27A. Administrative Items – Legislation

Today's Item Information ⊠ Action □

Receive updates on legislative activity and consider providing direction to staff on potential actions.

Summary of Previous/Future Actions (N/A)

Background

Staff has identified state legislation that may affect the Commission's resources and workload, or may be of interest to commissioners, and provides the status of those bills during this legislative session as of April 7, 2024. The Department has provided a report on active bills it is tracking during the legislative session (Exhibit 1).

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

Legislative Calendar Highlights

The legislature reconvened for the second half of the 2023-2024 session on January 3, 2024. February 16 was the last day for new bills to be introduced for the session. Other calendar highlights include:

- April 26: Last day for policy committees to hear and report to fiscal committees those fiscal bills introduced in their house
- May 24: Last day for bills to be passed out of the house of origin
- May 28: Committee meetings may resume
- June 15: Budget Bill must be passed by midnight
- July 3: Last day for *policy committees* to meet and report bills
- July 3: Summer recess begins at the end of this day's session if the budget bill has been passed

Bills Introduced during the 2023-2024 Session

Staff has identified two senate bills (SB) and ten assembly bills (AB) that may affect the Commission's workload or are of potential interest to the Commission:

- SB 1085 (Nguyen) Offshore energy production: wildlife impacts: report
- SB 1402 (Min) 30 x 30 goal: state agencies: adoption, revision, or establishment of plans, policies, and regulations
- AB 1272 (Wood) State Water Resources Control Board: drought planning
- AB 1284 (Ramos) Tribal ancestral lands and waters: co-governance and co-management agreements

Staff Summary for April 17-18, 2024

- AB 1797 (Wood) State crustacean: This bill would make Dungeness crab the official state crustacean of California
- AB 2196 (Connolly) Beaver Restoration
- AB 2220 (Bennett) Fish: commercial fishing
- AB 2252 (Mathis) California Department of Fish and Wildlife: beaver translocation
- AB 2443 (Carillo, Juan) Western Joshua Tree Conservation Act: agreements with counties or cities: industrial and commercial projects
- AB 2552 (Friedman) Pesticides: anticoagulant rodenticides
- AB 2558 (Hart) Department of Transportation projects: fish passage
- AB 3220 (Papan) Marine resources: California Department of Fish and Wildlife: authority: mariculture

The most current version of individual bills, their history and their status, may be found at www.leginfo.legislature.ca.gov.

Significant Public Comments

Two comments express opposition to AB 2220 and request the Commission to take a position. The proposed legislation would remove incidental take exceptions for giant seabass and white sharks using gill nets or roundhaul nets, make all gill and trammel nets non-transferable, close remaining state waters where these nets are currently allowed, and empower the Department to mandate on-board observers.

- 1. A commercial fisherman with 50+ years' experience opposes AB 2220 and requests the Commissioners oppose the bill. He asserts that the bill harms California fisheries in a multitude of ways, threatening the livelihood of fishermen through economic loss, reducing viable fishing areas, and preventing opportunities for additional revenue. They conclude that AB 2220 sidesteps the Department's and Commission's authority; both are actively working to address bycatch issues within the fishery (Exhibit 2).
- 2. The Alliance of Communities for Sustainable Fisheries opposes AB 2220 and requests the Commission provide comments opposing the bill to the Legislature. They assert that AB 2220 misrepresents facts and threatens the scientific and public process provided by the Marine Life Management Act and the Department and Commission process for fisheries management (Exhibit 3).

Recommendation (N/A)

Exhibits

- 1. Department legislative report, dated April 7, 2024
- 2. Email from Gary Burke, received April 4, 2024
- 3. <u>Letter from Alan Alward, Co-Chair, Alliance of Communities for Sustainable Fisheries,</u> received April 4, 2024

Motion (N/A)



Department of Fish & Wildlife Legislative Report

April 2024 (As of April 7, 2024)

AB 828

(Connolly D) Sustainable groundwater management: managed wetlands.

Last Amended: 01/11/2024

Status: 01/29/2024 - Read third time. Passed. Ordered to the Senate. In the Senate. Read

first time. To Com. on RLS. for assignment.

Summary: This bill would add the terms "managed wetland" and "small community water system" to the Sustainable Groundwater Management Act. It would prohibit groundwater sustainability agencies from using their power to control how much water is taken by small water systems for disadvantaged communities or for managed wetlands, unless certain conditions are met. This bill would also prohibit a groundwater sustainability agency from imposing a fee upon a small community water system serving a disadvantaged community or managed wetland extractors, provided the water use for each user does not increase above the extractor's average annual extraction from 2015 to 2020. This bill would sunset on January 1, 2028.

<u>AB 1272</u>

(Wood D) State Water Resources Control Board: drought planning.

Last Amend: 09/01/2023

Status: Withdrawn from Engrossing and Enrolling. Ordered to the Senate. In Senate. Held at

Desk.

Summary: This bill would require the State Water Resources Control Board, in consultation with the Department of Fish and Wildlife, to adopt principles and guidelines for diversion and use of water in coastal watersheds, as specified, during times of water shortage for drought preparedness and climate resiliency. The bill would require that the principles and guidelines allow for the development of locally generated watershed-level plans to support public trust uses, public health and safety, and the human right to water in times of water shortage, among other things. The bill also would require the state board, prior to adopting those principles and guidelines, to allow for public comment and hearing, as provided. The bill would make the implementation of these provisions contingent upon appropriation.

AB 1284

(Ramos D) Tribal ancestral lands and waters: cogovernance and comanagement agreements.

Last Amend: 01/22/2024

Status: 01/29/2024 - Read third time. Passed. Ordered to the Senate. In Senate. Read first

time. To Com. on RLS. for assignment.

