 3/11/2021-A. NAT. RES.

Summary: Would require the Strategic Growth Council to develop and coordinate a strategic resiliency framework that makes recommendations and identifies actions that are necessary to prepare the state for the most significant climate change impacts modeled for 2025, 2050, and beyond, among other goals. The bill would require state agencies identified in the strategic resiliency framework to collaboratively engage with regional entities to enhance policy and funding coordination and promote regional solutions and implementation and to proactively engage vulnerable communities whose planning and project development efforts have been disproportionately impacted by climate change, as provided. The bill would authorize the Treasurer, and the financing authorities that the Treasurer chairs, to assist state agencies by leveraging public and private capital investment to help with loans and other incentives to attain the goals identified in the strategic resiliency framework.

AB 1429

(Holden D) State agency records: management coordinator duties: personnel training.

Introduced: 2/19/2021

Status: 3/11/2021-Referred to Com. on A. & A.R.

Location: 3/11/2021-A. A. & A.R.

Summary: The State Records Management Act requires each head of a state agency to establish and maintain an active, continuing program for the economical and efficient management of the records and information collection practices of the agency, and to appoint a representative from the agency to serve as the records management coordinator. Current law requires the coordinator to, among other duties, attend records management training classes offered by the Secretary of State, act as liaison between the agency, the California Records and Information Management Program (CalRIM), the State Records Center, and the State Records Appraisal Program (SRAP), and schedule CalRIM and SRAP training for agency staff who have records management

duties. This bill would also require a records management coordinator to provide records management training to all agency personnel who prepare, own, use, or retain public records on behalf of the agency, and to ensure that agency personnel complete the records management training within 60 days of employment and complete refresher records management training annually thereafter.

AB 1458

(Frazier D) Fish and wildlife protection and conservation: lake and streambed alteration agreements: exemptions

Introduced: 2/19/2021

Status: 3/11/2021-Referred to Com. on W.,P., & W.

Location: 3/11/2021-A. W.,P. & W.

Summary: Current law prohibits a person, a state or local governmental agency, or a public utility from substantially diverting or obstructing the natural flow of, or substantially changing or using any material from the bed, channel, or bank of, any river, stream, or lake, or depositing or disposing of debris, waste, or other material containing crumbled, flaked, or ground pavement where it may pass into any river, stream, or lake, unless prescribed requirements are met, including written notification to the Department of Fish and Wildlife regarding the activity. Current law requires the department to determine whether the activity may substantially adversely affect an existing fish and wildlife resource and, if so, to provide a draft lake or streambed alteration agreement to the person, agency, or utility. Current law prescribes various requirements for lake and streambed alteration agreements. Current law also establishes various exemptions from these provisions. This bill would additionally exempt from these provisions vegetation management or fuels treatment projects undertaken, carried out, or approved by a state or local governmental agency necessary to prevent or mitigate the threat or intensity of a wildfire.

AB 1500

(Garcia, Eduardo D) Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, and Workforce Development Bond Act of 2022.

Introduced: 2/19/2021

Status: 3/11/2021-Referred to Coms. on W.,P., & W. and NAT. RES.

Location: 3/11/2021-A. W.,P. & W.

Summary: Would enact the Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, and Workforce Development Bond Act of 2022, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$6,700,000,000 pursuant to the State General Obligation Bond Law to finance projects for safe drinking water, wildfire prevention, drought preparation, flood protection, extreme heat mitigation, and workforce development programs.

AB 1525

(Garcia, Cristina D) Cannabis provisional licenses.

Introduced: 2/19/2021

Status: 2/22/2021-Read first time.

Location: 2/19/2021-A. PRINT

Summary: MAUCRSA, until January 1, 2022, authorizes a licensing authority, in its sole discretion, to issue a provisional license if the applicant has submitted a completed

license application to the licensing authority, including evidence that compliance with the California Environmental Quality Act (CEQA) or local cannabis ordinances is underway, if applicable, as specified. This bill would make nonsubstantive changes to the provisions authorizing a licensing authority to issue provisional licenses.

AB 1539

(Levine D) Commercial vessels: protection and indemnity insurance.

Introduced: 2/19/2021

Last Amend: 3/23/2021

Status: 3/25/2021-Re-referred to Com. on TRANS. pursuant to Assembly Rule 96.

Location: 3/25/2021-A. TRANS.

Summary: Current law expresses the policy of the state to promote safety for persons and property in and connected with the use and equipment of vessels. Current law requires every for-hire vessel company to procure adequate liability protection for the payment of damages for personal bodily injuries, including death, and property damage as a result of an accident. This bill would require a vessel used for commercial purposes to have a minimum of \$1,000,000 of protection and indemnity insurance to cover wreck removal costs of the vessel.

SB 2

(Bradford D) Peace officers: certification: civil rights.

Introduced: 12/7/2020

Last Amend: 3/11/2021

Status: 3/24/2021-Set for hearing April 13.

Location: 3/18/2021-S. PUB. S.

Summary: Would provide that a threat, intimidation, or coercion under the Tom Bane Civil Rights Act may be inherent in any interference with a civil right and would describe intentional acts for these purposes as an act in which the person acted with general intent or a conscious objective to engage in particular conduct. The bill would eliminate certain immunity provisions for peace officers and custodial officers, or public entities employing peace officers or custodial officers sued under the act.

