

**STAFF REPORT
INFORMATIONAL
76**

A Statewide

08/17/17

S Statewide

S. Pemberton

**LEGISLATIVE REPORT PROVIDING INFORMATION AND A STATUS UPDATE
CONCERNING STATE AND FEDERAL LEGISLATION RELEVANT TO THE
COMMISSION**

INTRODUCTION:

The purpose of this Staff Report is to update the Commission about proposed state and federal legislation relevant to the Commission's authority and jurisdiction. The exhibit to this Staff Report summarizes all the proposed state and federal legislation that impacts the Commission or that staff believes is of interest to the Commission.

STATE LEGISLATION:

SB 42 (Hill): Martins Beach

This bill creates the Martins Beach Subaccount in the Commission's Kapiloff Land Bank Fund. The Commission may use money deposited in the subaccount to acquire a right-of-way or easement to create a public access route to Martins Beach, either through eminent domain or through a negotiated agreement, and pay for costs associated with that acquisition, in accordance with the following requirements: 1) money in the subaccount must first be expended to create a public access route; 2) after that money has been used, the Commission may transfer revenue from the Land Bank Fund to the subaccount, not to exceed a maximum of \$1,000,000, and expend that revenue to create a public access route. SB 42 also clarifies that the Commission may acquire the right-of-way or easement necessary for the creation of the public access route through eminent domain, but that nothing in this bill prevents the Commission from acquiring the right-of-way or easement through a negotiated agreement. The bill also provides that general fund contributions to the subaccount shall be segregated and separately accounted for, and permits the Commission to deposit into the subaccount and expend revenue received from the county of San Mateo pursuant to an appropriation by that county. SB 42 is in the Assembly Appropriations Committee.

SB 44 (Jackson): Coastal hazard and legacy oil and gas well removal and remediation

This bill creates, if the Legislature appropriates funding, a coastal hazard and legacy oil and gas well removal and remediation program in statute. The bill

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would transfer up to \$2,000,000 from the General Fund to the Commission for the program. The bill would also require the Commission to report annually to the Legislature about its work and progress fulfilling the requirements in the bill. The program funding would sunset on July 1, 2028. The Commission supports SB 44 because it secures stable funding and enables the Commission to continue to implement and enhance its coastal hazard removal and legacy oil and gas well remediation program to enhance coastal resources and maximize public access to the coastline. SB 44 is in the Assembly Appropriations Committee.

SB 50 (Allen)

This bill would make conveyances of federally-owned public lands void unless the Commission is provided with the right of first refusal or the right to arrange for the property to be transferred to another entity. It would also require the Commission, the Wildlife Conservation Board, and the Department of Fish and Wildlife to enter into a memorandum of understanding to establish a policy that these agencies will undertake all feasible efforts to protect against any future unauthorized conveyance or change in federal public land designation. The purpose of this bill is to protect federal lands in California from sale to private parties for resource extraction or other purposes that may result in their loss or degradation, and to ensure they remain publicly accessible and undeveloped. Recently, several bills have been introduced in Congress to make it easier to dispose of public lands. Many California lawmakers are concerned that the new federal administration will try to sell off federal public lands. This bill is an attempt to ensure the state has an opportunity to take ownership of these lands. SB 50 is in the Assembly Appropriations Committee.

SB 188 (Jackson)

This bill, a gut and amend, would prohibit the Commission from entering into a lease or other conveyance that would result in increased oil or natural gas production from federal waters. This bill would also prohibit the Commission from modifying, extending, or renewing a lease if it would allow a lessee to engage in new or additional exploration, development, or production of oil or natural gas if it would result in the increase of oil or natural gas production from federal waters. New or additional exploration, development, or production of oil or natural gas includes any activity undertaken to increase the capacity of any pipeline or other infrastructure used to convey oil or natural gas from federal waters. An "increase" of oil or natural gas production is undefined. SB 188 is in the Assembly Appropriations Committee.