Summary: This bill would provide that the Legislature encourages the Natural Resources Agency, and its departments, conservancies, and commissions, to enter into cogovernance and comanagement agreements with federally recognized tribes. The bill would authorize the Secretary of the Natural Resources Agency or a delegate to enter into agreements with federally recognized tribes for the purposes of shared responsibility, decision-making, and partnership in resource management and conservation within a tribe's ancestral lands and waters, and would require the secretary or a delegate to be the signatory for the state for these agreements. The bill would authorize the secretary or a delegate, within 90 days of a federally recognized tribe's request, to begin government-to-government negotiations on cogovernance and comanagement agreements with the tribe.

AB 1588

(Wilson D) Affordable Internet and Net Equality Act of 2024.

Last Amend: 01/22/2024

Status: 01/29/2024 – Read third time. Passed. Ordered to the Senate. In Senate. Read first time. To Com. on RLS. for assignment.

Summary: This bill would require the Department of Technology, in coordination with the Public Utilities Commission and the Department of General Services, to develop and establish the Net Equality Program. The bill would require the state and state agencies to only enter into a procurement contract with an internet service provider offering affordable home internet service, which costs no more than \$40 per month and meets specified minimum speed requirements, to households participating in certain public assistance programs, or with an internet service provider participating in the federal Affordable Connectivity Program, or any other state or federal program that offers broadband affordability assistance for households that qualify for that program, and that offers to households that qualify for those programs internet service that costs no more than \$40 per month and meets specified minimum speed requirements.

AB 1797

(Wood D) State crustacean.

Last Amend: 02/08/2024

Status: 04/01/2024 - Read third time. Passed. Ordered to the Senate. (Ayes 72. Noes 0.) In

Senate. Read first time. To Com. on RLS. for assignment.

Summary: This bill would make the Dungeness crab the official state crustacean of California.

AB 1828

(<u>Waldron</u> R) Personal income taxes: voluntary contributions: Endangered and Rare Fish, Wildlife, and Plant Species Conservation and Enhancement Account: Native California Wildlife Rehabilitation Voluntary Tax Contribution Fund: covered grants.

Introduced: 03/07/2024

Status: 04/04/2024 - Read third time. Passed. Ordered to the Senate. In Senate. Read first time. To Com. on RLS. for assignment.

Summary: Current law, until January 1, 2025, allows an individual taxpayer to contribute amounts in excess of the taxpayer's personal income tax liability for the support of specified funds and accounts, including, among others, to the Endangered and Rare Fish, Wildlife, and

Plant Species Conservation and Enhancement Account, a continuously appropriated account established in the Fish and Game Preservation Fund, or until December 1 of a calendar year that the Franchise Tax Board determines the amount of contributions estimated to be received will not at least equal the minimum contribution amount of \$250,000. This bill would extend the operability of the taxpayer contribution described above until the sooner of January 1, 2032, or until December 1 of a calendar year that the Franchise Tax Board determines the amount of contributions estimated to be received will not at least equal the minimum contribution amount of \$250,000, as provided.

AB 1838

(Jackson D) Wildlife areas: San Jacinto Wildlife Area.

Introduced: 04/03/2024

Status: 04/04/2024 – Re-referred to Com. on W., P., &W.

Summary: The bill would require the Department of Fish and Wildlife, beginning January 1, 2025, and every 15 years thereafter, to prepare an update to the management plan for the San Jacinto Wildlife Area, as provided. The bill would require the department to develop partnerships with community-based organizations, including environmental organizations, for purposes of fundraising for, maintaining the habitat of, engaging in conservation projects for, and providing recreational programs in, the San Jacinto Wildlife Area. The bill would require the department, on or before December 31, 2025, and annually thereafter, to hold a public hearing relating to the San Jacinto Wildlife Area, as provided.

AB 1889

(Friedman D) General plan: wildlife connectivity element.

Last Amend: 04/01/2024

Status: 04/02/2024 - Re-referred to Com. on L. GOV

Summary: This bill would require a city or county's general plan to include a wildlife connectivity element, or related goals, policies, and objectives integrated in other elements, that considers the effect of development within the jurisdiction on fish, wildlife, and habitat connectivity, as specified. The bill would require the wildlife connectivity element to, among other things, identify and analyze connectivity areas, permeability, and natural landscape areas within the jurisdiction, incorporate and analyze specified guidelines and standards, incorporate and analyze relevant information from specified sources, and incorporate and analyze relevant best available science. The bill would require a city or county subject to these provisions to adopt or review the wildlife connectivity element, or related goals, policies, and objectives integrated in other elements, upon the adoption or next revision of one or more elements on or after January 1, 2025.

AB 1951

(<u>Fong, Vince</u> R) California Environmental Quality Act: exemption: roadside wildlife prevention projects.

Last Amend: 03/21/2024

Status: 04/01/2024 - Re-referred to Com. on NAT. RES.

Summary: The California Environmental Quality Act (CEQA) requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no

substantial evidence that the project, as revised, would have a significant effect on the environment. This bill would exempt from CEQA a project for wildfire prevention within 50 feet of either side of a roadway. Because a lead agency would be required to determine whether a project qualifies for this exemption, the bill would impose a state-mandated local program.

AB 1992

(<u>Boerner</u> D) Coastal resources: coastal resources development permits: blue carbon demonstration projects

Introduced: 01/30/2024

Status: 03/20/2024 - From committee: Do pass and re-refer to Com. on APPR. Re-referred to

Com. on APPR.

Summary: This bill would authorize the California Coastal Commission to authorize blue carbon demonstration projects, as defined, in order to demonstrate and quantify the carbon sequestration potential of these projects to help inform the state's natural and working lands and climate resilience strategies. The bill would, among other things, authorize the commission to require an applicant with a project that impacts coastal wetland, subtidal, intertidal, or marine habitats or ecosystems to build or contribute to a blue carbon demonstration project.

AB 1998

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

Introduced: 01/30/2024

Status: 02/12/2024 - Referred to Com. on W., P., & W.

Summary: The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA requires the lead agency to consult with a public agency that is a responsible agency or a trustee agency during the environmental review process. Current law authorizes the Department of Fish and Wildlife to impose and collect filing fees in specified amounts 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 a 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 2042

(Jackson D) Police canines: standards and training.