SB 16

(Skinner D) Peace officers: release of records.

Introduced: 12/7/2020

Status: 3/18/2021-March 23 hearing postponed by committee.

Location: 3/9/2021-S. JUD.

Summary: Would, commencing July 1, 2022, make every incident involving use of force to make a member of the public comply with an officer, force that is unreasonable, or excessive force subject to disclosure. The bill would, commencing July 1, 2022, require records relating to sustained findings of unlawful arrests and unlawful searches to be subject to disclosure. The bill would, commencing July 1, 2022, also require the disclosure of records relating to an incident in which a sustained finding was made by any law enforcement agency or oversight agency that a peace officer or custodial officer engaged in conduct involving prejudice or discrimination on the basis of specified protected classes. The bill would require the retention of all complaints and related reports or findings currently in the possession of a department or agency. The bill would require that records relating to an incident in which an officer resigned before an investigation is completed to also be subject to release.

SB 45

(Portantino D) Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2022.

Introduced: 12/7/2020

Status: 3/24/2021-Set for hearing April 8. April 8 hearing postponed by committee.

Location: 3/16/2021-S. GOV. & F.

Summary: Would enact the Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2022, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$5,510,000,000 pursuant to the State General Obligation Bond Law to finance projects for a wildfire prevention, safe drinking water, drought preparation, and flood protection program.

SB 59

(Caballero D) Cannabis licenses.

Introduced: 12/7/2020

Status: 3/18/2021-Set for hearing April 5.

Location: 1/28/2021-S. B., P. & E.D.

Summary: MAUCRSA, until January 1, 2022, authorizes a licensing authority, in its sole discretion, to issue a provisional license if the applicant has submitted a completed license application to the licensing authority, including evidence that compliance with the California Environmental Quality Act (CEQA) or local cannabis ordinances is underway, if applicable, as specified. This bill would extend the repeal date of these provisional license provisions to July 1, 2028. By extending provisional licensure, the applications for which are required to be signed under penalty of perjury, the bill would expand the scope of the crime of perjury, and would thereby impose a state-mandated local program.

SB 80

(McGuire D) Commercial fishing: inspection: crab traps.

Introduced: 12/15/2020

Last Amend: 3/23/2021

Status: 3/26/2021-Set for hearing April 14.

Location: 3/16/2021-S. HEALTH

Summary: Would require a person who holds a commercial fishing license or a commercial fish business license, upon request of an authorized agent or employee of the Department of Fish and Wildlife, to immediately relinquish, at no charge, fish or parts of fish caught or landed in California to the department for the purpose of collecting a biological sample. Because a violation of this provision would be a crime, this bill would impose a state-mandated local program.

SB 284

(Stern D) Workers' compensation: firefighters and peace officers: post-traumatic stress.

Introduced: 2/1/2021

Last Amend: 3/16/2021

Status: 3/22/2021-March 22 hearing: Placed on APPR suspense file.

Location: 3/22/2021-S. APPR. SUSPENSE FILE

Summary: Current law, under the workers' compensation system, provides, only until January 1, 2025, that, for certain state and local firefighting personnel and peace

officers, the term “injury” includes post-traumatic stress that develops or manifests during a period in which the injured person is in the service of the department or unit, but applies only to injuries occurring on or after January 1, 2020. Existing law requires the compensation awarded pursuant to this provision to include full hospital, surgical, medical treatment, disability indemnity, and death benefits. This bill would make that provision applicable to active firefighting members of the State Department of State Hospitals, the State Department of Developmental Services, the Military Department, and the Department of Veterans Affairs, and to additional peace officers, including security officers of the Department of Justice when performing assigned duties as security officers and the officers of a state hospital under the jurisdiction of the State Department of State Hospitals or the State Department of Developmental Services, among other officers.

SB 322

(Laird D) Grazing land: California Conservation Ranching Incentive Program.

Introduced: 2/5/2021

Last Amend: 3/7/2021

Status: 3/22/2021-March 22 hearing: Placed on APPR suspense file.

Location: 3/22/2021-S. APPR. SUSPENSE FILE

Summary: Would establish the California Conservation Ranching Incentive Program as a separate component of the California Farmland Conservancy Program. The bill would authorize the Director of Conservation to, subject to appropriation, enter into contracts for an initial term of 3 years with nonpublic entities that are owners of record or lessees of productive rangelands, grazing lands, or grasslands that are determined by the director to be important for the conservation of grassland birds, soil health, and biodiversity. The bill would require these contracts to include an agreement by the owner and any lessee to restore, enhance, and protect the grassland habitat character of the land subject to the contract and to require the Department of Conservation to pay a specified amount to the owner or lessee for undertaking conservation obligations under the contract.

SB 337

(Newman D) West Coyote Hills Conservancy Program.

Introduced: 2/8/2021

Last Amend: 3/9/2021

Status: 3/25/2021-Set for hearing April 27.

Location: 3/18/2021-S. N.R. & W.