SB 367 (Bates)

This bill increases the maximum allowable lease term for Orange County's granted tidelands and submerged lands from 50 to 66 years. The purpose of this bill is to facilitate the Dana Point Harbor redevelopment. According to the County

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and the author, the Harbor District lacks enough revenue to fund the revitalization effort and thus seeks a public/private partnership to finance and manage the redevelopment. The County and author contend that the County needs to enter into a master ground lease agreement for longer than the current maximum lease term of 50 years because a developer who has sufficient experience, financial resources, and personnel to successfully plan, design, operate, manage, and maintain the revitalization effort would need ample time, beyond 50 years, to carry out these efforts. SB 367 is on the Governor's desk for consideration.

SB 588 (Hertzberg)

Current law allows offshore oil platforms (rigs) to be converted to reefs under certain conditions. This bill changes the way the program works, but is conceptually the same. The bill allows an offshore oil and gas platform operator, owner, or legal entity to transfer title to an artificial reef converted from a platform to the California Department of Fish and Wildlife and requires that the cost savings is shared with the state and used to enrich the ocean and marine environment. The purpose of the bill is to improve and make workable an inert program that allows offshore oil rigs to be partially removed and serve as reefs, rather than being fully removed. The author states the bill is necessary because the existing process is unworkable and the permitting process is cumbersome. Further, platforms are nearing the end of their useful lives and converting them to reefs can be beneficial. The author cites significant cost savings that will be used to improve the marine environment and preserving underwater structures that support marine life as primary benefits of the bill. SB 588 is a 2-year bill and is in the Assembly Natural Resources Committee.

AB 930 (Allen)

This bill would add to the membership of the Commission. It would add two members appointed by the governor, one member appointed by the Senate Committee on Rules, and one member appointed by the Speaker of the Assembly. The bill is silent about the background or qualifications for the new members. Staff has asked the author's office for information about the bill and its purpose, and is awaiting a response. AB 930 is a 2-year bill and will not be heard in committee until January 2018.

AB 1000 (Friedman)

This bill, the California Desert Protection Act, is a gut and amend that would prohibit transferring groundwater from a desert groundwater basin in the vicinity of federal or state protected lands unless the State Lands Commission, in consultation with the California Department of Fish and Wildlife, certifies that the transfer will not adversely affect natural or cultural resources, including groundwater resources or habitat, of protected lands. AB 1000 is in the Senate Appropriations Committee.

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AB 1472 (Limon)

This bill specifies the factors the Commission may consider when contemplating an application to assign, transfer, or sublet an oil and gas lease or permit, and defines an assignee to include any subsidiary or principal owner of the person or entity who will hold the assigned or transferred lease, any entity having a common parent entity with that person or entity, or any person or entity having functional management and control over that person or entity. The Commission supports AB 1472 because it would clarify the conditions it may take into account when considering an application to assign, transfer, or sublet an oil or gas lease, and because defining an assignee can protect the Commission and the state from operational changes that could affect a lessee's ability to meet its obligations under its lease. AB 1472 was vetoed by the Governor, in his veto message, the Governor stated that the Commission has broad authority to assess whether an applicant is able to meet the obligations under the proposed lease. For that reason, he thinks the bill is unnecessary.

FEDERAL LEGISLATION:

Vessel Incidental Discharge Act:

Over the past years, the Commission (and many other states) have opposed federal legislation that would have preempted California's authority to regulate ballast water and other incidental vessel discharges. The previous iterations of the legislation, known as the Vessel Incidental Discharge Act (VIDA), would have identified a single federal authority, the U.S. Coast Guard, to establish ballast water discharge standards and management requirements. These standards would have superseded existing state ballast water management requirements and the U.S. Environmental Protection Agency's requirements under the Clean Water Act. A state could have adopted or enforced a more stringent ballast water discharge standard if the U.S. Coast Guard determined that compliance with the state standard was achievable and consistent with obligations under relevant international treaties or agreements. The threshold was high, and the likelihood of a state meeting it was remote.

S. 168, the new VIDA, was introduced in the Senate on January 17, 2017. On January 24, 2017, the Senate Committee on Commerce, Science, and Transportation approved the bill. The House version of VIDA, H.R. 1154, was introduced on February 16, 2017, and referred to the House Subcommittee on Water Resources and Environment. According to the American Waterways Operators, VIDA is the U.S. maritime industry's highest legislative priority in 2017 because it would replace multiple federal and state regulations with a single national standard, overseen by the U.S. Coast Guard, to regulate ballast water and other discharges incidental to normal vessel operations.