Last Amend: 03/21/2024

Status: 04/01/2024 - Re-referred to Com. on PUB. S

Summary: This bill would require the Commission on Peace Officer Standards and Training, on or before January 1, 2026, to develop guidelines for the appropriate use of dogs by law enforcement. By 2027, all law enforcement agencies in California would be required to have a policy in place for the use of dogs that meets these standards. Additionally, regular training for

both the dogs and their handlers must cover the guidelines set by the Commission. This bill would impose a state mandated local program.

AB 2060

(Soria D) Lake and streambed alteration agreements: exemptions.

Introduced: 02/01/2024

Status: 04/04/2024 – In committee: Hearing postponed by committee.

Summary: Current law prescribes various requirements for lake and streambed alteration agreements and establishes various exemptions from these provisions, including, until January 1, 2029, the diversion of flood flows for groundwater recharge. This bill would indefinitely exempt from these provisions the temporary operation of existing infrastructure or temporary pumps being used to divert flood stage flows, as identified by the California Nevada River Forecast Center or the State Water Resources Control Board, or near-flood stage flows, as defined, for groundwater recharge as long as certain conditions are met.

AB 2091

(<u>Grayson</u> D) California Environmental Quality Act: exemption: public access: nonmotorized recreation.

Last Amend: 03/21/2024

Status: 04/01/2024 - Re-referred to Com. on W., P., & W.

Summary: Would exempt from the California Environmental Quality Act (CEQA) a change in use approved by a public agency to allow public access, as provided, exclusively for nonmotorized recreation, as defined, in areas acquired or managed by a public agency for open space or park purposes. The bill would require the lead agency, if the lead agency determines that an activity is not subject to CEQA pursuant to this provision and determines to approve or carry out the activity, to file a notice with the State Clearinghouse in the Office of Planning and Research and with the county clerk of the county in which the land is located, as provided. By imposing duties on public agencies related to the exemption, this bill would create a state-mandated local program. The bill would repeal these provisions on January 1, 2030.

AB 2196

(Connolly D) Beaver Restoration

Last Amend: 03/19/2024

Status: 03/20/2024 - Re-referred to Com. on W., P., & W.

Summary: Current law, except as provided, authorizes any owner or tenant of land or property that is being damaged or destroyed or is in danger of being damaged or destroyed by certain animals, including, among others, the beaver, to apply to the Department of Fish and Wildlife for a permit to kill the animals. Under current law, it is unlawful for any person to trap any furbearing mammal for purposes of recreation or commerce in fur. Under existing law, a violation of the Fish and Game Code, or of any rule, regulation, or order made or adopted under that code, is a crime. This bill would require the department to, through consultation with beaver restoration program partners, develop a program to promote beaver restoration across California, as provided.

AB 2220

(Bennett D) Fish: commercial fishing

Last Amend: 02/07/2024

Status: 02/26/2024 - Referred to Com. on W., P., & W.

Summary: Current law generally regulates commercial fishing. Under current law, any violation of the Fish and Game Code, or of any rule, regulation, or order made or adopted under the code, is a crime. This bill would authorize the Department of Fish and Wildlife to adopt and enforce regulations to require any commercial fishing vessel operating with a validly issued permit from the state to carry an independent third-party observer onboard the vessel while operating within state fisheries. By expanding the scope of a crime, the bill would impose a state-mandated local program.

AB 2252

(Mathis R) Department of Fish and Wildlife: beaver translocation

Introduced: 02/08/2024

Status: 02/26/2024 - Referred to Com. on W., P., & W.

Summary: Current law, except as provided, authorizes any owner or tenant of land or property that is being damaged or destroyed or is in danger of being damaged or destroyed by certain animals, including, among others, the beaver, to apply to the Department of Fish and Wildlife for a permit to kill the animals. This bill would require the department to develop a program to facilitate the translocation of beavers across California for conservation purposes, as provided. Because a violation of any rule, regulation, or order related to the beaver translocation program would be a crime, the bill would impose a state-mandated local program.

AB 2285

(Rendon D) Natural resources: equitable outdoor access: 30X30 goal: urban nature-based projects

Last Amend: 03/21/2024

Status: 04/01/2024 - Re-referred to Com. on W., P., & W

Summary: This bill would provide that, to advance and promote environmental and conservation policies and budget actions, the Governor's office, state agencies, and the Legislature, when distributing resources, shall aspire to recognize the coequal goals and benefits of the 30x30 goal and Outdoors for All, and would require consideration to include, among other things, higher land value acquisition and development costs per acre, the acute health needs of a local population due to historic lack of greenspace access and development externalities, local park needs assessment plans, and the availability of mobility options near a proposed land conservation site. The bill would encourage regulatory agencies, including the Department of Toxic Substances Control, to work with local communities to restore degraded lands that could contribute to a more equitable strategy for meeting the state's goals. The bill would require state funding agencies, including certain state conservancies and the Wildlife Conservation Board, when programming and awarding funds to revise, modify, or amend guidelines as necessary to meet the state's goals, to allow for urban nature-based projects on degraded lands to be eligible and competitive for state funds.

AB 2320

(Irwin D) Wildlife Connectivity and Climate Adaptation Act of 2024: wildlife corridors

Introduced: 02/12/2024

Status: 02/26/2024 - Referred to Coms. on W., P., & W. and NAT. RES.

Summary: Current law requires the Natural Resources Agency, in implementing actions to achieve the goal to conserve at least 30% of the state's lands and coastal waters by 2030

established by executive order, to prioritize specified actions. Current law requires the Secretary of the Natural Resources Agency to prepare and submit an annual report to the Legislature on the progress made during the prior calendar year toward achieving that goal, as provided. Current law requires that annual report to include certain information, including, among other information, the progress made in the prior calendar year to address equity as part of the above-described goal. This bill, the Wildlife Connectivity and Climate Adaptation Act of 2024, would additionally require the agency, as part of that report, to identify key wildlife corridors, as defined, in the state, connections between large blocks of natural areas and habitats, progress on protecting additional acres of wildlife corridors, and goals for wildlife corridor protection in the next 5 years, as provided.