Summary: Would, until January 1, 2028, establish the West Coyote Hills Conservancy Program, to be administered by the conservancy and to undertake projects and award grants in the West Coyote Hills area, as specified, for purposes relating to improvement of public access, and the protection, restoration, and enhancement of natural resources in the area. The bill would prescribe the duties of the conservancy with regard to the implementation and administration of the program. The bill would create the West Coyote Hills Conservancy Program Account within the fund, for the purpose of depositing and disbursing funds, upon appropriation by the Legislature, for program purposes. The bill would require that the \$28,500,000 appropriated in the Budget Act of 2021 for the purposes of this bill be deposited in the account to be used for the purchase of specified property and related projects.

SB 369

(Pan D) Flood control: Yolo Bypass Cache Slough Partnership Multibenefit Program.

Introduced: 2/10/2021

Status: 3/25/2021-Read third time. Passed. (Ayes 38. Noes 0.) Ordered to the Assembly. In Assembly. Read first time. Held at Desk.

Location: 3/25/2021-A. DESK

Summary: Would establish the Yolo Bypass Cache Slough Partnership Multibenefit Program to support the development and implementation of projects within the Yolo Bypass and Cache Slough region. The bill would define "Yolo Bypass Cache Slough Partnership" to mean the multiagency partnership established pursuant to a memorandum of understanding signed in May 2016 by a total of 15 participating federal, state, and local agencies. The bill would require the participating state agencies, including the Natural Resources Agency, the Department of Water Resources, the Department of Fish and Wildlife, the Central Valley Flood Protection Board, the State Water Resources Control Board, and the Central Valley Regional Water Quality Control Board, to work in collaboration with the participating federal and local agencies to promote the discussion, prioritization, and resolution of policy and other issues critical to the successful implementation of projects to advance specified objectives in the Yolo Bypass and Cache Slough region.

SB 370

(Dodd D) Wildlife: Big Game Management Account: uses.

Introduced: 2/10/2021

Status: 3/24/2021-Set for hearing April 15.

Location: 2/17/2021-S. N.R. & W.

Summary: Current law establishes the Big Game Management Account within the Fish and Game Preservation Fund. Current law requires revenue from the sale of tags for antelope, elk, deer, wild pig, bear, and sheep to be deposited in the account, except as provided. Existing law requires funds deposited in the account to be expended, upon appropriation by the Legislature, by the Department of Fish and Wildlife, solely for specified purposes and pursuant to specified limitations. Current law authorizes the department to make grants to, reimburse, or enter into contracts or other agreements with nonprofit organizations for the use of the funds from the account to carry out those purposes, including related habitat conservation projects. This bill instead would authorize the department to make grants to, reimburse, or enter into contracts or other agreements with public and private entities, including nonprofit organizations, and federally recognized Indian tribes for the use of the funds from the account to carry out those purposes.

SB 412

(Ochoa Bogh R) California Environmental Quality Act: emergency definition.

Introduced: 2/12/2021

Last Amend: 3/9/2021

Status: 3/18/2021-Re-referred to Com. on E.Q.

Location: 3/18/2021-S. E.Q.

Summary: Would expand the definition of "emergency" provided in CEQA to include proactive efforts by a state or local agency to prevent, minimize, or mitigate loss of, or

damage to, life, health, property, natural resources, or essential public services, resulting from fire, flood, or earthquake or other soil or geologic movements, in areas of the state that a lead agency determines, based on substantial evidence, are at a heightened risk of the occurrence of those events. The bill would also specify that “emergency” includes, but is not limited to, man-made or natural occurrences, as specified, and would make other nonsubstantive changes.

SB 413

(McGuire D) Electricity: offshore wind generation facilities: site certification.

Introduced: 2/12/2021

Status: 2/25/2021-Referred to Coms. on E., U. & C. and N.R. & W.

Location: 2/25/2021-S. E. U., & C.

Summary: Would require the Energy Commission, in consultation with the Offshore Wind Project Certification, Fisheries, Community, and Indigenous Peoples Advisory Committee, which the bill would create, to establish a process for the certification of offshore wind generation facilities that is analogous to the existing requirements for certification of thermal powerplants, but applicable to offshore wind generation facilities, and would make the Energy Commission the exclusive authority for the certification of offshore wind generation facilities. The bill would require an applicant for certification of an offshore wind generation facility to certify specified matter.

SB 456

(Laird D) Fire prevention: long-term forest management plan: reports.

Introduced: 2/16/2021

Last Amend: 3/8/2021

Status: 3/25/2021-Set for hearing April 27.

Location: 3/18/2021-S. N.R. & W.

Summary: Would require the Department of Forestry and Fire Protection, on or before July 1, 2022, in consultation with various state entities, including the Office of Planning and Research, to establish a long-term forest management plan. The bill would require the plan to include the use of various programs, including fuels reduction and prescribed fire. The bill would require the office, on or before July 1, 2023, and annually thereafter, until July 1, 2033, to prepare a report and provide it to the Joint Legislative Budget Committee on the status of the long-term management plan, as provided. The bill would require the office, on or before July 31, 2033, to prepare a final report and provide it to the Joint Legislative Budget Committee regarding the long-range forest management plan over the previous 10 years, as provided.