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On May 17, 2017, the provisions of S. 168 were added to the U.S. Coast Guard Authorization Act of 2017 and approved by Senate Commerce Committee. At the hearing, many Senators expressed concern about VIDA going into an otherwise bipartisan bill, and about VIDA's detrimental impacts to states and the environment. The chair and ranking member committed to working with stakeholders to resolve the VIDA issues and meetings with Committee staff have since commenced.

Commission staff is working with Senator Feinstein's staff, Senator Harris' staff and the Senate Commerce, Science, and Transportation Committee staff to ensure that the Commission's priorities, state enforcement authorization, fee authority, and real-time access to reporting information for vessel inspection purposes, are included in the eventual VIDA bill that the Senate will consider.

Public Lands:

Several bills have been introduced in Congress this year to ease federal land transfers to private entities and provide for conservation and enhanced recreation activities in the California Desert Conservation Area. One bill, the Disposal of Excess Federal Lands Act, would have called for the sale of 3.3 million acres of public land the Bureau of Land Management owns to western states. The author withdrew this bill owing to vigorous opposition from many groups—especially from hunter and angler groups. Staff is continuing to monitor legislative activity regarding public lands in the 115th Congress and will let the Commission know if further legislation impacting public lands is proposed in the future.

CONCLUSION:

Staff will continue to carefully monitor these bills and update the Commission at subsequent meetings or as requested. This action is consistent with Strategy 3.1 of the Commission's strategic plan to foster, improve and enhance relationships to engage the Legislature, public, local, state and federal agencies, grantees, lessees, potential applicants, nongovernmental organizations, and the regulated community.

Below are important deadlines for bills moving through the California Legislature:

August 21, 2017 – Legislature reconvenes from summer recess.

September 8, 2017 – Last day to amend bills on the Floor.

September 15, 2017 – Last day for any bill to be passed. Interim recess begins on adjournment.

EXHIBIT:

A. Legislative Report

2017 Legislative Summary

Air Quality

[AB 388](#) (Mullin D) Greenhouse Gas Reduction Fund: wetland restoration projects.**Introduced:** 2/9/2017**Last Amended:** 6/22/2017**Location:** 7/11/2017-S. APPR.**Summary:**

This bill would authorize the use of the moneys in the Greenhouse Gas Reduction Fund for wetland restoration projects that may make use of dredged material if the investment furthers the regulatory purposes of the act and is consistent with law.

[AB 1073](#) (Garcia, Eduardo D) California Clean Truck, Bus, and Off-Road Vehicle and Equipment Technology Program.**Introduced:** 2/16/2017**Last Amended:** 6/22/2017**Location:** 7/17/2017-S. APPR. SUSPENSE FILE**Summary:**

The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The act authorizes the state board to include the use of market-based compliance mechanisms. This bill would require the state board, when funding a specified class of projects, to allocate, until December 31, 2020, no less than 20% of that available funding to support the early commercial deployment of existing zero- and near-zero-emission heavy-duty truck technology.

California Coastal Commission

[AB 684](#) (Stone, Mark D) California Coastal Commission: ex parte communications: database.**Introduced:** 2/15/2017**Last Amended:** 7/18/2017**Location:** 7/18/2017-S. APPR.**Summary:**

The California Coastal Act of 1976 prohibits a commission member and an interested person from conducting an ex parte communication unless the member fully discloses and makes public the ex parte communication by providing a full report of the communication to the executive director of the commission within 7 days after the communication or, if the communication occurs within 7 days of the next commission hearing, to the commission on the record of the proceeding at that hearing. This bill would, as of July 1, 2018, delete the requirement that the commission member provide a full report of the communication to the executive director of the commission within 7 days after the communication or, if the communication occurs within 7 days of the next commission hearing, to the commission on the record of the proceeding at that hearing.