AB 2322

(Hart D) Grant programs: administration

Introduced: 02/12/2024

Status: 04/04/2024 - From committee: Do pass and re-refer to Com. on APPR. With

recommendation: To Consent Calendar. Re-referred to Com. on APPR.

Summary: Current law establishes various grant programs. The Grant Information Act of 2018 requires the California State Library to create an internet web portal to provide a centralized location for grant seekers to find state grant opportunities and requires the California State Library to report to the Legislature on the effectiveness of the portal, including, among other things, the utilization rate by state agencies. This bill would impose minimum requirements for the administration of covered grants that meet maximum size and duration requirements and are available to nonprofit organizations, as defined. The bill would require administrators, as defined, to perform specified duties, including, among others, posting eligibility, application, and other information for covered grants on their internet website and the above-described grant portal created by the California State Library.

AB 2330

(Holden D) Endangered species: incidental take: wildfire preparedness activities

Last Amend: 04/01/2024

Status: 04/02/2024 - Re-referred to Com. on W., P., & W.

Summary: This bill would authorize a city, county, city and county, special district, or other local agency to submit to the department a locally designed voluntary program to conduct wildfire preparedness activities on land designated as a fire hazard severity zone, as defined, that minimizes impacts to wildlife and habitat for candidate, threatened, and endangered species, and meets specified criteria. The bill would require the department to approve or deny the application and notify the local agency of the approval or denial within 90 days of receipt of the application, and would allow for resubmission of a denied application, as specified. The bill would require the department to provide an approved applicant with the terms and conditions within 30 days of approval to initiate the locally designed voluntary program, in lieu of an incidental take permit, as provided. The bill would require the department, commencing January 1, 2026, to annually post a summary of the locally designed voluntary program submissions on its internet website, as specified.

AB 2404

(Lee D) State and local public employees: labor relations: strikes.

Last Amend: 03/21/2024

Status: 04/01/2024 - Re-referred to Com. on P.E. & R.

Summary: The Meyers-Milias-Brown Act and the Ralph C. Dills Act regulate the labor relations of employees and employers of local public agencies and the state, respectively. The acts grant specified employees of local public agencies and the state the right to form, join, and participate in the activities of employee organizations of their choosing. This bill would provide, except as specified, that it is not unlawful or a cause for discipline or other adverse action against a public employee for that public employee to refuse to enter property that is the site of a primary strike, perform work for a public employer involved in a primary strike, or go through or work behind a primary strike line. The bill would prohibit a public employer from directing a public employee to take those actions. The bill would authorize a recognized employee organization to inform employees of these rights and encourage them to exercise those rights.

AB 2409

(Papan D) Office of Planning and Research: permitting accountability transparency dashboard.

Introduced: 02/12/2024

Status: 04/03/2024 – In committee: Hearing postponed by committee.

Summary: Would require the Office of Planning and Research, on or before January 1, 2026, to create and maintain, as specified, a permitting accountability transparency internet website (dashboard). The bill would require the dashboard to include a display for each permit to be issued by specified state agencies for all covered projects. The bill would define various terms for these purposes. The bill would also require the dashboard to include, but not be limited to, information for each permit to be issued by a state agency that is required for the completion of the project, including, among other requirements, the permit application submission date. The bill would require each state agency with a responsibility for issuing a permit for a covered project to provide information in the appropriate time and manner as determined by the office.

AB 2443

(<u>Carrillo, Juan</u> D) Western Joshua Tree Conservation Act: agreements with counties or cities: industrial and commercial projects.

Introduced: 02/13/2024

Status: 02/26/2024 - Referred to Com. on W., P., & W.

Summary: The Western Joshua Tree Conservation Act would prohibit any person or public agency from importing into the state, exporting out of the state, or taking, possessing, purchasing, or selling within the state, a western Joshua tree or any part or product of the tree, except as provided. Pursuant to that act, the Department of Fish and Wildlife is authorized to enter into an agreement with any county or city to delegate to the county or city the ability to authorize the taking of a western Joshua tree associated with developing single-family residences, multifamily residences, accessory structures, and public works projects concurrent with its approval of the project if certain conditions are met. This bill would additionally authorize the department to enter into an agreement with any county or city to delegate to the county or city the ability to authorize the taking of a western Joshua tree associated with commercial and industrial projects, as provided.

AB 2465

(<u>Gipson</u> D) Equity: socially disadvantaged groups and organizations: nonprofit organizations: grants.

Introduced: 02/13/2024

Status: 03/11/2024 - Referred to Coms. on NAT. RES. and W., P., & W.

Summary: Existing law establishes the Wildlife Conservation Board, the Department of Conservation, the Director of Forestry and Fire Protection, the Department of Parks and Recreation, the State Coastal Conservancy, the Sacramento-San Joaquin Delta Conservancy, the Sierra Nevada Conservancy, the California Environmental Protection Agency, and the Department of Water Resources. This bill would require the above entities, until January 1, 2031, when awarding those grants, to prioritize the awarding of grant funding to socially disadvantaged organizations, as defined. This bill would also expand the definition of socially disadvantaged group to include descendants of enslaved persons in the United States.

AB 2552

(Friedman D) Pesticides: anticoagulant rodenticides.

Last Amend: 04/04/2024

Status: 04/04/2024 – From committee chair, with author's amendments: Amend, and re-refer

to Com. on E.S. & T.M. Read second time and amended.

Summary: This bill would expand an existing moratorium on second-generation anticoagulant rodenticides and diphacinone to include first-generation anticoagulant rodenticides. The bill would additionally prohibit the use of a second-generation anticoagulant rodenticide within 2,500 feet of a wildlife habitat area, and prohibit the use of first-generation anticoagulant rodenticide, defined as a pesticide product containing the active ingredients diphacinone, chlorophacinone, or warfarin, in a wildlife habitat area or within 2,500 feet of a wildlife habitat area, as specified.

