

STAFF SUMMARY FOR JUNE 16-17, 2021

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

Receive updates from the executive director on staffing, actions taken under delegated authorities, legislation, the upcoming office move, and other information of interest since the Apr 2021 FGC meeting.

- (A) Discuss potential support for legislation
- (B) Update on committee prioritization project
- (C) Recognize former regulatory analyst Jon Snellstrom for over 29 years of service to FGC

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

Today's report includes a number of updates and several items for potential action:

- [Budget \(FY 2021-22\) and service-based budgeting](#)
- [Legislative matters \(potential action and/or direction\)](#)
- [Committee workload prioritization project \(seeking direction\)](#)
- [Marine aquaculture activities](#)
- [Staffing and upcoming move to new building](#)
- [Resolution and thanks for Jon Snellstrom](#)
- [Important actions under delegated authorities](#)

Budget for FY 2021-22 and Service-Based Budgeting

Following the Jan release of his proposal for California's 2021-22 budget, last month Governor Newsom submitted his May revision, detailing a significant overhaul to the proposed budget that is reflective of a one-time, historic, budget surplus (exhibits 1-2). The governor has said the package will set the state up "for not just a comeback, but a remarkable decade..." If approved by the legislature, a number of agency areas will see budget augmentations for FY 2021-22 offered primarily as one-time enhancements to put into effect programs that have often been talked about but never implemented due to fiscal constraints.

FGC's budget is very small and embedded within DFW's. DFW will receive an additional \$252 million and 216 positions, though half of the positions are limited term and intended to contribute to large-scale, statewide efforts to address issues like wildfires, drought, climate change, and biodiversity for the next three to five years. The other half of the positions are a boost to DFW's baseline, a direct result of the service-based budgeting effort that shows both DFW and FGC in need of significant enhancements in order to meet their missions. DFW Director Bonham will speak to DFW's budget in more detail under agenda item 15 today (also see Exhibit 3).

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The governor's proposal is being negotiated with the legislature, which has until Tuesday night, Jun 15, to pass a budget; it is anticipated that the legislature will pass the main elements of a budget to meet Tuesday's mandatory deadline, and then negotiate additional elements in the coming weeks.

Legislative Matters

FGC staff has identified 21 state assembly bills (AB) and 3 senate bills (SB) under consideration during this legislative session that may affect FGC's authorities and/or workload or be of interest (see Exhibit 4 for list). DFW has provided a report on a more extensive set of state bills it is tracking that includes a summary of each bill and its status (Exhibit 5).

At any meeting, FGC may direct staff to provide information to, or share concerns with, bill authors or regulatory agencies. FGC may also choose to indicate support or opposition to particular bills. In recent years, FGC generally has not supported or opposed specific bills given the frequency with which they change, sometimes significantly and at a moment's notice, even to the point of being unrelated to the original subject. As a body that meets infrequently, it is simply not feasible for FGC to be responsive to rapidly changing bill language. An approach FGC has taken is to authorize letters of support for the general goals or objectives particular bills are attempting to achieve (i.e., eliminating fishing gear that damages ocean habitats through voluntary buyback programs), with FGC staff directed to work with the president or another commissioner on the specific language within a letter.

Another, similar option is to authorize letters of support for specific concepts (e.g., reducing the production and use of single-use plastic bags, opposing the use of mechanical devices for the take of abalone) that can then be used/reformatted, with authorization from the executive director in consultation with the president, for a bill that addresses those concepts; such an approach would allow FGC to be more responsive and potentially impactful during the legislative process without relinquishing control over the subject matter it chooses to support or oppose.

Today is an opportunity for FGC to provide direction to staff concerning proposed legislation. In particular, during the Apr 14 and May 11 FGC meetings, Commenters asked FGC to take a position of opposition to one bill, AB 534 (regarding use of ropeless fishing gear) and a position of support for several bills, including AB 223 (regarding the take and possession of dudleya), AB 334 (regarding worker's compensation and skin cancer), AB 614 (regarding nesting bird habitats), AB 645 (regarding fish and wildlife poaching and penalties), and AB 1371 (regarding recycling and use of plastic in packaging and carryout bags). Note that AB 645 and 1371 failed to pass, though they can be taken up during the second year of the legislative session, beginning in Jan 2022.

Legislative Calendar Highlights

- Jun 4: Last day for bills to be passed out of the house of origin
- Jun 7: Committee meetings may resume
- Jun 15: Budget bill must be passed by midnight
- Jul 14: Last day for policy committees to meet and report bills

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- Jul 16-Aug 15: Summer recess
- Aug 27: Last day for fiscal committees to meet and report bills to the floor
- Sep 3: Last day to amend bills on the floor
- Sep 10: Last day for each house to pass bills; Interim Study Recess begins at end of the day's session
- Oct 10: Last day for Governor to sign or veto bills passed by the Legislature on or before Sep 10 and in the Governor's possession after Sep 10

Committee Workload Prioritization

Commissioners provided feedback on a draft framework to prioritize topics and projects referred to committee, and then directed staff to consider a wider and more nuanced ranking scale and to define each ranking level in more detail. Following that guidance, staff modified the framework by expanding the ranking scale, created a rubric for how to apply the rankings, and developed a method of integrating the numerous individual criterion rankings into a single "score" that would allow FGC to rank potential projects and topics relative to one another.

Staff has tested the revised method on five current and previous Marine Resources Committee topics to ground truth the rankings and refine the proposed approach, to ensure it will function as a durable and systematic foundation for prioritizing committee workload. Some of the revisions have been based on sensitivity of the calculation method (e.g., using average versus maximum scores in each category of criteria) and/or the effect of weighting specific criteria or categories of criteria.

Through systematic testing, staff identified other issues, including additional prioritization criteria, which warrant additional modifications to the proposed rubric and scoring. Examples of proposed modifications include moving the capacity of FGC or its partners to a subsequent step in the evaluation process so that limitations on capacity do not obscure the value of a project, and the excluding "not applicable" criteria that are from calculations rather than applying a criteria score of 0. Other areas for additional consideration include how best to capture cultural benefits/impacts, tribal impacts/benefits, and justice, equity diversity and inclusion benefits/impacts. Additionally, it is worth considering if there is a useful way to "triage" projects using particular filters that clearly lead to a "yes" or "no" output before conducting the full evaluation and ranking.

As a next step, staff will request feedback on the identified issues and other prioritization criteria described in the previous paragraph, and then conduct further testing to refine a proposed Committee workload prioritization method for delivery to FGC at its Aug 2021 meeting; staff recommends placing this topic on the agenda as a separate item at that time.

Marine Aquaculture Activities

One of the recent activities in which FGC staff participated was developing a set of marine aquaculture principles with leadership of other state natural resource management, public health, and food and agriculture agencies convened by the California Natural Resources Agency. The resulting *Guiding Principles for Sustainable Marine Aquaculture in California*

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(Exhibit 6), released this month, serve to increase coordinated and transparent decision-making in support of sustainable aquaculture in California. The six marine aquaculture principles establish a framework for enhancing existing collaborative efforts of state agency staff and will provide near-term guidance to protect the environment, effectively manage public trust resources, enhance food supply, and promote sustainable commercial aquaculture in the state. Note that the principles are not intended to affect or modify the discretionary decision-making authority of any agency, including FGC. They will, however, serve to improve awareness, information-sharing, and collaboration with California tribes and tribal communities, aquaculture producers, federal agencies, public and private organizations, the seafood industry, universities, and others. They will also inform the development of a comprehensive, statewide, aquaculture action plan, estimated to be completed in 2023.

In response to a query at the Apr 2021 FGC meeting about the potential to prioritize an aquaculture lease amendment request submitted to FGC, DFW prepared a memo summarizing current marine aquaculture lease amendment requests, new lease applications, and projects already under review by DFW staff (today's agenda item 22, Exhibit 22.2). FGC staff also engages in many of those aquaculture leases and projects, though in a more limited fashion. This topic is proposed for more detailed discussion at the Jul 2021 Marine Resources Committee meeting; FGC staff will also report on the various aquaculture activities in which staff engages, and highlight the status of current requests related to aquaculture leases that FGC has received (see agenda item 23, this meeting).

Staffing and Move to New Building

The first half of 2021 continues to be rather busy and full of projects, including on the staffing front (Exhibit 7). As reported in Apr, Regulatory Analyst Craig Castleton accepted a promotion with another agency and finished his tenure with FGC in early Apr; interviews to fill that position begin next week.

We are pleased that Charles "Chuck" Striplen began May 3 as FGC's first-ever tribal advisor and liaison! Chuck joined us from the North Coast Regional Water Quality Control Board, and previously was with the San Francisco Estuary Institute. He has significant experience developing and implementing various types of environmental programs and a deep background in stakeholder engagement. Chuck grew up in the Humboldt Bay and Sacramento areas, is a tribal citizen (*Mutsun*) and basket weaver, and has years of falconry experience. For a more complete biographical sketch, see Exhibit 8.

Staff will soon be moving! The new Natural Resources Building at 715 P Street is nearly complete and several-thousand occupants are scheduled to move in between Jul and Nov 2021; FGC staff is scheduled to move the last weekend of August. The LEED Platinum-certified building boasts many amenities, including plenty of natural light and, of particular interest to FGC, a 300-seat, state-of-the-art auditorium and multiple conference room spaces on each floor. FGC staff has been working diligently to prepare for the move, which is being coordinated by the California Natural Resources Agency and DFW, including a comprehensive paper-to-digital project, transferring files to California State Archives, updating the FGC records retention schedule, and in-depth logistics planning to ensure a trouble-free move.

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The scheduled move date for FGC staff is Aug 27. *As a result, the Ninth Street office will be closed Aug 26-27 and the new P Street office will be closed Aug 30.* All hard copy correspondence should continue to be sent to the post office box, which will remain the same following the move (P.O. Box 944209, Sacramento, CA 94244-2090). FGC's office phone number will also remain the same.

Recognizing Jon Snellstrom

After 29 years of service with FGC, longtime regulatory analyst Jon Snellstrom retired on Mar 31, 2021. Jon was an extremely organized, thoughtful, and dedicated employee who was the unofficial historian for the organization. He also graciously shared his creative artistic talents over the years by designing the updated FGC logo, developing outreach materials, adding decorative cheer to the office for major holidays, creating a wall montage in the office foyer from tribal student artwork presented to FGC, and gifting individual staff members a beautiful or humorous illustration on the envelope of their birthday cards.