SB 463

(Dahle R) Water: landowner right to modify, repair, or replace jointly used conduits.

Introduced: 2/16/2021

Last Amend: 3/8/2021

Status: 3/24/2021-Set for hearing April 15.

Location: 3/18/2021-S. N.R. & W.

Summary: Would authorize a landowner to, where a conduit is constructed across or buried beneath the lands of 2 or more landowners, modify, repair, or replace, as defined, the conduit on or beneath their land if the modification, repair, or replacement is made in a manner that does not impede the flow of the water to any other property

receiving a benefit of the conduit or, otherwise injure any person using or interested in the conduit.

SB 470

(Jones R) Fishing and hunting: annual combined hunting and fishing licenses.

Introduced: 2/17/2021

Status: 3/24/2021-Set for hearing April 15.

Location: 2/25/2021-S. N.R. & W.

Summary: Would create the annual combined hunting and fishing license that would grant the holder of the license the same privileges as the annual hunting and fishing licenses and that would be valid for a term of one year from the date specified on the license. The bill would limit the issuance of these licenses to residents and would require the Department of Fish and Wildlife to issue these licenses beginning January 1, 2023, upon payment of a fee of \$100, as adjusted annually for inflation. The bill would require the Fish and Game Commission to adjust the amount of the fee to fully recover, but not exceed, all reasonable administrative and implementation costs of the department and the commission relating to these licenses. The bill would require the department to provide an applicant for one of these licenses the option to automatically renew the license and would provide a 5% discount if the applicant selects this option.

SB 475

(Cortese D) Transportation planning: sustainable communities strategies.

Introduced: 2/17/2021

Last Amend: 3/10/2021

Status: 3/18/2021-Re-referred to Coms. on E.Q., TRANS., and HOUSING. Referral to Com. on HOUSING rescinded because of the limitations placed on committee hearings due to ongoing health and safety risks of the COVID-19 virus.

Location: 3/18/2021-S. E.Q.

Summary: Would require the State Air Resources Board, on or before June 30, 2023, and in coordination with the California Transportation Commission and the Department of Housing and Community Development, to issue new guidelines on sustainable communities strategies and require these guidelines to be updated thereafter at least every 4 years. The bill would delete the provisions related to the Regional Targets Advisory Committee and instead require the State Air Resources Board to appoint, on or before January 31, 2022, the State-Regional Collaborative for Climate, Equity, and Resilience, consisting of representatives of various entities. The bill would require the State-Regional Collaborative for Climate, Equity, and Resilience to develop a quantitative tool for metropolitan planning organizations to use to evaluate a transportation plan's consistency with long-range greenhouse gas emission reduction targets and recommend guidelines for metropolitan planning organizations to use when crafting long-range strategies that integrate state goals related to climate resilience and social equity.

SB 482

(Hueso D) Salton Sea Restoration.

Introduced: 2/17/2021

Last Amend: 3/11/2021

Status: 3/24/2021-Set for hearing April 15.

Location: 3/18/2021-S. N.R. & W.

Summary: Current law, including the Salton Sea Restoration Act, specifies various sources of funding for Salton Sea restoration and mitigation projects, and provides for the allocation of various responsibilities among state agencies and regional water agencies for implementation and administration of those projects. Under the act, the state's comprehensive management plan for the Salton Sea is known as the "John J. Benoit Salton Sea Restoration Plan." This bill would require the of the Natural Resources Agency, using available resources, to implement the John J. Benoit Salton Sea Restoration Plan and to carry out other activities relating to restoration of the Salton Sea, as specified.

SB 592

(Dahle R) Fish and wildlife: working group: catastrophic wildfires: reports.

Introduced: 2/18/2021

Last Amend: 3/9/2021

Status: 3/24/2021-Set for hearing April 15.

Location: 3/18/2021-S. N.R. & W.

Summary: Would require the Director of Fish and Wildlife to establish a working group, composed of the director or the director's representative, the Director of Forestry and Fire Protection or their representative, and a county government representative from each county impacted by any catastrophic wildfire being studied by the workgroup, as specified. The bill would require the working group to study, investigate, and report, on or before December 31, 2022, and by December 31 each year thereafter, 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.

SB 595

(Caballero D) Climate change adaptation: workforce development retraining.

Introduced: 2/18/2021

Status: 3/3/2021-Referred to Com. on RLS.

Location: 2/18/2021-S. RLS.

Summary: Would express the intent of the Legislature to enact subsequent legislation that would require climate change adaptation regulations to take into account workforce development retraining needs and plans to meet those needs.

SB 604

(Hueso D) Natural resources: the Nature and Parks Career Pathway and Community Resiliency Act of 2021.

Introduced: 2/18/2021

Status: 3/24/2021-Set for hearing April 15.

Location: 3/3/2021-S. N.R. & W.

Summary: Current law establishes various environmental and economic policies and programs. This bill, upon appropriation by the Legislature, as provided, would establish the Nature and Parks Career Pathway and Community Resiliency Act of 2021, which would require state conservancies and the Wildlife Conservation Board to establish independent grant programs to fund climate mitigation, adaptation, or resilience, natural disaster, and other climate emergency projects, as specified.