AB 2558

(Hart D) Department of Transportation projects: fish passage.

Introduced: 02/14/2024

Status: 04/02/2024 - From committee: Do pass and re-refer to Com. on W., P., & W. Re-

referred to Com. on W., P., & W.

Summary: Current law, through the year 2025, requires the Department of Transportation to prepare an annual report to the Legislature describing the status of the department's progress in locating, assessing, and remediating barriers to fish passage. Current law requires the department to pursue development of a programmatic environmental review process with appropriate state and federal regulatory agencies for remediating barriers to fish passage that will streamline the permitting process for projects. This bill would extend this annual reporting requirement until the year 2030 and would require the reports to include other specified information. The bill would impose a deadline of January 1, 2026, for the department to implement the programmatic environmental review process.

AB 2572

(Muratsuchi D) Ocean carbon dioxide removal projects

Last Amend: 03/21/2024

Status: 04/01/2024 - Re-referred to Coms. on NAT. RES.

Summary: Existing law requires the State Air Resources Board to establish a Carbon Capture, Removal, Utilization, and Storage Program to capture, remove, and store carbon dioxide, as provided. Existing law requires the program, among other things, to evaluate the efficacy, safety, and viability of specified technologies and to facilitate the capture and

sequestration of carbon dioxide from these technologies, where appropriate. This bill would require the state board, among other things, to develop criteria to determine whether an ocean carbon dioxide removal project is environmentally safe and sustainable, and to qualify environmentally safe and sustainable projects for inclusion in carbon credit programs, including, but not limited to, the Low Carbon Fuel Standard regulations and the market-based compliance mechanism, as provided. The bill would require the state board and any agency with a relevant financial incentive program, as specified, to consider an ocean carbon dioxide removal program to the extent the program achieves similar or better climate and environmental policy goals.

AB 2610

(<u>Garcia</u> D) Protected species: authorized take: Salton Sea Management Program: System Conservation Implementation Agreement.

Introduced: 02/14/2024

Status: 03/04/2024 - Referred to Com. on W., P., & W.

Summary: Current law authorizes the Department of Fish and Wildlife, if certain conditions are fulfilled, to authorize the take of species, including fully protected species, resulting from impacts attributable to implementation of the Quantification Settlement Agreement on specified lands and bodies of water, including the Salton Sea. This bill would additionally authorize the department, if certain conditions are fulfilled, to authorize the take of species resulting from impacts attributable to the implementation of the Salton Sea Management Program or implementation of any System Conservation Implementation Agreement between the United States Bureau of Reclamation and the Imperial Irrigation District to implement the Lower Colorado River Basin System Conservation and Efficiency Program, as provided, on the specified lands and bodies of water.

AB 2643

(Wood D) Cannabis cultivation: environmental remediation.

Last Amend: 03/21/2024

Status: 04/01/2024 - Re-referred to Com. on W., P., & W

Summary: Current law requires the Department of Fish and Wildlife to establish the watershed enforcement program to facilitate the investigation, enforcement, and prosecution of offenses relating to unlawful water diversions and other violations of the Fish and Game Code associated with cannabis cultivation. Current law also requires the department, in coordination with specified state agencies, to establish a permanent multiagency task force to address the environmental impacts of cannabis cultivation. This bill would require the department to conduct a study to create a framework for cannabis site restoration with the goal of providing guidance for the cleanup, remediation, and restoration of environmental damage caused by cannabis cultivation, and to complete the study by January 1, 2027, as specified. The bill would authorize the department to enter into an agreement with a nongovernmental organization or educational institution for that entity to conduct the study.

AB 2722

(Friedman D) California Endangered Species Act: wolverines.

Introduced: 02/14/2024

Status: 03/04/2024 – Referred to Com. on W.,P., & W.

Summary: This bill would require the department, in any status assessment for wolverines prepared pursuant to the plan described above, to assess the feasibility of a population

reintroduction or supplementation program with the goal of restoring a viable population of wolverines to the state.

AB 2875

(Freidman D) Wetlands: state policy.

Introduced: 02/15/2024

Status: 03/11/2024 - Referred to Com. on W., P., & W.

Summary: By Executive Order No. W-59-93, former Governor Pete Wilson declared it to be the policy of the state that its Comprehensive Wetlands Policy rests on three primary objectives, including the objective of ensuring no overall net loss and long-term net gain in the quantity, quality, and permanence of wetlands acreage and values, as provided. This bill would declare that it is the policy of the state to ensure no net loss and long-term gain in the quantity, quality, and permanence of wetlands acreage and values in California. The bill would make related legislative findings and declarations.

AB 3162

(Bennett D) Octopus: aquaculture: sale: prohibition.

Introduced: 04/04/2024

Status: 04/04/2024 - From committee chair with author's amendments: Amend, and re-refer

to Com. on W., P., & W. Read second time and amended.

Summary: This bill would prohibit a person from engaging in the aquaculture, as defined, of any species of octopus for the purpose of human consumption. The bill would prohibit a business owner or operator from knowingly engaging in the sale in the state of any species of octopus that is the result of aquaculture.

AB 3220

(Papan D) Marine resources: Department of Fish and Wildlife: authority: mariculture

Last Amend: 03/21/2024

Status: 04/01/2024 - Referred to Com. on W., P., & W.

Summary: Current law establishes the Department of Fish and Wildlife and sets forth the duties of that department, which include administering various programs for the protection and conservation of fish and wildlife resources. This bill would require the department to consider and, if appropriate, investigate whether and how to seek state verification authority from the United States Army Corps of Engineers and any other appropriate federal agencies that offer state verification authority in order to streamline the review and approval of federal permits issued by the United States Army Corps of Engineers or another federal agency that may be required by a mariculture project that intends to operate within the state.

AB 3227

(<u>Alvarez</u> D) California Environmental Quality Act: exemption: stormwater facilities:

mitigation

Last Amend: 04/01/2024

Status: 04/02/2024 - Re-referred to Com. on NAT. RES.