Staff will present a resolution for FGC consideration that was prepared with input from current and former FGC and DFW staff who worked with Jon over the years, some of whom will speak during public comment about Jon's unique talents and contributions the last three decades. We are pleased that Jon can join us as FGC honors his incredible tenure.

Important Actions under Delegated Authority

The wide range of FGC responsibilities and authorities require daily actions to fulfill; hence, FGC employs an executive director and other staff to assist in conducting the Commission's operations. To ensure that its staff has the ability to maintain full functionality of all its functions, FGC has delegated various authorities to its executive director, who "...shall report to the Commission at each regular meeting on important delegated actions."

Today there are two important delegated actions to report since the Apr 2021 meeting:

1. Regulations – Under the delegated authority to provide notice of amendments to a regulation or a rulemaking file after FGC's final decision, and to adopt, amend, or repeal a regulation consistent with a final decision and any notice provided subsequently, staff provided a 15-day continuation notice for the recreational crab trap fishery marine life protection measures rulemaking and revised the final regulatory language consistent with that notice and final decision.
2. Kelp bed leasing – Under the delegated authority to provide written consent to state kelp bed lessees to allow a lease area to be used for other purposes (i.e., activity not authorized in lease terms) when the activity is proposed under a scientific collecting permit issued by DFW, staff approved the National Oceanic and Atmospheric Administration, Southwest Fisheries Science Center, to take giant kelp in KNOCEAN Sciences-leased Administrative Kelp Bed 3. Harvested giant kelp will provide feed for aquacultured California abalone, including federally listed endangered black abalone (*Haliotis cracherodii*) and white abalone (*Haliotis sorenseni*) to support restoration of these species.

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

1. [California Fish and Wildlife News: Governor's California Comeback Plan Includes Significant Increases for Fish and Wildlife, posted May 14, 2021](#)
2. [Governor's proposed budget, natural resources funding by department \(state funds and all funds\) and positions by department, revised May 14, 2021](#)
3. [Governor's proposed budget, natural resources summary narrative, revised May 14, 2021](#)
4. [FGC staff legislative update, dated Jun 10, 2021](#)
5. [DFW legislative report, dated Jun 7, 2021](#)
6. [Guiding Principles for Sustainable Marine Aquaculture in California, undated](#)
7. [Staff Time Allocation and Activities, dated Jun 4, 2021](#)
8. [Short biography for Chuck Striplen, dated Jun 4, 2021](#)

Motion (N/A)



Governor's California Comeback Plan Includes Significant Increases For Fish And Wildlife

Posted: 14 May 2021 0407 PM PDT

Proposed Plan Reflects Needs Shown by Multiyear Service Based Budgeting Project

Governor Gavin Newsom today introduced his [California Comeback Plan](#), which includes significant fiscal resources aimed to protect California's diverse fish, wildlife and plant resources and the habitats on which they depend. The proposed budget increases show the Newsom Administration is deeply invested in California's biodiversity both for its intrinsic, ecological value as well as for future generations of hunters, hikers, anglers, birders and outdoor enthusiasts.

The proposal increases the California Department of Fish and Wildlife (CDFW) budget by \$252.1 million and includes funds to safeguard California's biodiversity, protect endangered species and their habitats, support the [Cutting the Green Tape](#) initiative, enhance drought preparedness through the water resilience package, increase renewable energy on land and in the ocean, cover payments for fishermen and women [voluntarily transitioning out of the drift gill net](#) shark and swordfish fishery, and address other CDFW's budget shortfalls identified through years of in-depth budget analysis and research through the Service Based Budgeting (SBB) Project. Today's proposal includes 216 staff positions to deliver services and safeguard fish and wildlife in California.

SBB is a budgeting approach that identifies the tasks needed to accomplish the mission of CDFW. Directed by the Legislature, and working with many diverse stakeholders, CDFW conducted one of the first and most comprehensive state agency reviews of its budget, tasks and labor needs. In a [report to the Legislature in January](#), the SBB project clearly defined CDFW activities, tasks and resources required to deliver our mission. It is through the continued engagement by a wide range of stakeholders that CDFW was able to show needed resource increases that are reflected in this budget proposal.

The proposal also provides funding that will assist CDFW's human-wildlife conflict program, which is exacerbated during times of drought when animals travel farther to seek out water sources. The plan provides monies for CDFW's Law Enforcement Division as wildlife officers are nearly always the responders in human-wildlife conflicts. It also includes funding increases for monitoring and management on CDFW lands, and provides seed money to grow the CDFW wolf program, including a comprehensive

reimbursement program that incentivizes non-lethal measures for livestock producers as California's wolf population grows.

The proposal will allow CDFW to augment major efforts underway to increase access to our natural resources throughout California. This includes increasing access to our approximately 1.2 million acres of ecological reserves and wildlife areas across more than 700 properties in the state. These efforts also include increasing Tribal representation and care for cultural resources, and focusing on justice, equity, diversity and inclusion both within the CDFW workforce and among our constituents, with a vision of truly ensuring Nature for All and a California for All.

There is already some evidence suggesting these efforts are working. Through the pandemic, CDFW watched as hunting and fishing license sales increased significantly. CDFW issued nearly two million sport fishing licenses in 2020, an 11 percent increase from 2019. California hunter numbers also spiked. CDFW issued nearly 300,000 California hunting licenses in 2020, a nine percent increase from the previous year. Though it's clear that much of this is credited to Californians seeking safe outdoor activities, it also correlates with our recent rededication to learning reasons behind previously decreasing license sales through the nationwide recruitment, retention and reactivation (R3) effort. R3 aims to increase statewide hunting and fishing participation by collaborating with diverse stakeholders to transform barriers into opportunities. The Governor's plan continues that vision by including funding to improve license purchasing technology and provide a mobile application to display fishing and hunting licenses.

The simultaneous increase in CDFW's ability to provide additional access to lands and outdoor recreation, while enhancing the ability to conserve water resources, habitat and native species is the beginning of making California's wild lands, fishing, hunting, birding, and many other outdoor activities available for all Californians.

Today's proposal by the Governor is an historic moment for CDFW's budget.

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2021-22 May Revision to the Governor's Budget

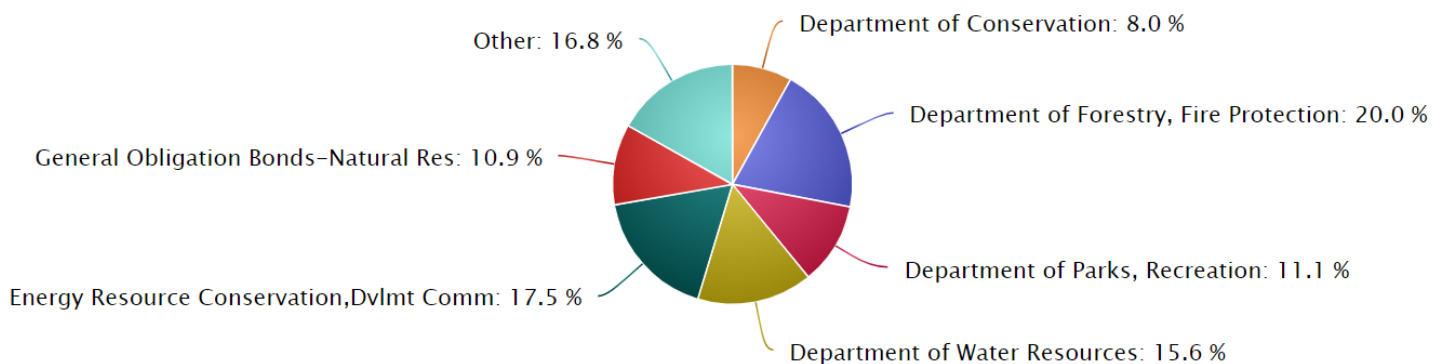
REVISED ON MAY 14, 2021

Natural Resources

Natural Resources Agency programs protect and restore California's diverse natural and cultural resources for current and future generations, including operating state parks, managing water supplies, supporting forest health, encouraging clean energy, and preserving fish and wildlife habitats, rich farmlands and mineral resources. Agency programs also protect the public through construction of levees in the Central Valley and suppression of wildfires. These programs not only contribute to the state's unique quality of life, but also are critical to sustaining a vibrant economy.

DEPARTMENTS' PORTION OF THE AGENCY'S BUDGET (State Funds)

This pie chart represents \$12.0 billion of expenditures within this Agency area. These amounts do not include federal funds, certain non-governmental cost funds, or reimbursements.



STATE FUNDS BY DEPARTMENT

The following table presents proposed and revised budget year expenditures for each department in this agency area (Natural Resources). State funds reflect total General Fund, special funds, and selected bond funds. Total funds include state funds, federal funds, other non-governmental cost funds, and reimbursements.

Code	Departments	January Proposed Total State Funds*	May Revision Total State Funds*	Change*	% Change
0540	Natural Resources Agency, Secy	\$185,820	\$594,001	\$408,181	219.66%
3100	Exposition Park	\$37,443	\$42,443	\$5,000	13.35%
3110	Special Resources Programs	\$5,523	\$5,523	\$-	0.00%
3125	Tahoe Conservancy	\$19,155	\$19,655	\$500	2.61%
3210	Environmental Protection Program	\$-	\$-	\$-	-
3340	California Conservation Corps	\$148,920	\$151,605	\$2,685	1.80%
3355	Office of Energy Infrastructure Safety	\$-	\$20,501	\$20,501	-
3360	Energy Resource Conservation,Dvlmt Comm	\$708,576	\$2,102,703	\$1,394,127	196.75%
3460	Colorado River Board of California	\$-	\$-	\$-	-
3480	Department of Conservation	\$185,236	\$965,714	\$780,478	421.34%
3540	Department of Forestry, Fire Protection	\$2,297,543	\$2,397,462	\$99,919	4.35%
3560	State Lands Commission	\$55,305	\$105,236	\$49,931	90.28%
3600	Department of Fish and Wildlife	\$543,183	\$705,481	\$162,298	29.88%
3640	Wildlife Conservation Board	\$105,744	\$170,744	\$65,000	61.47%
3720	Coastal Commission	\$26,160	\$27,785	\$1,625	6.21%
3760	State Coastal Conservancy	\$39,226	\$53,226	\$14,000	35.69%
3780	Native American Heritage Commission	\$3,790	\$4,255	\$465	12.27%