SB 698

([Grove R](#)) Water rights: reasonable and beneficial use of water.

Introduced: 2/19/2021

Status: 3/3/2021-Referred to Com. on RLS.

Location: 2/19/2021-S. RLS.

Summary: Current law declares that the right to water is limited to that water that is reasonably required for the beneficial use to be served, and does not extend to the waste or unreasonable use, unreasonable method of use, or unreasonable method of diversion of water. This bill would make nonsubstantive changes to that provision.

[SB 708](#)

([Melendez R](#)) Lake Elsinore Aquatic Ecosystem Restoration Project: local cost share.

Introduced: 2/19/2021

Last Amend: 3/10/2021

Status: 3/18/2021-Re-referred to Com. on N.R. & W.

Location: 3/18/2021-S. N.R. & W.

Summary: The Safe Drinking Water, Clean Water, Watershed Protection, and Flood Protection Act, approved by the voters as Proposition 13 at the March 7, 2000, statewide direct primary election, authorizes the issuance of general obligation bonds in the amount of \$1,970,000,000 to finance specified programs relating to water, including, among others, the Lake Elsinore and San Jacinto Watershed Program to rehabilitate and improve the Lake Elsinore Watershed and San Jacinto Watershed and the water quality of Lake Elsinore. This bill would appropriate \$750,000 from the General Fund to the Elsinore Valley Municipal Water District to cover 100% of the local cost share for the Lake Elsinore Aquatic Ecosystem Restoration Project.

[SB 716](#)

([McGuire D](#)) Habitat Restoration and Enhancement Act.

Introduced: 2/19/2021

Status: 3/24/2021-Set for hearing April 15.

Location: 3/3/2021-S. N.R. & W.

Summary: The Habitat Restoration and Enhancement Act authorizes a project proponent to submit a habitat restoration or enhancement project to the Director of Fish and Wildlife for approval. This bill would extend the operation of the act until January 1, 2027, and would require the Department of Fish and Wildlife to submit a report on the implementation of the act to the Legislature no later than December 31, 2025.

[SB 790](#)

([Stern D](#)) Wildlife connectivity mitigation credits: Advance Mitigation Program.

Introduced: 2/19/2021

Last Amend: 3/22/2021

Status: 3/22/2021-From committee with author's amendments. Read second time and amended. Re-referred to Com. on TRANS.

Location: 3/3/2021-S. TRANS.

Summary: Current law vests the Department of Fish and Wildlife (DFW) with jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species. Existing law vests the Department of Transportation (Caltrans) with full possession and control of the state highway system. This bill would require DFW, in consultation with

Caltrans, to provide compensatory mitigation credits to support modifications and planning of projects on the state highway system that improve local and regional habitat connectivity and result in fish passage, wildlife connectivity, and other environmental improvements.

SB 822

(Committee on Natural Resources and Water) Marine resources.

Introduced: 3/9/2021

Last Amend: 3/25/2021

Status: 3/25/2021-From committee with author's amendments. Read second time and amended. Re-referred to Com. on N.R. & W.

Location: 3/18/2021-S. N.R. & W.

Summary: Current law establishes the Department of Fish and Wildlife. Current law provides that it is the department's mission to manage California's diverse fish, wildlife, and plant resources, and the habitats upon which they depend, for their ecological values and for their use and enjoyment of the public. Current law establishes various provisions prohibiting the taking of fish under specified circumstances, including the taking of any fish for the sole purpose of removing its eggs except for the purpose of developing a brood stock for aquaculture purposes. This bill would authorize the department to issue a letter of authorization to allow the taking of marine living resources or to authorize the take and possession of marine resources and possession of gear or equipment that would otherwise be prohibited in marine waters to support data collection, environmental cleanup, hazard removal, or public health and safety.

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.

From: Rachelle Fisher <rachelle@strategicearth.com>

Sent: Monday, March 29, 2021 3:09 PM

To: assemblymember.bonta@assembly.ca.gov

Cc: DCTF <info@dungenesscrabtaskforce.com>; Gold, Mark@CNRA <Mark.Gold@resources.ca.gov>; Wildlife DIRECTOR <DIRECTOR@wildlife.ca.gov>; FGC <FGC@fgc.ca.gov>; Maheen Ahmed; Viviana Becerra

Subject: Dungeness Crab Task Force: Opposition to Assembly Bill 534 – Ropeless Fishing Gear

Dear Honorable Assembly Member Bonta,

On behalf of the California Dungeness Crab Task Force (DCTF), the DCTF Administrative Team submits the following letter of opposition to AB 534 (attached). The letter can also be accessed via the [DCTF's webpage](#).

Pursuant to Fish and Game Code Section 8276.4, the DCTF is directed to review and evaluate the California Dungeness crab fishery and make management recommendations to the Joint Committee on Fisheries and Aquaculture, the California Department of Fish and Game, and the Fish and Game Commission. The attached letter responds to a number of concerns associated with AB 534. The DCTF welcomes the opportunity to work collaboratively with the state, gear manufacturers, scientists, etc. to test and develop innovations and alternative gears that can effectively address the marine life entanglement issue.