Summary: The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of an environmental

impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. Existing law exempts from the requirements of CEQA specific actions necessary to prevent or mitigate an emergency. This bill would specify that this exemption includes routine maintenance of stormwater facilities that are fully concrete or that have a conveyance capacity of less than a 100-year storm event. Because a lead agency would be required to determine whether a project qualifies for this exemption, the bill would impose a state-mandated local program.

AB 3238

(<u>Garcia</u> D) Electrical infrastructure projects: endangered species: natural community conservation plans

Introduced: 02/16/2024

Status: 4/04/2024 – From committee: Amend, and do pass as amended and re-refer to Com.

on W., P., & W.

Summary: The California Endangered Species Act (CESA), except as authorized by the Director of Fish and Wildlife, generally prohibits the take of a species determined to be an endangered, threatened, or candidate species under the act. The CESA provides that no further authorization or approval from the director is necessary for a person who obtained an incidental take statement or an incidental take permit under the federal Endangered Species Act if the person provides to the director a copy of the incidental take statement or incidental take permit and the director determines that the incidental take statement or incidental take permit is consistent with the requirements of the act. This bill would, for an electrical infrastructure project, as defined, require the director to publish a determination authorizing the incidental take of a species under the same terms and condition provided under federal law if the public utility undertaking the project has obtained an incidental take statement or incidental take permit under the federal act.

AB 3241

(Pacheco D) Law enforcement: police canines.

Introduced: 02/16/2024

Status: 03/11/2024 Referred to Com. on PUB. S.

Summary: Would require the Commission on Peace Officer Standards and Training (POST) to adopt uniform, minimum guidelines regarding the use of canines by law enforcement, including legal standards established by the bill, and to certify courses of training for all law enforcement canine handlers and those law enforcement supervisors directly overseeing canine programs, as specified. The bill would require, on or before July 1, 2025, each law enforcement agency to maintain a policy for the use of canines by the agency that, at a minimum, complies with the guidelines adopted by POST, and would require law enforcement agencies to establish a training regimen that includes a course certified by the commission. Because the bill would impose additional duties on local law enforcement agencies, the bill would impose a statemandated local program.

SB 936

(<u>Seyarto</u> R) California Environmental Quality Act: exemption: road and safety improvement projects.

Last Amend: 02/20/2024

Status: 03/15/2024 - Set for hearing April 17.

Summary: The California Environmental Quality Act (CEQA) requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. This bill would exempt from CEQA activities or projects undertaken by the Department of Transportation for road and safety improvements at any of the 15 locations in the state highway system with the highest rates of vehicle collisions at any given time, as determined in accordance with data collected by the department.

SB 1009

(Dahle R) Mount Shasta Fish Hatchery: lease.

Introduced: 02/01/2024

Status: 03/14/2024 – Set for hearing April 9.

Summary: This bill allows for the Director of General Services, with the Department of Fish and Wildlife's approval, to grant a lease at no cost for up to 25 years (with the possibility of renewal) of a portion of the Mount Shasta Fish Hatchery to the Mt Shasta Museum Association. This lease would require the property to be used for education purposes and would include provisions such as allowing public access, obtaining liability insurance, and maintaining the property. The state and the Department of Fish and Wildlife would not be held liable for any actions or omissions of the lessee during the lease agreement. The bill justifies the need for this special statute for the Mount Shasta Fish Hatchery.

SB 1085

(Nguyen R) Offshore energy production: wildlife impacts: report

Introduced: 02/12/2024

Status: 02/21/2024 - Referred to Com. on N.R. & W.

Summary: Would require the Department of Fish and Wildlife to prepare and submit a report to the Legislature on or before January 1, 2029, regarding the environmental impact on marine mammals and wildlife from offshore energy production off the California coast.

SB 1157

(Hurtado D) State contracts: certification process.

Introduced: 02/14/2024

Status: 03/26/2024 - Set for hearing April 9.

Summary: Current law requires a contract entered into by any state agency for the procurement or laundering of apparel, garments, or corresponding accessories, or the procurement of equipment, materials, or supplies, other than procurement related to a public works contract, to require that a contractor certify that nothing furnished to the state pursuant to the contract has been laundered or produced by certain types of labor. Current law makes any person who falsely certifies pursuant to these provisions guilty of a misdemeanor. This bill would revise the above contracting requirements to also require a contractor to certify, under

penalty of perjury, that the contract complies with specified requirements relating to human trafficking, including certain prohibitions on contractors, contractor employees, subcontractors, subcontractor employees, and their agents. The bill would require contractors and subcontractors to notify employees of specified prohibited activities and the actions that may be taken against them for violations. The bill would provide that a contractor is ineligible for, and shall not bid on, or submit a proposal for, a contract under these provisions if the contractor has failed to certify its compliance. The bill would also require a contractor to exercise due diligence in ensuring that its subcontractors comply with those requirements, including requiring each subcontractor to sign a certification under penalty of perjury. By expanding the scope of a crime, the bill would impose a state-mandated local program.

SB 1159

(Dodd D) California Environmental Quality Act: roadside wildfire risk reduction projects.

Last Amend: 03/20/2024

Status: 04/04/2024 - From committee: Do pass and re-refer to Com. on N.R. & W. Re-referred

to Com. on N.R. & W.

Summary: The California Environmental Quality Act (CEQA) requires the Office of Planning and Research to prepare and develop, and the Secretary of the Natural Resources Agency to certify and adopt, guidelines for the implementation of CEQA. CEQA requires the guidelines to include a list of classes of projects that have been determined not to have a significant effect on the environment and are exempt from the requirements of CEQA, commonly known as categorical exemptions. This bill, on or before January 1, 2026, would require the office to evaluate, and the secretary to consider, the inclusion of roadside projects no more than 5 road miles from a municipality or census designated place that are undertaken solely for the purpose of wildfire risk reduction in the classes of projects subject to a categorical exemption. The bill would require the office to consider appropriate eligibility criteria for these projects, as specified.