Code	Departments	January Proposed Total State Funds*	May Revision Total State Funds*	Change*	% Change
3790	Department of Parks, Recreation	\$753,686	\$1,326,963	\$573,277	76.06%
3810	Santa Monica Mountains Conservancy	\$8,228	\$8,228	\$-	0.00%
3820	SF Bay Conservation, Development Comm	\$8,843	\$8,843	\$-	0.00%
3825	San Gabriel,Lower LA River,Mtns Consvcy	\$9,091	\$12,482	\$3,391	37.30%
3830	San Joaquin River Conservancy	\$1,098	\$1,098	\$-	0.00%
3835	Baldwin Hills Conservancy	\$2,094	\$2,094	\$-	0.00%
3840	Delta Protection Commission	\$1,520	\$1,520	\$-	0.00%
3845	San Diego River Conservancy	\$3,590	\$3,590	\$-	0.00%
3850	Coachella Valley Mountains Conservancy	\$2,522	\$2,522	\$-	0.00%
3855	Sierra Nevada Conservancy	\$55,397	\$55,397	\$-	0.00%
3860	Department of Water Resources	\$950,283	\$1,874,505	\$924,222	97.26%
3875	Sacramento-San Joaquin Delta Conservancy	\$3,047	\$3,047	\$-	0.00%
3882	General Obligation Bonds- Natural Res	\$1,412,205	\$1,309,496	\$-102,709	-7.27%
3885	Delta Stewardship Council	\$20,778	\$20,778	\$-	0.00%
Totals, Expenditures		\$7,594,006	\$11,996,897	\$4,402,891	57.98%

* Dollars in thousands

[See next page for all funds by department]

ALL FUNDS BY DEPARTMENT

The following table presents proposed and revised budget year expenditures for each department in this agency area. Total All Funds include state funds, federal funds, other non-governmental costs funds, and reimbursements necessary to support the operations of department programs.

Code	Departments	January Proposed Total All Funds*	May Revision Total All Funds*	Change*	% Change
0540	Natural Resources Agency, Secy	\$200,527	\$614,709	\$414,182	206.55%
3100	Exposition Park	\$39,621	\$44,621	\$5,000	12.62%
3110	Special Resources Programs	\$6,022	\$6,022	\$-	0.00%
3125	Tahoe Conservancy	\$23,772	\$24,872	\$1,100	4.63%
3210	Environmental Protection Program	\$-	\$-	\$-	-
3340	California Conservation Corps	\$148,920	\$151,605	\$2,685	1.80%
3355	Office of Energy Infrastructure Safety	\$-	\$20,501	\$20,501	-
3360	Energy Resource Conservation,Dvlmt Comm	\$993,604	\$2,387,731	\$1,394,127	140.31%
3460	Colorado River Board of California	\$2,413	\$2,413	\$-	0.00%
3480	Department of Conservation	\$199,208	\$980,936	\$781,728	392.42%
3540	Department of Forestry, Fire Protection	\$2,925,811	\$3,174,236	\$248,425	8.49%
3560	State Lands Commission	\$61,265	\$111,196	\$49,931	81.50%
3600	Department of Fish and Wildlife	\$726,799	\$900,705	\$173,906	23.93%
3640	Wildlife Conservation Board	\$141,219	\$206,219	\$65,000	46.03%
3720	Coastal Commission	\$33,165	\$34,790	\$1,625	4.90%
3760	State Coastal Conservancy	\$63,522	\$77,522	\$14,000	22.04%
3780	Native American Heritage Commission	\$3,796	\$4,261	\$465	12.25%
3790	Department of Parks, Recreation	\$938,270	\$1,645,858	\$707,588	75.41%

Code	Departments	January Proposed Total All Funds*	May Revision Total All Funds*	Change*	% Change
3810	Santa Monica Mountains Conservancy	\$10,060	\$10,060	\$-	0.00%
3820	SF Bay Conservation, Development Comm	\$11,464	\$11,464	\$-	0.00%
3825	San Gabriel,Lower LA River,Mtns Consvcy	\$9,091	\$12,482	\$3,391	37.30%
3830	San Joaquin River Conservancy	\$1,098	\$1,098	\$-	0.00%
3835	Baldwin Hills Conservancy	\$2,094	\$2,094	\$-	0.00%
3840	Delta Protection Commission	\$1,972	\$1,972	\$-	0.00%
3845	San Diego River Conservancy	\$4,650	\$4,650	\$-	0.00%
3850	Coachella Valley Mountains Conservancy	\$2,602	\$2,602	\$-	0.00%
3855	Sierra Nevada Conservancy	\$59,331	\$61,831	\$2,500	4.21%
3860	Department of Water Resources	\$3,964,740	\$5,335,962	\$1,371,222	34.59%
3875	Sacramento-San Joaquin Delta Conservancy	\$4,424	\$4,424	\$-	0.00%
3882	General Obligation Bonds-Natural Res	\$1,412,205	\$1,309,496	\$-102,709	-7.27%
3885	Delta Stewardship Council	\$28,008	\$28,008	\$-	0.00%
Totals, Expenditures		\$12,019,673	\$17,174,340	\$5,154,667	42.89%

* Dollars in thousands

[See next page for positions by department]

POSITIONS BY DEPARTMENT

The following table presents proposed and revised budget year positions for each department within this area.

Code	Departments	January Proposed Total Positions	May Revision Total Positions	Change*	% Change
0540	Natural Resources Agency, Secy	62.1	62.1	-	0.00%
3100	Exposition Park	138.0	138.0	-	0.00%
3110	Special Resources Programs	-	-	-	-
3125	Tahoe Conservancy	41.6	41.6	-	0.00%
3210	Environmental Protection Program	-	-	-	-
3340	California Conservation Corps	379.8	380.8	1.0	0.26%
3355	Office of Energy Infrastructure Safety	-	90.0	90.0	-
3360	Energy Resource Conservation,Dvlmt Comm	682.3	682.3	-	0.00%
3460	Colorado River Board of California	8.2	8.2	-	0.00%
3480	Department of Conservation	591.6	592.6	1.0	0.17%
3540	Department of Forestry, Fire Protection	8,735.1	8,808.1	73.0	0.84%
3560	State Lands Commission	210.4	210.4	-	0.00%
3600	Department of Fish and Wildlife	2,185.4	2,295.4	110.0	5.03%
3640	Wildlife Conservation Board	31.0	31.0	-	0.00%
3720	Coastal Commission	164.6	164.6	-	0.00%
3760	State Coastal Conservancy	70.0	70.0	-	0.00%
3780	Native American Heritage Commission	14.3	14.3	-	0.00%
3790	Department of Parks, Recreation	4,273.7	4,296.7	23.0	0.54%
3810	Santa Monica Mountains Conservancy	6.6	6.6	-	0.00%
3820	SF Bay Conservation, Development Comm	40.1	40.1	-	0.00%

Code	Departments	January Proposed Total Positions	May Revision Total Positions	Change*	% Change
3825	San Gabriel,Lower LA River,Mtns Consvey	6.3	6.3	-	0.00%
3830	San Joaquin River Conservancy	3.0	3.0	-	0.00%
3835	Baldwin Hills Conservancy	5.0	5.0	-	0.00%
3840	Delta Protection Commission	7.3	7.3	-	0.00%
3845	San Diego River Conservancy	3.2	3.2	-	0.00%
3850	Coachella Valley Mountains Conservancy	3.6	3.6	-	0.00%
3855	Sierra Nevada Conservancy	35.0	35.0	-	0.00%
3860	Department of Water Resources	3,369.5	3,369.5	-	0.00%
3875	Sacramento-San Joaquin Delta Conservancy	9.8	9.8	-	0.00%
3882	General Obligation Bonds-Natural Res	-	-	-	-
3885	Delta Stewardship Council	65.7	65.7	-	0.00%
Totals, Positions		21,143.2	21,441.2	298.0	1.41%

ADDITIONAL INFORMATION

[Budget Change Proposals and Finance Letters](#)

[Natural Resources Web Site](#)

Transfers user to this Agency's web site.

[Proposed Budget Detail - Natural Resources \(January 2021\)](#)

Displays Proposed Budget Detail Information for Natural Resources.

Excerpt from the May Revision 2021-22

NATURAL RESOURCES

The Natural Resources Agency consists of 26 departments, boards, commissions, and conservancies responsible for administering programs to conserve, restore, and enhance the natural, historical, and cultural resources of California. The May Revision includes total funding of \$11.4 billion (\$8.9 billion General Fund, \$1.6 billion special funds, \$886 million bond funds) for the programs included in this Agency. The Agency's departments help the state become more climate resilient, expand equitable access to parks and wildlands, and conserve California's remarkable biodiversity. The May Revision includes investments in each of these areas, and several related items are referenced in the Emergency Response, Statewide and Climate Change Chapters.

OUTDOOR ACCESS FOR ALL

Six of every ten Californians live in park-poor neighborhoods and four of every ten Californians have no access to open space within walking distance of their home. Building on \$82 million proposed in the Governor's Budget, the May Revision proposes an additional \$256.2 million (\$253.1 million General Fund, \$3.1 million special funds) to expand outdoor access for all Californians.

These May Revision investments expand environmental education; enhance safe, reliable access to state parks, public lands, coasts, and other natural, historic, and cultural resources; and increase recreation opportunities. Significant adjustments include:

- **Outdoor Education**—\$108.1 million (\$105 million one-time General Fund and \$3.1 million Environmental License Plate Fund) for outdoor environmental education and access programming through the Outdoor Equity Grants Program and expansion of existing K-12 programs. These programs will support outdoor environmental education for underserved youth statewide, development of new curriculum, and construction of new state parks' facilities that support environmental education programs.
- **Statewide Park Development and Community Revitalization Program**—\$125 million one-time General Fund to invest in establishing and revitalizing community open spaces. These grants fund new parks, the beautification of existing parks, and recreation opportunities in underserved communities across the state. This funding complements the \$200 million available over two years for the Urban Greening Program (see the Climate Change Chapter for more on the Urban Greening Program).
- **Explore the Coast Grant Program**—\$14 million one-time General Fund for the Coastal Conservancy to expand coastal access programming statewide.
- **Innovative Pilot Programs**—\$9.1 million one-time General Fund to launch a State Parks pilot to expand parks pass distribution, especially for youth in

disadvantaged communities. The pilot would include a “California State Park Adventure” program for fourth graders and new statewide partnerships with the California State Library and California Department of Social Services.

ENHANCING AND RESTORING THE STATE PARK SYSTEM

The May Revision includes \$507.3 million (\$403.8 million one-time General Fund and \$103.5 million one-time federal reimbursements) for the enhancement and restoration of state parks facilities statewide.