[AB 1642](#) (Caballero D) California Coastal Commission: ex parte communications: disclosure.**Introduced:** 2/17/2017**Location:** 4/28/2017-A. 2 YEAR**Summary:**

The California Coastal Act of 1976 prohibits a commission member or an interested person, as defined, from conducting an ex parte communication unless the commission member fully discloses and makes public that communication within 7 days after the communication or, if the communication occurs within 7 days of the next commission hearing, to the commission on the record of the proceeding at that hearing. The act requires the executive director of the commission to place in the public record any report of an ex parte communication. This bill would require that the executive director place on the commission's Internet Web site and in the official public record any written report of an ex parte communication.

[SB 235](#) (Allen D) Elections: ballot designation requirements.**Introduced:** 2/6/2017**Last Amended:** 6/29/2017**Location:** 7/19/2017-A. THIRD READING

Summary:

Current law provides, with the exception of candidates for Justice of the State Supreme Court or court of appeal, that each candidate for elective city, county, district, state, or federal office may choose to have only one of specified designations, including his or her current principal professions, vocations, or occupations' appear immediately under his or her name as a candidate on an election ballot. This bill would impose additional requirements for a designation that may appear under the name of a candidate for judicial office.

CEQA**[SB 224](#) ([Jackson D](#)) California Environmental Quality Act: baseline conditions.****Introduced:** 2/2/2017**Last Amended:** 4/5/2017**Location:** 5/26/2017-S. 2 YEAR**Summary:**

Would require the Office of Planning and Research, on or after January 1, 2018, at the time of the next review of the guidelines, to prepare, develop, and transmit to the secretary proposed changes or amendments to determine the baseline physical conditions by which a lead agency determines whether a project has a significant effect on the environment. The bill would require the office, in developing the recommendations to limit the consideration of modifications to the environment at the project site cause by certain actions. The bill would require the secretary to certify and adopt the recommended proposed changes or amendments.

Granted Lands**[AB 707](#) ([Aguiar-Curry D](#)) Clear Lake.****Introduced:** 2/15/2017**Last Amended:** 7/3/2017**Location:** 7/11/2017-S. APPR.**Summary:**

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

[AB 962](#) ([Allen, Travis R](#)) State infrastructure financing for seaports.**Introduced:** 2/16/2017**Last Amended:** 3/28/2017**Location:** 4/28/2017-A. 2 YEAR**Summary:**

Would require the bank, after consulting with appropriate state and local agencies, to establish criteria, priorities, and guidelines for the selection of infrastructure development and equipment purchase projects submitted by harbor agencies, as defined, for assistance from the bank, as specified. The bill would require the harbor agency to adopt a resolution that includes specified information, including, among other information, the state fiscal and economic impacts estimated to result from the proposed infrastructure development or equipment purchase project.

[AB 1561](#) ([Quirk-Silva D](#)) Inland Port Infrastructure Financing Act.**Introduced:** 2/17/2017**Last Amended:** 3/20/2017**Location:** 4/28/2017-A. 2 YEAR**Summary:**

Current law authorizes 2 or more harbor agencies to establish an authority under the joint powers law, with various powers and duties, for the purpose of establishing an infrastructure fund and financing port or harbor infrastructure, as specified. This bill would authorize 2 or more local agencies to establish an authority under the joint powers law for the purpose of establishing an infrastructure fund and financing inland port infrastructure.

[SB 367](#) ([Bates R](#)) Tidelands and submerged lands: County of Orange.

Introduced: 2/14/2017

Location: 7/18/2017-S. ENROLLMENT

Summary:

Current law grants to the County of Orange the right, title, and interest of the state in and to certain tidelands and submerged lands in trust for certain purposes relating to commerce, navigation, and recreation. Current law requires that the county, and its successors, only use those granted lands for prescribed purposes relating to commerce, navigation, public access, and recreation, and prohibits the county from granting franchises or leases for those tidelands and submerged lands for periods that exceed 50 years for public uses and purposes. This bill would extend to 66 years the maximum period for which the county may grant franchises or leases for the use of those tidelands and submerged lands for those trust purposes.

Oceans Pollution

[AB 319](#) (Stone, Mark D) Recycling: single-use plastic beverage container caps.