If you have any questions about this document or about the DCTF, please contact Rachelle Fisher at 805-845-9852 or info@dungenesscrabtaskforce.com.

Sincerely,

Rachelle Fisher, Kelly Sayce, and Carolyn Kraft
DCTF Administrative Team

--

Rachelle Fisher, MAS
Principal, Strategic Earth Consulting
she/her/hers
P: 805-845-9852

C: 714-330-7976

e: rachelle@strategicearth.com

www.strategicearth.com/

I respectfully acknowledge that I live and work on traditional, ancestral & unceded land of the Shmuwich (Barbareño) Chumash. [Learn more about the land on which you live and work.](#)



~California Dungeness Crab Task Force~

<http://www.opc.ca.gov/2009/04/dungeness-crab-task-force/>

March 29, 2021

The Honorable Rob Bonta
State Capital, PO Box 924849
Sacramento CA, 94249-0018

RE: Opposition to Assembly Bill 534 – Ropeless Fishing Gear

Dear Honorable Assembly Member Bonta,

On March 17, 2021, the Dungeness Crab Task Force (DCTF) voted unanimously to oppose AB 534. Assembly Bill 534 will jeopardize the safety, economic viability, and productivity of California's Dungeness crab industry and could result in adverse impacts to the marine ecosystem and the health and wellbeing of marine life. The authors and proponents of AB 534 have failed to engage with the Dungeness crab fishing industry and align with ongoing multi-stakeholder efforts to innovate alternative gear, missing the opportunity to work collaboratively to address this important issue that we all care about: reducing marine life entanglements.

One of the most valuable and productive fisheries in California, the commercial Dungeness crab fishery is a vital part of California's marine heritage and an important contributor to California's economy. The recreational fishery, including charters and sport fishing, is one of the most popular recreational fisheries in Central and Northern California. As fishermen who have spent our lives on the ocean, we are reliant on the health and wellbeing of California's marine ecosystems. It is because of our relationship with the ocean and commitment to responsible fishing practices that our industry has taken [direct action to minimize the risk of marine life entanglements](#). This includes informing the development of the RAMP, evaluating and testing gear innovations and modifications, recommending regulatory changes to address surface gear concerns (see CCR Title 14 §132.6), helping to secure resources for research and monitoring, training fishermen as first responders, recommending CDFW require the use of double-sided trap tags in the Dungeness crab trap limit program to help aide in entanglement documentation, and developing and circulating an annual best fishing practices guide to promote "whale safe" fishing. Whales and sea turtles are magnificent creatures and we are encouraged by recent reports ([Calambokidis and Barlow 2020](#); [Becker et. al. 2020](#)) indicating that certain whale populations are increasing. AB 534 does not accurately reflect the tremendous work being done to date to address this complex issue, nor does it account for the realities of our industry's operations.

The DCTF opposes AB 534 based on the following:

- **Increases in Gear Loss:** The DCTF supports efforts to reduce gear loss to minimize impacts to marine life and reduce navigational hazards for other fisheries. Abandoned, lost, and derelict fishing gear has been found to be a primary contributor to ocean plastics. Requiring the use of ropeless gear systems as outlined in AB 534, however, will result in more lost and derelict fishing gear and dismantle years of progress the industry has made to reduce and recover lost fishing gear. To date, the testing of ropeless gear systems has been predominantly conducted outside California (i.e., in the Australian rock lobster fishery, early testing in the U.S. East Coast lobster fishery). This limited testing conducted on ideal bottom structure (i.e., firm substrate where gear does not typically get stuck) have seen high failure rates (up to 16-30%) to recover the ropeless gear (e.g., mechanism does not deploy to release surface gear) ([Terhune 2018](#)). In California, Dungeness crab fishing traps are often placed on muddy bottom, which can cause gear to be stuck in the mud, often requiring the use of special tools to remove them from the ocean floor. Gear innovations that may work in one area or fishery, may not be effective for another. In addition to failing to deploy, the ropeless gear mechanisms (i.e., the lift bag) could get buried under the silt causing the gear to be irretrievable. We are deeply concerned about the high degree of gear loss that would result while using these systems in California as currently designed. Use of this gear would require fishermen to purchase hard, non-collapsible buoys to replace soft surface buoys, which would result in increased expenses to fishermen and more plastic waste in the ocean if the gear is lost. Without a way to

see these traps from the surface, this gear would not be recoverable by California's industry-led lost fishing gear retrieval program (see CCR Title 14 §132.7) and there is currently no solution for recovering lost ropeless gear. Additionally, other fisheries will be adversely impacted by ropeless gear systems (both those actively in use and derelict), including salmon and halibut trolling and trawling fisheries, since they will not have the ability to locate submerged gear. This will further exacerbate derelict gear issues and cause navigational hazards. Preliminary testing has been [conducted in California](#) and is [currently underway](#) (i.e., gear has been purchased from manufacturers and testing with fishermen will begin in the spring), however, there is much more to learn before requiring this gear to be used for Dungeness crab and other California trap-gear fisheries (see [Entanglement Science Workshop p. 28-30](#)).