- **Wildfire Restoration**—\$217 million (\$113.5 million one-time General Fund and an estimated \$103.5 million one-time federal reimbursements) for fire restoration projects in the 115,000 acres burned across 23 state park units by multiple fires in the unprecedented 2020 wildfire season. These funds will be used for planning, removal of remaining post-fire hazards, and rebuilding the parks in a manner that reflects the best science to ensure these parks are more climate-resilient, while also addressing access and equity issues.
- **Deferred Maintenance**—\$165 million one-time General Fund for investment in deferred maintenance at state parks. With the \$20 million one-time General Funds included in the Governor's Budget, this proposal provides a total of \$185 million for deferred maintenance projects throughout the state, including cottage rehabilitation at Crystal Cove State Park, lighthouse restoration at Pigeon Point Light Station State Historic Park, and road reconstruction at Border Field State Park to enable improved access and enhanced visitor experience (see General Government and Statewide Issues Chapter for more information on deferred maintenance).
- **Indian Heritage Center**—\$95.3 million one-time General Fund for transfer to the Natural Resources and Parks Preservation Fund for the California Indian Heritage Center. This proposal restores the original set-aside for the project, reversing the one-time General Fund savings implemented in the 2020 Budget.
- **Sacramento Railyards**—\$30 million one-time General Fund for various capital projects at the historic Sacramento Railyards.

DEPARTMENT OF FISH AND WILDLIFE

California is a global biodiversity hotspot, with more types of plants and animals than almost anywhere else in the world. This natural abundance is increasingly under threat from climate change. The Department of Fish and Wildlife serves as a trustee for California's natural resources and is key in implementing the Governor's Executive Order N-82-20 to maintain California's rich biodiversity through continued conservation and protection. The Department has been directed to take on increasing mandates to protect habitat, endangered species, and public trust resources. To provide a transparent process to identify sustainable funding solutions and strategies to address increasing mandates, the Department implemented a Service Based Budget (SBB) Initiative and worked with stakeholders to identify current service levels and activities, cost estimates, and staffing requirements to meet the Department's mission and

statutory requirements, and perform an analysis of the Department's existing revenue structure.

To advance implementation of the SBB Legislative Report recommendations and the mission of the Department, the May Revision proposes \$3.8 million ongoing General Fund to continue the Cutting Green Tape Initiative and \$80.9 million one-time (\$75.9 million General Fund and \$5 million Environmental License Plate Fund) to deliver more effective and efficient services with limited-term and temporary-help staff, make strategic investments in equipment and technology, address a deferred maintenance backlog, and advance process improvements. These one-time investments build upon the \$41.8 million one-time General Fund included in the Governor's Budget and help the Department continue to improve mission levels of service. Significant one-time investments proposed for May Revision include:

- **Protecting California's Endangered Species**—\$53.8 million and 31 positions, over five years, to directly address endangered species within California and make measurable progress on conservation of these species.
- **Enhancing Stewardship of Refuges, Preserves, and other State Lands**—\$7.5 million and 8 positions, over five years, to address management and oversight on the lands and facilities it manages to conserve native wildlife, threatened and endangered species, sensitive habitats, and to provide for public use and enjoyment.
- **Wolf Conflict Program**—\$3 million to increase the Department's ability to work with rural communities to set up a compensation program that compensates livestock producers for the loss of productivity due to depredation events resulting from the return of the grey wolf to California.
- **Drift Gill Net Transition Program**—\$1.3 million to address payments to voluntary participants to complete the Drift Gill Net Transition Program pursuant to Chapter 844, Statutes of 2018 (SB 1017).
- **Improving Care for Injured Wildlife**—\$350,000 to develop a feasibility study for a state-of-the-art Wildlife Health Laboratory to address and care for wildlife throughout California.
- **Deferred Maintenance**—\$15 million to address its backlog of deferred maintenance projects on state-owned lands and facilities.

California Fish and Game Commission
Staff Legislative Update
June 10, 2021

This staff update identifies state legislation that may affect California Fish and Game Commission (Commission) authorities and/or workload, or be of interest to Commission members, and provides bill status during this legislative session as of June 10, 2021.

One California State Senate bill (SB) and two California State Assembly bills (AB) that currently are not being tracked by the California Department of Fish and Wildlife (Department) are summarized and their status indicated:

- SB 54 (Allen, Stern, Weiner) Plastic Pollution Producer Responsibility Act. This bill would establish the Plastic Pollution Producer Responsibility Act, which would prohibit producers of single-use, disposable packaging or single-use, disposable food service ware products from offering for sale, selling, distributing, or importing in or into the state such packaging or products that are manufactured on or after January 1, 2032, unless they are recyclable or compostable. – Ordered to inactive file on request of Senator Allen on 5/20/21.
- AB 818 (Bloom): This bill would require that certain premoistened, nonwoven, disposable wipes manufactured on or after July 1, 2022 to be labeled clearly and conspicuously with “Do Not Flush” and a related symbol. This bill would also prohibit companies selling these wipes from making claims about the flushable attributes, benefits, performance or efficacy of the wipes. The bill would establish enforcement provisions, including authorizing a civil penalty not to exceed \$2,500 per day, up to a maximum of \$100,000 per violation, to be imposed on a company that violates those provisions. – Referred to Senate E.Q. and JUD on 5/27/21.
- AB 1279 (Muratsuchi): This bill would require OPC to work with private and nonprofit entities to bring sustainable kelp to the coastal waters of the state and review and assess data from existing research and ongoing pilot projects to identify critical knowledge gaps related to kelp forest ecosystems, kelp and sea urchin biological processes, kelp forest stressors, kelp-urchin population dynamics, incorporating carbon dioxide removal, and long-term carbon sequestration considerations. – Referred to Senate N.R. & W on 6/9/21.

There are 2 California State Senate bills (SB) and 19 California State Assembly bills (AB) of potential interest that are currently being tracked by the Department and their status highlighted here:

- SB 17 (Pan) Office of Racial Equity – Referred to Assembly A. & A.R. on 6/10/21.
- SB 80 (McGuire) Commercial fishing: inspection: crab traps – Referred to Assembly W., P., & W. and HEALTH on 6/10/21.
- SB 470 (Jones) Fishing and hunting: annual combined hunting and fishing licenses – Referred to Assembly W., P., & W. and HEALTH on 6/10/21.
- SB 822 (Cmte on NR&W) Marine resources – Referred to Assembly W., P., & W. and HEALTH on 5/24/21.
- AB 29 (Cooper) State bodies: meetings (Bagley-Keene Open Meeting Act) – Bill failed. May be acted upon Jan 2022.

- AB 30 (Kalra) Outdoor access to nature: environmental equity – Bill failed. May be acted upon Jan 2022.
- AB 63 (Petrie-Norris) Marine resources: Marine Managed Areas Improvement Act: restoration activities – Referred to Senate N.R. & W. on 5/12/21.
- AB 125 (Rivas, Robert) Equitable Economic Recovery, Healthy Food Access, Climate Resilient Farms, and Worker Protection Bond Act of 2022 – Re-referred to Assembly Nat. Res. on 4/15/21.
- AB 223 (Ward) Wildlife: dudleya: taking and possession – Referred to Senate N.R. & W. and PUB. S. on 6/9/21.
- AB 303 (Rivas) Aquaculture: mariculture production and restoration: pilot program – Bill failed. May be acted upon Jan 2022.
- AB 334 (Mullin) Workers' compensation: skin cancer – Referred to Senate L., P.E. & R. on 6/3/21.
- AB 339 (Lee) State and local government: open and public meetings (public attendance via call-in or Internet-based service options) – Amended 4/15/21 to apply only to local government bodies.
- AB 534 (Bonta) Fishing: ropeless fishing gear – Bill failed. May be acted upon Jan 2022.
- AB 554 (Mathis) Department of Fish and Wildlife: Office of the Ombudsperson – Bill failed. May be acted upon Jan 2022.
- AB 564 (Lorena Gonzalez) Biodiversity Protection and Restoration Act – Bill failed. May be acted upon Jan 2022.
- AB 614 (Aguilar-Curry) Wildlife habitat: birds – Referred to Senate N.R. & W on 6/9/21.
- AB 645 (Gallagher) Fish and wildlife: poaching: penalties: probation period – Bill failed. May be acted upon Jan 2022.
- AB 817 (Wood) Sport fishing licenses: 12-consecutive-month licenses – To Senate RLS for assignment on 6/2/21.
- AB 819 (Levine) California Environmental Quality Act: notices and documents: electronic filing and posting – Re-referred to Senate E.Q. on 5/28/21.
- AB 885 (Quirk) Bagley-Keene Open Meeting Act: teleconferencing – Bill failed. May be acted upon Jan 2022.
- AB 1298 (Bloom) Pesticides: use of 2nd generation anticoagulant rodenticides – Referred to Senate E.Q. and N.R. & W on 6/9/21.
- AB 1371 (Friedman, Gonzalez, Lorena, Ting) Recycling: plastic: packaging and carryout bags – Bill failed. May be acted upon Jan 2022.
- AB 1429 (Holden) State agency records: management coordinator duties: personnel training – Referred to Senate G.O. on 6/9/21.

Additional details about the bills being tracked by the Department are found in Exhibit 14.x for the June 16-17, 2021 Commission meeting. The most current versions of individual bills, and their status, can be found at www.leginfo.legislature.ca.gov.



Department of Fish & Wildlife Legislative Report

June 2021

(as of June 7, 2021)

[AB 2](#)

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

Introduced: 12/7/2020

Status: 5/21/2021-Failed Deadline pursuant to Rule 61(a) (5). (Last location was APPR. SUSPENSE FILE on 5/19/2021) (May be acted upon Jan 2022)

Location: 5/21/2021-A. 2 YEAR

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: 4/30/2021-Failed Deadline pursuant to Rule 61(a) (2). (Last location was PUB. S. on 1/11/2021) (May be acted upon Jan 2022)

Location: 4/30/2021-A. 2 YEAR

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: 5/27/2021

Status: 6/2/2021-In Senate. Read first time. To Com. on RLS. for assignment.

Location: 6/2/2021-S. RLS.

Summary: Current law requires each law enforcement agency, on or before January 1,

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

AB 29

(Cooper D) State bodies: meetings.