SB 1163

(Dahle R) Wildlife-vehicle collisions: wildlife salvage permits.

Last Amend: 04/03/2024

Status: 04/03/2024 – From committee with author's amendments. Read second time and amended. Re-referred to Com. on N.R. & W.

Summary: Current law authorizes the Fish and Game Commission, upon appropriation by the Legislature, to establish a pilot program no later than January 1, 2022, for the issuance of wildlife salvage permits that authorize a person to recover, possess, use, or transport certain mammals that have been accidentally killed as a result of a vehicle collision for purposes of salvaging wild game meat for human consumption. Current law requires the Department of Fish and Wildlife, upon appropriation by the Legislature, to implement the pilot program no later than 6 months after the commission establishes the pilot program. Current law repeals the pilot program provisions on January 1, 2029. This bill would require the commission to establish this previously authorized pilot program by January 1, 2027, and would extend the operation of the pilot program to January 1, 2034. The bill would eliminate the requirement that the establishment and implementation of the pilot program be upon appropriation by the Legislature and would make other related changes.

SB 1179

(Durazo D) Affordable Internet and Net Equality Act of 2024.

Introduced: 02/14/2024

Status: 03/26/2024 - Set for hearing April 9.

Summary: The Affordable Internet and Net Equality Act of 2024, would require the Department of Technology, in coordination with the Public Utilities Commission and the Department of General Services, to develop and establish the Net Equality Program. The bill would require the state and state agencies to only enter into a procurement contract with an internet service provider offering affordable home internet service to households participating in certain public assistance programs, as specified. The bill would define affordable home internet service to mean internet service costing no more than \$30 per month and that meets specified minimum speed requirements. The bill would require these internet service providers to establish a telephone number to sign up eligible households and would require these providers to advertise the availability of affordable home internet service, among other requirements placed on these providers. This bill contains other related provisions.

SB 1226

(Cortese D) Hunting: navigable waters.

Introduced: 02/15/2024

Status: 04/02/2024 – Set for hearing April 15.

Summary: Existing law makes it unlawful to enter land for the purpose of discharging a firearm or taking or destroying any mammal or bird, including waterfowl, on that land, without having first obtained written permission from the owner, the owner's agent, or the person in lawful possession of that land, if either of the following applies: (1) the land belongs to, or is occupied by, another person and is either under cultivation or enclosed by a fence, or (2) there are signs forbidding trespass or hunting or both displayed at intervals not less than 3 to the mile along all exterior boundaries and at all roads and trails entering those lands, including land temporarily inundated by water flowing outside the established banks of a waterway. This bill would restrict the application of the provisions regarding land temporarily inundated by water flowing outside the established banks of a waterway to non-navigable waters. The bill would also state that these provisions do not restrict the public's right to use navigable waters for hunting, fishing, or other public purposes under the California Constitution.

SB 1246

(Limon D) California Prompt Payment Act: nonprofit organizations.

Introduced: 02/15/2024

Status: 03/28/2024 – Set for hearing April 9.

Summary: The California Prompt Payment Act requires a state agency that awards a grant or that acquires property or services pursuant to a contract to make timely payments pursuant to the grant or contract. The act requires, to avoid late payment penalties, a state agency to make payment within 45 days of the receipt of an undisputed invoice, as prescribed. The act provides an exception from those penalty provisions if the grant or contract was awarded to a nonprofit organization in an amount less than \$500,000. The act defines the term "grant" to mean a signed final agreement between any state agency and a local government agency or organization authorized to accept grant funding for victim services or prevention programs administered by any state agency or restoration activities performed by a resource conservation district. This bill would define the term "grant" to additionally mean a signed final

agreement between any state agency and a nonprofit organization and would delete the \$500,000 exception described above.

SB 1325

(<u>Durazo</u> D) Public contracts: best value procurement: equipment.

Introduced: 02/16/2024

Status: 03/14/2024 – Set for hearing April 9.

Summary: Would authorize a state or local agency, as defined, to award contracts through a best value procurement method for the purchase of equipment with a base value of \$250,000 or more. The bill would require the agency to adopt and publish procedures and guidelines for evaluating the qualifications of the bidders to ensure the best value selections are conducted in a fair and impartial manner, as described. The bill would authorize the procedures and guidelines to include the adoption of a high road jobs plan policy that evaluates bidders' high road jobs plan commitments as part of the overall score for the public contract, as specified. This bill would require the solicitation document to include certain information and would direct the agency to use a scoring method based on price and the factors described in the solicitation document, as specified. The bill would require the agency to let any contract for these projects to the selected bidder that represents the best value or reject all bids.

SB 1402

(Min D) 30 x 30 goal: state agencies: adoption, revision, or establishment of plans, policies, and regulations.

Introduced: 02/16/2024

Status: 03/26/2024 - Set for hearing April 9.

Summary: Current law requires the Secretary of the Natural Resources Agency to prepare and submit, on or before March 31, 2024, and annually thereafter, a report to the Legislature on the progress made in the prior calendar year toward achieving the goal to conserve 30% of California's lands and coastal waters by 2030. Current law provides that it is the goal of the state to conserve at least 30% of California's lands and coastal waters by 2030, known as the 30x30 goal. This bill would require all state agencies, departments, boards, offices, commissions, and conservancies to consider the 30x30 goal when adopting, revising, or establishing plans, policies, and regulations.

SB 1486

(<u>Dahle</u> R) Accessibility: internet websites.

Last Amend: 03/20/2024

Status: 04/04/2024 – Set for hearing April 23.