- Cost Prohibitive and Social Disparities:** The Dungeness crab industry has been faced with severe financial hardships over the last six years caused by shortened fishing seasons as a result of entanglement risk and elevated levels of domoic acid, as well as impacts to available markets due to COVID-19. Mandating ropeless gear will be a financial impossibility for most fishermen until manufacturers can reduce the cost to the fleet. In speaking with a representative from Desert Star Systems in 2019, we learned that using this equipment requires purchasing a surface box (\$8,000), software (\$2,000), and enough deployment units for each trap (\$1,600/unit). Requiring commercial Dungeness crab fishermen to pay an additional \$290,000 - \$810,000 on top of their already increasing overhead costs without support from the legislature will drive the extinction of smaller operations in the commercial and recreational Dungeness crab fisheries and other California trap fisheries. These overwhelming costs will also create social disparities in the recreational sector, creating inequities in who could participate in trap-gear fisheries.
- Stifles Innovation and Exploration of Alternative Fishing Gear:** Beginning in 2015, Dungeness crab fishermen have been at the forefront of gear innovations testing. [The California Dungeness Crab Fishing Gear Working Group's](#) webpage highlights examples of this work and also includes [guidance for future testing of "ropeless gear"](#) and other innovations based on lessons learned. Without substantial effort, this gear is not ready for widespread use as indicated by California Department of Fish and Wildlife (CDFW) in their [Guidance for Testing Trap Fishing Gear Modifications](#) which states: *"Prior to widespread adoption, or mandatory use, of any fishing gear modifications, additional testing and refinement must be conducted. CDFW encourages testing through incorporating modifications into legal fishing gear, which can be done in both recreational and commercial fisheries. New or "innovative" gears such as "pop-up gear" (also called "ropeless gear") can only be tested under certain conditions..."* There are incentives outlined in the The Risk Assessment and Mitigation Program (RAMP) (Fish and Game Code §8276.1; California Code of Regulations (CCR) Title 14 §132.8) program that creates opportunities and incentives to use alternative gear when the fishery is otherwise closed due to entanglement risk. By shifting California's focus solely to "ropeless" fishing gear, AB 534 would result in abandoning the exploration of other potential innovative tools and technologies that could be more effective and cost-efficient solutions.
- Legislation Does Not Reflect the Need:** Since the rate of entanglements is on a downward trend and a number of tools are in place to avoid such catastrophic situations in the future, requiring a moratorium on trap fishing gear is too drastic and is not warranted based on the progress that has been made to-date. Section 1(e-f) of AB 534 is very misleading as it neglects to highlight the increasing abundance of several whale stocks ([Calambokidis and Barlow 2020](#); [Becker et. al. 2020](#)). The spike in marine life entanglements that occurred during the 2015-2016 Dungeness crab fishing season was tragic, however, it has significantly improved. In fact, the NOAA Fisheries West Coast Region just released their report of the [2020 West Coast Whale Entanglement Summary](#) that shows a decreasing trend in entanglements since 2016 with only one entanglement attributed to the commercial California Dungeness crab fishery in 2020. Additionally, research shows that the 2016 spike was the result of a marine heat wave causing whale habitat compression coupled with an unprecedented delayed opener for the commercial Dungeness crab fishery ([Feist et. al. 2021](#)). The RAMP's forecasting tools consider habitat compression indicators that help forecast and prevent events like the one we experienced in 2016. The RAMP should be explored further before the state requires the extreme measures outlined in AB 534. Mandating widespread use of "ropeless" gear in California is premature at this time. A better understanding of whale entanglement issues including whale and sea turtle population estimates is vital. We respectfully request that you

advocate for an updated whale population assessment from NOAA Fisheries rather than basing your rationale for AB 534 on twenty-year old stock assessments and ignoring recent studies on whale populations and recent trends in entanglements reported off of California.

The DCTF cannot support this bill. Since 2015, the California Dungeness crab industry has actively worked to reduce the incidence of entanglement in Dungeness crab fishing gear. We have worked in partnership with the California State Legislature, CDFW, the Ocean Protection Council, and the Working Group to develop [strategies and solutions](#) to address this complex issue. The DCTF and broader industry supports the development of alternative gears and innovation that will extend fishing opportunities without harming whales and sea turtles. We welcome the opportunity to work with gear manufacturers, scientists, regulators, and others to test/develop gear and to identify appropriate/cost-effective solutions to entanglements. The DCTF would like to engage directly in the design, development and testing of gear innovations for all non-traditional fishing gears.

The DCTF appreciates the opportunity to respond to AB 534 and values its ongoing working relationship with the Legislature and other state bodies. The DCTF was established in 2009 pursuant to Fish and Game Code §8276.4 and directed to review and evaluate Dungeness crab fishery management measures and provide recommendations to the Joint Committee on Fisheries and Aquaculture, CDFW, and the Commission. For additional information about our work, please visit <http://www.opc.ca.gov/2009/04/dungeness-crab-task-force/> or contact Rachelle Fisher at info@dungenesscrabtaskforce.com or 805-845-9852.