Introduced: 12/7/2020

Status: 5/25/2021-Failed Deadline pursuant to Rule 61(a) (5). (Last location was APPR. SUSPENSE FILE on 4/21/2021) (May be acted upon Jan 2022)

Location: 5/25/2021-A. 2 YEAR

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: 5/25/2021-Failed Deadline pursuant to Rule 61(a) (5). (Last location was APPR. SUSPENSE FILE on 5/12/2021) (May be acted upon Jan 2022)

Location: 5/25/2021-A. 2 YEAR

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: 4/30/2021-Failed Deadline pursuant to Rule 61(a) (2). (Last location was PUB.

S. on 1/11/2021) (May be acted upon Jan 2022)

Location: 4/30/2021-A. 2 YEAR

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: 5/12/2021-Referred to Com. on N.R. & W.

Location: 5/12/2021-S. N.R. & 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: 6/3/2021-Read third time. Passed. Ordered to the Senate.

Location: 6/3/2021-S. DESK

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: 4/12/2021

Status: 4/15/2021-From committee: Do pass and re-refer to Com. on NAT. RES. (Ayes 10. Noes 0.) (April 15). Re-referred to Com. on NAT. RES.

Location: 4/15/2021-A. NAT. RES.

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 \$3,302,000,000 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

Last Amend: 5/24/2021

Status: 6/2/2021-In Senate. Read first time. To Com. on RLS. for assignment.

Location: 6/2/2021-S. RLS.

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 6 months, 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: 6/2/2021

Status: 6/2/2021-From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on N.R. & W.

Location: 5/12/2021-S. N.R. & W.

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: 4/21/2021

Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a) (2). (Last location was NAT. RES. on 4/8/2021) (May be acted upon Jan 2022)

Location: 4/30/2021-A. 2 YEAR

Summary: Would require the Department of Fish and Wildlife, in collaboration with the California Coastal Commission, 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: 4/21/2021

Status: 5/28/2021-In Senate. Read first time. To Com. on RLS. for assignment.

Location: 5/28/2021-S. RLS.

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: 6/3/2021-Referred to Com. on L., P.E. & R.

Location: 6/3/2021-S. L., P.E. & R.

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 379

(Gallagher R) Wildlife conservation: conservation lands.

Introduced: 2/1/2021

Last Amend: 4/29/2021

Status: 5/19/2021-Referred to Com. on N.R. & W.

Location: 5/19/2021-S. N.R. & W.

Summary: Current law requires the Wildlife Conservation Board in the Department of Fish and Wildlife to authorize the acquisition of real property, rights in real property, water, or water rights, as specified. Existing law authorizes the board to authorize the department to, among other things, accept federal grants and receive financial support from public or private sources, lease degraded potential wildlife habitat real property to nonprofit organizations, local governmental agencies, or state and federal agencies, and acquire former wildlife habitat real property and restore and sell the real property to private owners, local governmental agencies, or state departments and agencies. This bill would also authorize the board to grant funds to, and enter into agreements, loans, or contracts with, a California Native American tribe to the same extent as any public or private entity as authorized under specified laws.

AB 380

(Seyarto R) Forestry: priority fuel reduction projects.

Introduced: 2/2/2021

Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a) (2). (Last location was NAT. RES. on 2/12/2021) (May be acted upon Jan 2022)

Location: 4/30/2021-A. 2 YEAR

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

Last Amend: 5/24/2021

Status: 6/2/2021-In Senate. Read first time. To Com. on RLS. for assignment.

Location: 6/2/2021-S. RLS.

Summary: would, upon appropriation by the Legislature, allocate \$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

Last Amend: 4/7/2021

Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a) (2). (Last location was W.,P. & W. on 2/12/2021) (May be acted upon Jan 2022)

Location: 4/30/2021-A. 2 YEAR

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 that a management plan for an area to be leased pursuant to certain of those leases include detailed habitat objectives that must be achieved and maintained by the lessee and set minimum requirements for monitoring to ensure those objectives are met, or that the lease specify minimum agricultural and animal husbandry practices to ensure the protection of ecological resources, as specified.

AB 480

(Carrillo D) Hazardous materials.

Introduced: 2/8/2021

Last Amend: 5/24/2021

Status: 6/3/2021-In Senate. Read first time. To Com. on RLS. for assignment.

Location: 6/3/2021-S. RLS.

Summary: Current law requires a business that handles a hazardous material (handler), or an employee, authorized representative, agent, or designee of the handler, to, upon discovery, immediately report any release or threatened release of a hazardous material, or an actual release of a hazardous substance, as defined, to the UPA and the Office of Emergency Services, as provided. Current law requires the office to adopt regulations implementing this requirement on or before January 1, 2016. This bill would revise that reporting requirement to require, for regulated facilities, a handler, or an employee, authorized representative, agent, or designee of the handler, to report a release or threatened release of a hazardous material, hazardous waste, or hazardous substance to the UPA and the office immediately upon discovery of the release or threatened release.

AB 517

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

Introduced: 2/10/2021

Status: 5/25/2021-Failed Deadline pursuant to Rule 61(a) (5). (Last location was APPR. on 4/8/2021) (May be acted upon Jan 2022)

Location: 5/25/2021-A. 2 YEAR

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: 4/30/2021-Failed Deadline pursuant to Rule 61(a) (2). (Last location was NAT. RES. on 2/18/2021) (May be acted upon Jan 2022)

Location: 4/30/2021-A. 2 YEAR

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

Last Amend: 4/26/2021

Status: 5/28/2021-In Senate. Read first time. To Com. on RLS. for assignment.

Location: 5/28/2021-S. RLS.

Summary: Current law requires the PUC and the Energy Commission to undertake various actions in furtherance of meeting the state's clean energy and pollution reduction objectives. This bill would require the Energy Commission, on or before March 1, 2022, to evaluate and quantify the maximum feasible capacity of offshore wind to achieve reliability, ratepayer, employment, and decarbonization benefits and to establish offshore wind planning goals for 2030 and 2045, as specified.

AB 534

(Bonta D) Fishing: ropeless fishing gear.

Introduced: 2/10/2021

Last Amend: 4/19/2021

Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a) (2). (Last location was W.,P. & W. on 2/18/2021) (May be acted upon Jan 2022)

Location: 4/30/2021-A. 2 YEAR

Summary: Would require, on or before November 1, 2025, ropeless fishing gear, as determined by the Department of Fish and Wildlife, to be used when fishing in a national

marine sanctuary and taking any species of fish for commercial or recreational purposes in any trap fishery, upon implementation of this requirement by the department and the Fish and Game Commission. 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 fishing gear as including only gear in which there is no static vertical buoy line. The bill would authorize the director to extend the November 1, 2025, implementation deadline for the above requirement by up to 2 years, by making findings that suitable ropeless fishing gear is not yet commercially available, as specified.

AB 554

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

Introduced: 2/10/2021

Status: 5/25/2021-Failed Deadline pursuant to Rule 61(a) (5). (Last location was APPR. SUSPENSE FILE on 4/28/2021) (May be acted upon Jan 2022)

Location: 5/25/2021-A. 2 YEAR

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: 4/30/2021-Failed Deadline pursuant to Rule 61(a) (2). (Last location was A. & A.R. on 2/18/2021) (May be acted upon Jan 2022)

Location: 4/30/2021-A. 2 YEAR

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 614

(Aguilar-Curry D) Wildlife habitat: birds.

Introduced: 2/12/2021

Last Amend: 5/24/2021

Status: 6/2/2021-In Senate. Read first time. To Com. on RLS. for assignment.

Location: 6/2/2021-S. RLS.

Summary: Would raise by \$10 the upland game bird hunting validation and the state duck hunting validation fees, as specified, with that \$10 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 645

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

Introduced: 2/12/2021

Last Amend: 3/11/2021

Status: 5/25/2021-Failed Deadline pursuant to Rule 61(a) (5). (Last location was APPR. SUSPENSE FILE on 4/28/2021) (May be acted upon Jan 2022)

Location: 5/25/2021-A. 2 YEAR

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 718

(Cunningham R) Peace officers: investigations of misconduct.

Introduced: 2/16/2021

Status: 5/19/2021-Referred to Com. on PUB. S.

Location: 5/19/2021-S. 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: 5/12/2021-Referred to Com. on N.R. & W.

Location: 5/12/2021-S. N.R. & 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: 12-consecutive-month licenses.

Introduced: 2/16/2021

Last Amend: 5/24/2021

Status: 6/2/2021-In Senate. Read first time. To Com. on RLS. for assignment.

Location: 6/2/2021-S. RLS.

Summary: Current law governs the issuance of calendar year and short-term sport fishing licenses, including the fees for those licenses. Under existing law, a calendar year license expires at the end of the calendar year, regardless of when issued. Current law requires the Fish and Game Commission to adjust the amount of the fees for sport fishing licenses, as prescribed, to fully recover, but not exceed, all reasonable administrative and implementation costs of the Department of Fish and Wildlife and the commission relating to those licenses. This bill would authorize the Director of Fish and Wildlife to allow 12-consecutive-month licenses to be issued in addition to certain licenses. The bill would require the director to provide the Legislature, on or before January 1, 2025, recommendations for increasing fees for all sport fishing licenses to levels that provide adequate resources to fund the department.

AB 819

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

Introduced: 2/16/2021

Last Amend: 5/28/2021

Status: 5/28/2021-From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on E.Q.

Location: 5/12/2021-S. E.Q.

Summary: CEQA requires, if an environmental impact report is required, the lead agency to mail a notice of determination to each responsible agency, the Office of Planning and Research, and public agencies with jurisdiction over natural resources affected by the project. CEQA requires the lead agency to provide notice to the public and to organizations and individuals who have requested notices that the lead agency is preparing an environmental impact report, negative declaration, or specified determination. CEQA requires notices for an environmental impact report to be posted in the office of the county clerk of each county in which the project is located. This bill would instead require the lead agency to mail or email those notices, and to post them on the lead agency's internet website. The bill would also require notices of an environmental impact report to be posted on the internet website of the county clerk of each county in which the project is located. website.

AB 878

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

Introduced: 2/17/2021

Status: 5/25/2021-Failed Deadline pursuant to Rule 61(a) (5). (Last location was APPR. on 4/8/2021) (May be acted upon Jan 2022)

Location: 5/25/2021-A. 2 YEAR

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: 4/30/2021-Failed Deadline pursuant to Rule 61(a) (2). (Last location was G.O. on 2/25/2021) (May be acted upon Jan 2022)

Location: 4/30/2021-A. 2 YEAR

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: 4/30/2021-Failed Deadline pursuant to Rule 61(a) (2). (Last location was NAT. RES. on 2/25/2021) (May be acted upon Jan 2022)

Location: 4/30/2021-A. 2 YEAR

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: 4/30/2021-Failed Deadline pursuant to Rule 61(a) (2). (Last location was NAT.