Summary: Current law imposes liability upon a person who denies, aids or incites a denial of, or makes any discrimination or distinction contrary to, rights afforded by law for actual damages suffered, exemplary damages, a civil penalty, and attorney's fees, as specified, to any person who was denied the specified rights. Current law also imposes liability upon a person, firm, or corporation that denies or interferes with admittance to, or enjoyment of, public facilities or otherwise interferes with the rights of an individual with a disability, as specified, for damages and attorney's fees to a person who was denied those rights. This bill would provide that statutory damages based upon the inaccessibility of an internet website under these provisions shall only be recovered against an entity, as defined, if the internet website fails to provide equally effective communication or facilitate full and equal enjoyment of the entity's goods and services to all members of the public. The bill would make statutory damages for

internet website inaccessibility contingent on the plaintiff proving that they had one of 2 sets of experiences. Specifically, the plaintiff may prove that they personally encountered a specific barrier that caused a difference in the plaintiff's access to or use of the internet website as compared to other users, as specified. Alternatively, the plaintiff may prove that they were deterred from accessing all or part of the internet website, as specified, because of the internet website's failure to provide equally effective communication or to facilitate full and equal enjoyment of the entity's goods and services offered to the public.

SB 1520

(Committee on Natural Resources and Water) Public resources.

Introduced: 03/06/2024

Status: 03/19/2024 – Set for hearing April 9.

Summary: This bill would update the name of the Colorado River squawfish to the Colorado

pikeminnow.

For more information call:

Clark Blanchard, CDFW Deputy Director at (916) 591-0140 Julie Oltmann, CDFW Legislative Representative at (916) 799-8804 Erika Fiske-Sanders, CDFW Legislative Coordinator at (916) 539-2912

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

From: GARY BURKE

Sent: Thursday, April 4, 2024 1:16 PM

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

Subject: Commissioners I am writing you today to ask that you oppose assembly...

Commissioners I am writing you today to ask that you oppose assembly bill 2220 being heard on April 23rd in the assembly committee , Water, Parks and Wildlife. We all know that legislation is not the way to go . I think an opposing letter sent to the Stephanie Mitchell who will be writing the analysis of 2220 would be very helpful along with cc the committee's members. Below is my opposing letter . Thank you.

Chair Papan And assembly members. My name is Gary Burke . I was born and raised in California my whole life and have made my life in commercial fishing for more than 50 years. Iam writing in opposition to assembly bill 2220. This bill is not only harmful to the California commercial fisheries , it will just increase imports from other countries that have very few regulations and restrictions ,something the U.S. is trying to decrease. Every part of this bill is bad.

First eliminating the take of black sea-bass and white shark would just be an increase in bycatch and a waste of food product. Both species are not in danger of being overfished and are rarely taken. White sharks when caught are usually used for scientific purposes, many times released alive with trackers attached, and Black Sea bass are delicious eating.

Second, this fishery already has observer coverage and to place observers on state fishery vessels would be extremely expensive. The daily cost is so high the individual boats cannot afford to pay the cost.

Thirdly, moving the fishery outside of 3 miles from the islands would virtually kill what's left of the bottom set net fishery as the islands depth drops off severely after a mile or two and leaves no-place to fish. This bill would also eliminate other types of net fishing, like drift net fishing for sea bass which occurs at night. These nets are not on the bottom but are fished on top of the water thus eliminating the sea floor species like crabs ,skates and rays. The net is always connected to the boat, pulled within hours and have very little bycatch. There is such limited area on the coast for set net fishing, without island access fisherman would not survive. This bill will not only creates a loss of fisherman livelyhoods but a loss in revenue that created from the selling of fish to markets and restaurants plus the loss of moneys that comes from the maintenance, haul-outs, repairs, painting and such.

Lastly making the permits non-transferable would render their boats worthless after retirement as they could not convert to anything else. Fisherman rely on transferring the permits with their boats as it becomes their pensions.

The MLMA act passed in 1999 calls for all fisheries to look at bycatch. The fish and wildlife division manages California fisheries and the fish and wildlife commission makes

regulations. They have been working on the bycatch issue for 3 years and have come up with new regulations to help reduce that. This bill side steps their authority and renders their efforts worthless. Assemblyman Bennett press release states there is a better way to catch halibut ie hook and line. A baited hook is one of the most indiscriminate ways to catch fish. Hook and line fisherman can catch up to 30 sub legals before landing one legal halibut. Gillnets seldom catch short halibut. Hook and liners use multiple hooks which can be swallowed by short halibut resulting in large mortality. The Legislation is not the way to manage our fisheries, I respectfully ask no a nay vote.

Gary Burke

Sent from my iPad

Alliance of Communities for Sustainable Fisheries 256 Figueroa Street #1, Monterey, CA 93940 (831) 239-1219

www.alliancefisheries.org

Ms. Samantha Murray

President

California Fish and Game Commission

Sent electronically to: fgc@fgc.ca.gov

RE: Requesting that the FGC provide comments on AB2220 to California legislative bodies

Dear President Murray and Commissioners,

Who we are

The Alliance of Communities for Sustainable Fisheries (ACSF) is a 23-year-old 501(c) 3 not-for-profit organization, founded for the purposes of educating the public on fisheries issues, connecting fishing men and women ("fishermen") with their communities, and to represent fishing interests in state and federal processes. The ACSF is a regional organization, comprised of commercial fishing leaders representing Monterey, Moss Landing, Santa Cruz, Morro Bay, Pillar Point, Port San Luis, and Santa Barbara, on our Board of Directors. Port communities, several recreational fishing organizations, and the California Wetfish Producers Association (squid, sardines, etc), also have representatives on our Board. Thus, the ACSF represents a large cross-section of fishing and community interests for the Central Coast of California.

AB2220

ACSF members perceive AB2220 as seriously flawed in its presentation of "facts", setting bad state policy, and creating unsettling precedents. Most importantly, it appears it be an "end run" around the science and public process provided by the Marine Life Management Act and the DFW/FGC process for fisheries management.

The Alliance of Communities for Sustainable Fisheries requests that the Commission provide comments on this bill to the legislature. We believe that the first hearing for AB2220 will be April 23, 2024, in the Assembly Water, Parks, and Wildlife Committee.

Thank you for considering this request.

Alan Alward, Co-Chair