Sincerely,

The California Dungeness Crab Task Force

Matthew O'Donnell, Nonresident commercial fishing representative
David Haddad, Crescent City commercial fishing representative
Gerry Hemmingsen, Crescent City commercial fishing representative
George Bradshaw, Crescent City commercial fishing representative
Zach Rotwein, Trinidad commercial fishing representative
Harrison Ibach, Eureka commercial fishing representative
Mike Cunningham, Eureka commercial fishing representative
Tony Cannia, Fort Bragg commercial fishing representative
Vince Doyle, Fort Bragg commercial fishing representative
Scott Bertelsen, Bodega Bay commercial fishing representative
Dick Ogg, Bodega Bay commercial fishing representative
Larry Collins, San Francisco commercial fishing representative
John Barnett, San Francisco commercial fishing representative
Jim Anderson, Half Moon Bay commercial fishing representative
Geoff Bettencourt, Half Moon Bay commercial fishing representative
Tom Hart, South of Half Moon Bay commercial fishing representative
Bill Blue, South of Half Moon Bay commercial fishing representative
Rick Powers, Commercial Passenger Fishing Vessel Representative
Mark Capra, Sport Fishing Representative
Scott Hockett, Crab Processing Representative

EC: CA Ocean Protection Council, Mark Gold, Executive Director
CA Department of Fish and Wildlife, Charlton Bonham, Director
California Fish and Game Commission, Peter Silva, President

From: Jeff Stackhouse
Sent: Tuesday, March 16, 2021 12:19 PM
To: FGC <FGC@fgc.ca.gov>
Subject: Proposed Changes to Recreational Crab Fishery

I am writing to encourage the Fish and Game Commission to reduce or eliminate all proposed changes to the recreational crab fishery. Furthermore, I encourage the Commission to submit a letter of concern to Assembly Member Bonta describing some of the challenges to his proposed AB-534 and the amendments to Fish and Game Code Sections 9005 and 9006, and the addition of sanction 5524.

I support the objective of reducing entanglements, but current Fish and Game efforts are working to reduce entanglements, and the technology of ropeless gear is cost-prohibitive for charter boats, like myself, and other recreational fishermen. The projected cost of a single ropeless crab pot is in the neighborhood of \$2,000 versus the cost of around \$125 for a recreational crab pot with a static line and buoys. The average recreational crabber on the north coast typically fishes for several limits of crab each season, with the bulk of effort made in November prior to the start of the commercial season, after which most of the harvestable crabs are then caught in commercial pots. Forcing recreational crabbers to invest upwards of \$6,000 to \$10,000 in ropeless gear for a few limits of Dungeness crab is not economically feasible. Because ropeless gear actually does have ropes and buoys that are released when activated by the angler, all recreational crabbers under AB-534 regulations would require the technology for remotely activating their gear, yet another cost added to their ability to recreationally catch crab. Finally, similar to the commercial fleet, recreational crabbers would need to purchase (and know how to operate) the electronic equipment to locate the acoustic modems with GPS attached to ropeless pots to know where previously set pots were located to avoid setting their gear on top these already deployed pots. Given that recreational crabbers are very minor contributors to whale entanglements; the combination of very small risk with uncertainties of gear effectiveness and prohibitively high costs of ropeless gear, I believe that recreational crabbing should be exempt from AB-534.

Please consider the logistical and economic challenges that are being imposed on the commercial and recreational crabbing fleet and encourage legislation to test current DCTF/CDFW efforts before imposing new, burdensome laws upon an already struggling industry.

Sincerely,

Captain Jeff Stackhouse

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Jeff Stackhouse
Stackhouse Guide Service

-----Original Message-----

From: Lyman Chan

Sent: Sunday, March 21, 2021 9:52 AM

To: FGC <FGC@fgc.ca.gov>

Subject: Do not support Bill 534

WARNING: This email originated from outside and should be treated with extra caution.

Don't support this bill as the technology is not developed enough. In addition we need to look at the actual evidence that sport or (local) commercial fishery is actually damaging the whales etc. I would like to see the fishery to be limited to only local vs allowing out of state operators coming to fish the waters

Sent from my iPhone

From: Scott Newman
Sent: Thursday, March 18, 2021 4:48 PM
To: FGC <FGC@fgc.ca.gov>
Subject: AB 534 opposition!

Greetings!

I believe that there other solutions than the proposed AB 534!

The economic depression this will cause is substantial! The industry is already broke and barely hanging on.

I believe that a stout attempt at purple urchin eradication is first and foremost! To help the kelp replenish to natural habitats of so many creatures that have been affected.

Finally,

New research published today shows that closing areas of the world's oceans to fishing and other damaging activities could increase fish populations six-fold over ten years, meaning fishing and marine conservation can go hand in hand.

The researchers from **Campaign for Nature** are calling for Marine Protection Areas (MPAs) to be implemented as part of an international effort to combat marine damage. The policy would have the triple benefit of: protecting biodiversity, increasing fishing yield, and decreasing carbon emissions from seabed trawling.

"Smart ocean protection will help to provide cheap natural climate solutions, make seafood more abundant and safeguard imperilled marine species—all at the same time," says the report's co-author Dr Boris Worm.

"The benefits are clear. If we want to solve the three most pressing challenges of our century - biodiversity loss, climate change and food shortages - we must protect our ocean."

Is a wise alternative!

Cara Newman