RES. on 2/25/2021) (May be acted upon Jan 2022)

Location: 4/30/2021-A. 2 YEAR

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: 5/24/2021

Status: 6/2/2021-In Senate. Read first time. To Com. on RLS. for assignment.

Location: 6/2/2021-S. RLS.

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. Existing 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 develop training on the duty to intercede, to include, among other elements, a robust discussion of the science of active bystandership. The bill would additionally require specified law enforcement officers to complete an updated course of instruction on the duty to intercede every 2 years.

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: 4/30/2021-Failed Deadline pursuant to Rule 61(a) (2). (Last location was W., P. & W. on 4/12/2021) (May be acted upon Jan 2022)

Location: 4/30/2021-A. 2 YEAR

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 956

(Flora R) Wildfire mitigation plans: fire retardants.

Introduced: 2/17/2021

Status: 5/7/2021-Failed Deadline pursuant to Rule 61(a) (3). (Last location was U. & E.

on 3/4/2021) (May be acted upon Jan 2021)

Location: 5/7/2021-A. 2 YEAR

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: civil enforcement.

Introduced: 2/18/2021

Last Amend: 4/21/2021

Status: 5/28/2021-Read third time. Passed. Ordered to the Senate. (Ayes 75. Noes 0.) In Senate. Read first time. To Com. on RLS. for assignment.

Location: 5/28/2021-S. RLS.

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: 4/30/2021-Failed Deadline pursuant to Rule 61(a) (2). (Last location was NAT. RES. on 3/4/2021) (May be acted upon Jan 2022)

Location: 4/30/2021-A. 2 YEAR

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: 6/3/2021-In Senate. Read first time. To Com. on RLS. for assignment.

Location: 6/3/2021-S. RLS.

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: 6/3/2021-Read third time. Passed. Ordered to the Senate.

Location: 6/3/2021-S. DESK

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: fire risk reduction guidance: local assistance grants.

Introduced: 2/19/2021

Last Amend: 4/19/2021

Status: 6/2/2021-Ordered to inactive file at the request of Assembly Member Bloom.

Location: 6/2/2021-A. INACTIVE FILE

Summary: Would require the Natural Resources Agency, on or before July 1, 2023, and in collaboration with specified state agencies and in consultation with certain other state agencies, to develop a guidance document that describes goals, approaches, opportunities, and best practices in each region of the state for ecologically appropriate, habitat-specific fire risk reduction. The bill would require the guidance document to be developed through a public process, including region-specific public workshops hosted by the agency, and would require the agency to post the document on its internet website.

AB 1260

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

Introduced: 2/19/2021

Status: 6/3/2021-Referred to Com. on E.Q.

Location: 6/3/2021-S. E.Q.

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 will 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: 6/3/2021-In Senate. Read first time. To Com. on RLS. for assignment.

Location: 6/3/2021-S. RLS.

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: 5/28/2021-Read third time. Passed. Ordered to the Senate. (Ayes 57. Noes 14.) In Senate. Read first time. To Com. on RLS. for assignment.

Location: 5/28/2021-S. RLS.

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: 5/28/2021-In Senate. Read first time. To Com. on RLS. for assignment.

Location: 5/28/2021-S. RLS.

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: 4/30/2021-Failed Deadline pursuant to Rule 61(a) (2). (Last location was W.,P. & W. on 3/11/2021) (May be acted upon Jan 2022)

Location: 4/30/2021-A. 2 YEAR

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

Last Amend: 5/11/2021

Status: 5/20/2021-Joint Rule 62(a), file notice suspended. From committee: Do pass and re-refer to Com. on RLS. (Ayes 12. Noes 3.) (May 20). Re-referred to Com. on RLS.

Location: 5/20/2021-A. RLS.

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 \$7,080,000,000 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 1539

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

Introduced: 2/19/2021

Last Amend: 3/23/2021

Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a) (2). (Last location was TRANS. on 3/25/2021) (May be acted upon Jan 2022)

Location: 4/30/2021-A. 2 YEAR

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: 5/20/2021

Status: 6/3/2021-Referred to Coms. on PUB. S. and JUD.

Location: 6/3/2021-A. PUB. S.

Summary: Under current law, the Tom Bane Civil Rights Act, if a person or persons, whether or not acting under color of law, interferes or attempts to interfere, by threats, intimidation, or coercion, with the exercise or enjoyment by any individual or individuals of rights secured by the Constitution or laws of the United States, or of the rights secured by the Constitution or laws of this state, the Attorney General, or any district attorney or city attorney, is authorized to bring a civil action for injunctive and other appropriate equitable relief in the name of the people of the State of California, in order to protect the exercise or enjoyment of the right or rights secured. Current law also authorizes an action brought by the Attorney General, or any district attorney or city attorney, to seek a civil penalty of \$25,000. Current law also allows an individual whose exercise or enjoyment of rights has been interfered with to prosecute a civil action for damages on their own behalf. This 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

Last Amend: 5/20/2021

Status: 6/2/2021-Read third time. Passed. (Ayes 31. Noes 3.) Ordered to the Assembly. In Assembly. Read first time. Held at Desk.

Location: 6/2/2021-A. DESK

Summary: Would make every incident involving force that is unreasonable or excessive, and any sustained finding that an officer failed to intervene against another officer using unreasonable or excessive force, subject to disclosure. The bill would require records relating to sustained findings of unlawful arrests and unlawful searches to be subject to disclosure. The bill would 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 make the limitations on delay of disclosure inapplicable until January 1, 2023, for the described records relating to incidents that occurred before January 1, 2022.

SB 17

([Pan D](#)) Office of Racial Equity.

Introduced: 12/7/2020

Last Amend: 5/20/2021

Status: 6/2/2021-Read third time. Passed. (Ayes 31. Noes 6.) Ordered to the Assembly. In Assembly. Read first time. Held at Desk.

Location: 6/2/2021-A. DESK

Summary: Would, until January 1, 2029, would establish in state government an Office of Racial Equity, an independent public entity not affiliated with an agency or department, governed by a Racial Equity Advisory and Accountability Council. The bill would authorize the council to hire an executive director to organize, administer, and manage the operations of the office. The bill would task the office with coordinating, analyzing, developing, evaluating, and recommending strategies for advancing racial equity across state agencies, departments, and the office of the Governor. The bill would require the office, in consultation with state agencies, departments, and public stakeholders, as appropriate, to develop a statewide Racial Equity Framework that includes a strategic plan with policy and inclusive practice recommendations, guidelines, goals, and benchmarks to reduce racial inequities, promote racial equity, and address individual, institutional, and structural racism.

[SB 45](#)

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

Introduced: 12/7/2020

Last Amend: 4/8/2021

Status: 6/1/2021-Ordered to inactive file on request of Senator Portantino.

Location: 6/1/2021-S. INACTIVE FILE

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 \$5,595,000,000 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 provisional licenses: local equity applicants.

Introduced: 12/7/2020

Last Amend: 4/12/2021

Status: 5/24/2021-Ordered to inactive file on request of Senator Caballero.

Location: 5/24/2021-S. INACTIVE FILE

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 prohibit a licensing authority from issuing a new provisional license to an applicant on or after July 1, 2022, unless the applicant is a qualified equity applicant, as defined by the California Cannabis Equity Act, and would authorize a licensing authority to reinstate a provisional license issued prior to July 1, 2022, to an applicant for the same activity previously licensed at the location. The bill would extend the repeal date of these provisional license provisions to

July 1, 2028.

SB 80

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

Introduced: 12/15/2020

Last Amend: 4/20/2021

Status: 6/2/2021-In Assembly. Read first time. Held at Desk.

Location: 6/1/2021-A. DESK

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: 6/2/2021-Read third time. Passed. (Ayes 37. Noes 1.) Ordered to the Assembly. In Assembly. Read first time. Held at Desk.

Location: 6/2/2021-A. DESK

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: 5/25/2021-Failed Deadline pursuant to Rule 61(a) (5). (Last location was APPR. SUSPENSE FILE on 3/22/2021) (May be acted upon Jan 2022)

Location: 5/25/2021-S. 2 YEAR

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: 4/30/2021-Failed Deadline pursuant to Rule 61(a) (2). (Last location was N.R. & W. on 3/18/2021) (May be acted upon Jan 2022)

Location: 4/30/2021-S. 2 YEAR

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

Last Amend: 5/24/2021

Status: 5/24/2021-From committee with author's amendments. Read second time and amended. Re-referred to Com. on W.,P., & W.

Location: 5/13/2021-A. W.,P. & W.

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

Last Amend: 4/28/2021

Status: 5/26/2021-Ordered to inactive file on request of Senator Dodd.

Location: 5/26/2021-S. INACTIVE FILE

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. Current 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. The bill would require the department, in acting pursuant to that authorization, to consider the state's biodiversity goals.

SB 376

(Stern D) Wildlife: prohibitions on possession, transportation, and importation of wild animals: live animal markets.

Introduced: 2/10/2021

Last Amend: 5/4/2021

Status: 5/25/2021-Failed Deadline pursuant to Rule 61(a) (5). (Last location was APPR. SUSPENSE FILE on 5/17/2021) (May be acted upon Jan 2022)

Location: 5/25/2021-S. 2 YEAR

Summary: Current law authorizes the Department of Fish and Wildlife to exchange or release to any appropriate federal, state, or local agency or agencies in other states, for purposes of law enforcement, any information collected or maintained by the department under any provision of the Fish and Game Code or any regulation adopted pursuant to this code. This bill would require the Director of Fish and Wildlife, or a designated representative, to coordinate with and cooperate on wildlife trafficking with authorized representatives of the States of Oregon, Washington, and any other state. The bill would provide that these efforts shall include, but are not limited to, notification of wildlife trafficking violations observed in this state, and any potential emerging zoonotic disease risk associated with wildlife.

SB 412

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

Introduced: 2/12/2021

Last Amend: 4/12/2021

Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a) (2). (Last location was E.Q. on 3/18/2021) (May be acted upon Jan 2022)

Location: 4/30/2021-S. 2 YEAR

Summary: Would expand the definition of "emergency" provided in CEQA to include a

project jointly identified by a state or local agency and the Department of Forestry and Fire Protection or the State Board of Forestry and Fire Protection, with notice to the Department of Fish and Wildlife, as mitigating a high threat to life and safety by preventing, minimizing, or mitigating damage to life, health, property, natural resources, or essential public services, resulting from a catastrophic fire in areas of the state that a lead agency determines, based on substantial evidence, are at a heightened risk of the occurrence of that event. 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: 4/30/2021-Failed Deadline pursuant to Rule 61(a) (2). (Last location was E. U., & C. on 2/25/2021) (May be acted upon Jan 2022)

Location: 4/30/2021-S. 2 YEAR

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: wildfire and forest resilience: action plan: reports.

Introduced: 2/16/2021

Last Amend: 5/20/2021

Status: 6/2/2021-In Assembly. Read first time. Held at Desk.

Location: 6/1/2021-A. DESK

Summary: Current law establishes in the Natural Resources Agency the Department of Forestry and Fire Protection, and requires the department to be responsible for, among other things, fire protection and prevention, as provided. The former Governor, Edmund G. Brown Jr., issued an executive order relating to, among other subjects, the streamlining of permitting for landowner-initiated projects for the improvement of forest health and the reduction of forest fire fuels on their properties. Pursuant to this executive order, a Forest Management Task Force involving specified state agencies was convened and an action plan was created. This bill would require the task force, including the agency and the department, on January 1, 2022, to develop a comprehensive implementation strategy to achieve the goals and key actions identified in the action plan, as provided.

SB 470

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

Introduced: 2/17/2021

Last Amend: 4/20/2021

Status: 6/2/2021-In Assembly. Read first time. Held at Desk.

Location: 6/1/2021-A. DESK

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 of purchase of the license. The bill would require the Department of Fish and Wildlife to issue these licenses beginning January 1, 2024. The bill would require the department to submit a report to the Legislature on or before July 1, 2023, that among others things, estimates the initial license fee necessary to fully recover the cost of developing, implementing, and administering the license and associated enforcement activities. The bill would require the Fish and Game Commission to determine the amount of the initial license fee based upon information in that report.

[SB 482](#)

(Hueso D) Salton Sea: long-term strategy.

Introduced: 2/17/2021

Last Amend: 4/7/2021

Status: 4/30/2021-Failed Deadline pursuant to Rule 61(a) (2). (Last location was N.R. & W. on 3/18/2021) (May be acted upon Jan 2022)

Location: 4/30/2021-S. 2 YEAR

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. This bill would require the secretary to work with local stakeholders to develop a long-term strategy for the Salton Sea. The bill would require the long-term strategy to, among other things, assess the environmental impacts and economic viability of the Salton Sea, identify challenges to enacting a long-term strategy, and provide recommendations for addressing the identified challenges.

[SB 592](#)

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

Introduced: 2/18/2021

Last Amend: 4/20/2021

Status: 5/25/2021-Failed Deadline pursuant to Rule 61(a) (5). (Last location was APPR. SUSPENSE FILE on 5/10/2021) (May be acted upon Jan 2022)

Location: 5/25/2021-S. 2 YEAR

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 described below. 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, and would require, to the extent feasible, the department to obtain and keep current baseline data suitable for interpreting that impact.

[SB 604](#)

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

Introduced: 2/18/2021

Last Amend: 4/5/2021

Status: 5/25/2021-Failed Deadline pursuant to Rule 61(a) (5). (Last location was APPR. SUSPENSE FILE on 5/3/2021) (May be acted upon Jan 2022)

Location: 5/25/2021-S. 2 YEAR

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 and Equity Act of 2021, which would require state conservancies and the Wildlife Conservation Board to establish grant programs to fund climate mitigation, adaptation, or resilience, natural disaster, and other climate emergency projects, as specified.

[SB 716](#)

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

Introduced: 2/19/2021

Status: 6/2/2021-In Assembly. Read first time. Held at Desk.

Location: 6/1/2021-A. DESK

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.

Introduced: 2/19/2021

Last Amend: 5/20/2021

Status: 6/2/2021-In Assembly. Read first time. Held at Desk.

Location: 6/1/2021-A. DESK

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. Current 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: 5/24/2021

Status: 5/24/2021-From committee with author's amendments. Read second time and amended. Re-referred to Com. on W.,P., & W.

Location: 5/20/2021-A. W.,P. & 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.

GUIDING PRINCIPLES FOR SUSTAINABLE MARINE AQUACULTURE IN CALIFORNIA



Photo: Salt Point Seaweed - Tomales Bay; By Shaun Wolfe

VISION

California has a tremendous opportunity to advance sustainable marine aquaculture in a way that serves as a model for other states around the nation. We envision a robust, sustainable commercial aquaculture industry that is informed by best available science; compatible with wild fisheries; guided by comprehensive planning and collaboration; causes minimal harm to the environment; provides local, safe and healthy food production; supports living wages and equitably grows the state's economy; partners with California Native American Tribes; and protects public access.

COLLABORATING AGENCIES

California Coastal Commission
California Department of Fish and Wildlife
California Department of Food and Agriculture
California Department of Public Health
California Fish and Game Commission

California Natural Resources Agency
California Ocean Protection Council
California State Lands Commission
State Water Resources Control Board

BACKGROUND

State law and the California Ocean Protection Council's *Strategic Plan to Protect California's Coast and Ocean* (Strategic Plan) encourage the development of sustainable¹ marine aquaculture that minimizes impacts to habitat, biodiversity, and wild fisheries and is consistent with local, state and federal statutes, policies and objectives. The Strategic Plan also calls for the development of a Statewide Aquaculture Action Plan (Action Plan) by 2023. The plan will create a comprehensive, consistent and science-based framework and policy for marine aquaculture in California, with a focus on marine algae and shellfish in state marine waters and land-based/recirculating tank operations for marine algae, shellfish, and finfish.

The Action Plan, which will be informed by best available science and a robust stakeholder engagement process, will identify areas of opportunity and avoidance, as well as minimum project criteria for minimizing detrimental environmental impacts, including best practices. It will also provide for community benefits such as equitable employment opportunities; enhanced local, safe, and healthy food production and security; and reduced reliance on imported seafood produced by unsustainable aquaculture operations.

The California Natural Resources Agency convened leadership from state resource management, public health, and food and agriculture agencies to collaborate on these Aquaculture Principles to increase coordinated and transparent decision-making in support of sustainable aquaculture in California.

GOALS

- The Aquaculture Principles will provide near-term guidance to agency staff to protect the environment, effectively manage public trust resources, enhance food supply, and promote sustainable commercial aquaculture in California. They will also inform the development of the Statewide Aquaculture Action Plan. The Principles are not intended to affect or modify the discretionary decision-making authority of any agency.
- The Principles will increase coordination among state agencies and improve clarity, consistency, transparency, efficiency and effectiveness in researching, planning, facilitating, permitting, managing, and fostering sustainable marine aquaculture in California.
- They also serve to improve awareness, information sharing, and collaboration with California Native American Tribes (Tribes), aquaculture producers, federal agencies, public and private organizations, the seafood industry, universities, and others.
- The Principles should be applied to projects in federal waters to ensure that California's coastal and ocean health is protected consistent with state law and the Strategic Plan.

¹ Furthermore, California Public Resources Code (Division 26.5, Chapter 2, Section 35550 (e)) defines "sustainable" and "sustainability" to mean both of the following: "(1) continuous replacement of resources, taking into account fluctuations in abundance and environmental variability," and "(2) securing the fullest possible range of present and long-term economic, social, and ecological benefits, while maintaining biological diversity." Fish and Game Code (Division 0.5, Chapter 2, Section 99.5) defines "sustainable," "sustainable use" and "sustainability" with regards to a marine fishery to mean both of the following: "(a) continuous replacement of resources, taking into account fluctuations in abundance and environmental variability," and "(b) Securing the fullest possible range of present and long-term economic, social, and ecological benefits, maintaining biological diversity, and, in the case of fishery management based on maximum sustainable yield, taking in a fishery that does not exceed optimum yield."

MARINE AQUACULTURE PRINCIPLES

1. Develop and Utilize Best Available Science

- Establish a baseline of scientific understanding about the environmental and socioeconomic impacts and benefits of aquaculture, and opportunities for aquaculture in state marine waters and on land. Ensure this baseline is applied to planning and oversight of aquaculture development and activities.
- Identify critical information gaps in scientific understanding and prioritize and encourage funding for scientific research that will fill gaps, enhance best practices, and support management and oversight.
- Develop and use standardized, science-based approaches for siting, monitoring, and evaluating aquaculture operations, including approved species and culture methods, that minimize impacts to ecosystem health, public access, recreation, fishing and other existing uses or activities.
- Assess the impacts of climate-driven stressors on aquaculture siting and operations. Integrate this information into all project planning, design, implementation, evaluation, and management activities to support industry and protect ecosystem health.
- Maintain a centralized, organized, readily accessible, and consistently updated repository for distilled and synthesized scientific information related to aquaculture.

2. Ensure Aquaculture Sustainability

- Apply a precautionary approach to siting, operating, and managing aquaculture projects to ensure sustainability.
- In partnership with aquaculture producers, collaboratively develop, adopt, and require a common set of structural and management best practices, including antimicrobial stewardship, while preserving the effectiveness of antimicrobials. These should include tools, strategies, and metrics that support sustainable aquaculture and promote the health of aquatic species.
- Implement biosecurity practices to prevent disease and invasive species² introduction in aquaculture operations.

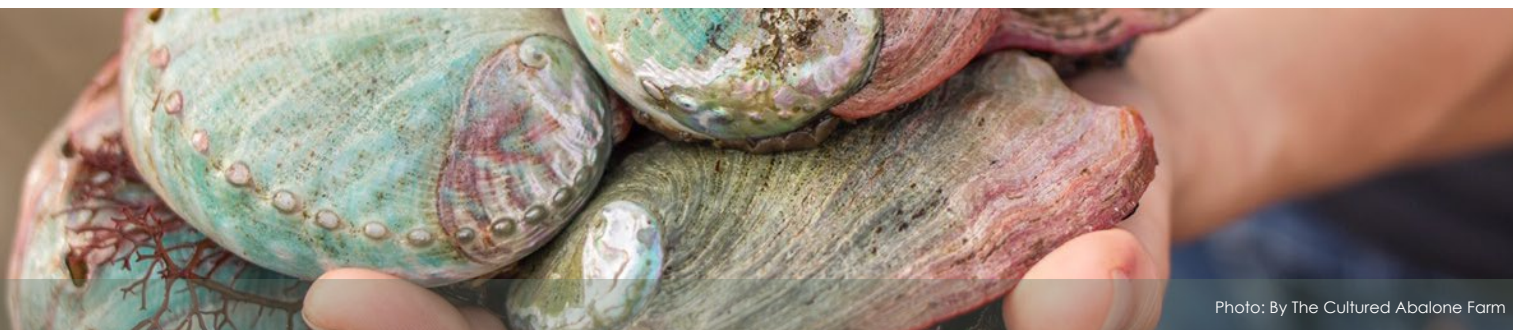


Photo: By The Cultured Abalone Farm

² According to the California Aquatic Invasive Species Management Plan of 2007, the term “Invasive Species” refers to species that establish and reproduce rapidly outside of their native range and may threaten the diversity or abundance of native species through competition for resources, predation, parasitism, hybridization with native populations, introduction of pathogens, or physical or chemical alteration of the invaded habitat. Through their impacts on natural ecosystems, agricultural and other developed lands, water delivery and flood protection systems, invasive species may also negatively affect human health and/or the economy.

3. Build Governance and Management Partnerships

- Develop state and local aquaculture administrative processes to reduce duplicative or overlapping information requirements, increase state and federal agency coordination and transparency, increase regulatory process certainty, and reduce the time and cost associated with securing needed permits and leases, to the extent possible.
- Establish an interagency working group (and identify a state entity as lead) to increase coordination and collaboration among state and federal agencies, advance state agency research priorities and application, facilitate information sharing, and support partnership opportunities for sustainable aquaculture.
- Create a mechanism to increase coordination and collaboration with the aquaculture industry that facilitates information exchange and ensures efficient and transparent decision-making.
- Partner with Tribes to ensure that aquaculture operations do not adversely impact tribal ancestral lands and waters. Identify opportunities for collaboration and co-management with Tribes and prioritize the use of Traditional Ecological Knowledges/Indigenous Knowledges in aquaculture planning and management.
- Enhance existing and develop new partnerships with universities and the private sector that advance sustainable aquaculture.
- Recommend opposition to proposed aquaculture projects in federal waters that are not consistent with state law and policy, including with respect to minimizing adverse impacts to state ocean and coastal resources.

4. Ensure Effective Aquaculture Planning

- Develop comprehensive planning, siting, and operation criteria that promote best practices, protect ecosystem health, minimize impacts to existing commercial and recreational uses, and maximize economic viability and sustainability of aquaculture operations, in consultation with scientists, resources managers, and industry.
- Promote restorative/multi-benefit aquaculture operations where appropriate, including those that leverage existing fisheries-related shoreside infrastructure at ports and harbors.
- Conduct planning and evaluation that avoids and minimizes the environmental harm of cultivated aquatic species, including uncontrolled spread of disease, non-native or invasive species.
- Facilitate and support robust early engagement with commercial and sportfishing and coastal communities and the public – particularly underserved and food insecure communities – to ensure public input informs aquaculture project development and implementation and to reduce potential detrimental impacts of aquaculture operations on California's fisheries and at-risk communities.



5. Develop and Implement Efficient and Effective Aquaculture Oversight

- Ensure full compliance with all existing local, state, public trust, and federal requirements for siting and operating aquaculture facilities, including routine monitoring, management and inspection of growing areas, harvesting, marketing, handling practices, and reporting.
- Identify and support capacity needs for training and certification of producers, veterinarians, and regulatory oversight staff – including developing a process to survey for introduced diseases. Capacity needs, which include field inspections, laboratory support and associated resources, are critical to successful shellfish industry operations, including potential expansion planning.³
- Secure sufficient state and local administrative capacity, funding for program administration, inspection and monitoring, and expertise to ensure oversight needs are met. Work together to secure an ongoing source of funding for state agencies' aquaculture planning, permitting, oversight, and coordination activities.
- Create and implement oversight processes that protect the health and safety of those who live, work, or recreate near aquaculture operations.
- Identify and recommend strategies to address oversight gaps as needed to ensure aquaculture is carried out sustainably, including recommending necessary regulatory and/or legislative changes.

6. Protect Public Health and Food Safety

- Integrate public health and safety regulations and requirements in aquaculture planning and oversight processes to maximize the safety of products intended for human consumption.
- Growing areas and facility siting should include addressing bacteriological water quality standards and risks from harmful algal blooms, nutrients and other pollutants, as well as from potential and actual pollution sources such as boating, wastewater outfalls, and watershed runoff that may impact the safety of harvested shellfish and algae. Public health-related criteria subject to evaluation should be certified by the California Department of Public Health.
- Obtain adequate ongoing resources for the continuation or expansion of the marine biotoxin monitoring program in bivalve shellfish, including surveillance, testing, and technical assistance. The program includes timely public safety notifications for commercial closures, public health advisories, and quarantines in response to marine biotoxins reaching public health threat levels, and timely growing area re-openings and lifting of advisories and quarantines based on hazard reduction.
- Make sure that aquaculture industries that process, handle, and distribute bivalve shellfish obtain a shellfish handling and marketing certificate from the California Department of Public Health.

³ Only National Shellfish Sanitation Program-compliant laboratories, as evaluated by state shellfish laboratory evaluation officers, can support California Department of Public Health certification of bivalve aquaculture for human consumption.

California Fish and Game Commission
Staff Time Allocation and Activities
June 4, 2021

This report identifies for the months of April and May 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	April Staff Time	May Staff Time
Regulatory Program	9%	12%
Non-Regulatory Programs	2%	4%
Commission/Committee Meetings	29%	11%
Legal Matters	5%	5%
External Affairs	13%	12%
Special Projects	11%	14%
Administration	26%	25%
Leave Time	6%	14%
Unfilled Positions	5%	7%
Total Staff Time ¹	107%	104%

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

Trends

Allocated time across most task categories remained relatively stable for this period; however, allocations in Commission/Committee Meetings, External Affairs and Special Projects are noteworthy.

Commission/Committee Meetings were above average for April, but below for May, reflecting the additional planning work that took place in April to prepare for May's three publicly-noticed meetings. External Affairs increased both months due in part to a shift in how some activities are tracked (such as responding to public inquiries through the FGC email account) and multiple public engagement meetings. During this reporting period, staff conducted stakeholder meetings on bullfrogs and nonnative turtles, and two public workshops related to coyotes in the urban environment; the latter was conducted in conjunction with the California Department of Fish and Wildlife (Department).

Special Projects continues to remain high with nearly a dozen projects in various stages of development, including committee workload prioritization, the justice, equity, diversity and inclusion plan, new Public Records Act software, and staff preparations for the late August 2021 move to the new Natural Resources Building. In addition to move logistics, such as equipment and space planning, significant staff time is dedicated to preparing and transferring paper records to a digital format. Staff also completed its annual reporting of staff tasks and

hours under the Department's Service-Based Budgeting Initiative. After several years of effort, this reporting function is transitioning to something more routine and, therefore, will be reported in the future under Administration.

Sample Activities for April 2021

- Continued orientation meetings for new commissioner, Erika Zavaleta
- Began engaging with state and federal agency partners on aquaculture coordination through the Southern California Offshore Aquaculture Working Group meeting
- Attended the third Department Bull Kelp Working Group meeting
- Participated in the MPA Statewide Leadership Team meeting
- Completed analysis for service-based budgeting current state (time spent on specific tasks, by position, for Fiscal Year 2020-2021)
- Continued onboarding Sea Grant state fellow and regulatory analyst
- Conducted meetings with various state and local agencies and stakeholders for the bullfrogs and non-native turtles project
- Participated in the Governor's tribal advisor's quarterly meeting of state tribal liaisons and the monthly tribal liaisons meeting with the California Natural Resources Agency
- Participated in the quarterly meeting of the California Hunting and Conservation Coalition
- Began training all staff on new, online software for responding to Public Records Act requests
- Continued work sessions to refine framework for committee workload prioritization
- Began work with staff to create new FGC vision statement from a Justice, Equity, Diversity and Inclusion (JEDI) perspective
- Continued preparations for commission move to new building including logistic planning, document scanning, responding to requests for information, telecommunications, and data need planning, etc.
- Prepared for and conducted two publicly noticed meetings (Tribal Committee and Commission), and began preparations for three publicly noticed meetings (Commission, Wildlife Resources Committee, and Coyotes in the Urban Environment Workshop #2)

Sample Activities for May 2021

- Began onboarding new tribal advisor and liaison
- Participated in the monthly tribal liaisons meeting with the California Natural Resources Agency
- Participated in the semiannual "milestones" meeting of the MPA Statewide Leadership Team Executive Committee
- Helped advance statewide aquaculture principles through the CNRA Aquaculture Leadership Team

- Initiated next phase review of the California Law Revision Commission's tentative recommendation for a fish and wildlife code
- Continued work sessions to refine the framework for committee workload prioritization
- Began crafting potential vision statements for the Commission's JEDI work
- Continued preparations for the move to the new building, including logistics planning, document scanning, responding to requests for information, telecommunications, and data need planning, etc.
- Prepared for and conducted three publicly noticed meetings (Commission, Wildlife Resources Committee, and Coyotes in the Urban Environment Workshop #2) and began preparations for one publicly noticed meeting (Commission).

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 regulation change 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
- Coyote workshops

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
- Transition to GovQA software for Public Records Act requests
- Committee workload prioritization
- California Law Revision Commission recommendation for new Fish and Wildlife Code
- 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 Biography – Chuck Striplen

June 2021

Tribal Advisor and Liaison (senior environmental scientist – specialist)

Chuck joined the Commission in May 2021 as a senior environmental scientist, where he provides guidance on issues related to tribal policy and engagement, supports the activities of the Commission's Tribal Committee, coordinates government-to-government consultations with tribes, and serves as the Commission's liaison to California's Native American tribes and tribal communities.

Prior to joining the Commission, he spent five years at the North Coast Regional Water Quality Control Board as a watershed steward and regional tribal coordinator, engaged in both large-scale river restoration and complex tribal projects and outreach. Before the waterboards, Chuck spent 15 years at the San Francisco Estuary Institute (SFEI) Aquatic Science Center conducting primary research in historical ecology, cultural landscapes, wetlands, fire history, water quality, and an array of other topics. Earlier in his career, he worked as a scientist or wildlife biologist for a number of agencies, tribes, companies, and non-governmental organizations throughout California, notably the National Biological Survey (Channel Islands Breeding Seabird Atlas) and the San Francisco Bay National Wildlife Refuge (California Clapper Rail Project).

Chuck is a Mutsun Tribal citizen and earned a double bachelor's degree from UC Santa Cruz in biology and environmental studies (wildlife emphasis), and his MS and PhD in environmental science, policy, and management at UC Berkeley. He also serves on the California Ocean Protection Council Science Advisory Team.