Introduced: 2/6/2017

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

Summary:

The California Integrated Waste Management Act of 1989, which is administered by the Department of Resources Recycling and Recovery, requires every rigid plastic packaging container, as defined, sold or offered for sale in this state, to generally meet one of specified criteria. This bill would prohibit a retailer, on and after January 1, 2020, from selling or offering for sale a single-use plastic beverage container with a cap that is not tethered to or contiguously affixed to the beverage container. The bill would define terms for purposes of these provisions.

[AB 1287](#) (Acosta R) Solid waste: plastic products.

Introduced: 2/17/2017

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

Summary:

Current law, until January 1, 2018, requires a manufacturer or supplier of plastic products making an environmental marketing claim relating to the recycled content of a plastic food container product to maintain specified information and documentation in written form in its records in support of that claim, and to provide that information and documentation upon request or on the Internet, as specified. This bill would extend the operation of that provision indefinitely.

[AB 1294](#) (Berman D) Solid waste: plastic products.

Introduced: 2/17/2017

Last Amended: 4/17/2017

Location: 6/29/2017-S. INACTIVE FILE

Summary:

Current law, until January 1, 2018, requires a manufacturer or supplier of plastic products making an environmental marketing claim relating to the recycled content of a plastic food container product to maintain specified information and documentation in written form in its records in support of that claim. Current law provides for the imposition of a civil penalty by a city, county, or the state for a violation of those provisions. This bill would extend indefinitely the provision concerning recycled content market claims.

[SB 705](#) (Allen D) Solid waste: expanded polystyrene food service containers.

Introduced: 2/17/2017

Last Amended: 5/26/2017

Location: 6/2/2017-S. 2 YEAR

Summary:

Would enact the Ocean Pollution Reduction Act of 2017. The bill would prohibit a food vendor, as defined, that is subject to specified federal requirements for the posting of calories and nutrients imposed upon restaurants and other retail food establishments, on and after January 1, 2020, from dispensing prepared food to a customer in an expanded polystyrene food service container. The bill would prohibit all food vendors from dispensing prepared food to a customer in an expanded polystyrene food service container on and after January 1, 2022.

Oil, Gas and Geothermal

AB 1197 (Limón D) Oil spill contingency plans: spill management teams.

Introduced: 2/17/2017

Last Amended: 4/17/2017

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

Summary:

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

SB 188 (Jackson D) State lands: leasing: oil and gas.

Introduced: 1/25/2017

Last Amended: 7/13/2017

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

Summary:

Would prohibit the State Lands Commission and the local trustees of granted public trust lands from entering into any new lease or other conveyance or from entering into any lease renewal, extension, or modification that authorizes a lessee to engage in new or additional exploration, development, or production of oil or natural gas upon lands owned by the state and under the jurisdiction of the commission that are located seaward of the ordinary high water mark for tidal waterways and the ordinary low water mark for navigable nontidal waterways that would result in the increase of oil or natural gas production from federal waters.

SB 465 (Jackson D) Oil and gas conservation.

Introduced: 2/16/2017

Last Amended: 7/13/2017

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

Summary:

Current law requires the State Oil and Gas Supervisor to supervise the drilling, operation, maintenance, and abandonment of wells and the operation, maintenance, and removal or abandonment of tanks and facilities related to oil and gas production within an oil and gas field, so as to prevent damage to life, health, property, and natural resources, as provided; to permit owners and operators of wells to utilize all known methods and practices to increase the ultimate recovery of hydrocarbons; and to perform the supervisor's duties in a manner that encourages the wise development of oil and gas resources to best meet oil and gas needs in this state. This bill would instead require that the supervisor perform his or her duties in a manner so as to encourage the intelligent, safe, and efficient development of oil and gas resources.

SB 588 (Hertzberg D) Marine resources and preservation.

Introduced: 2/17/2017

Last Amended: 6/19/2017

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

Summary:

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

SB 724 (Lara D) Oil and gas: wells and production facilities.

Introduced: 2/17/2017

Last Amended: 5/26/2017

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

Summary:

Current law requires the operator of a well to file a written notice of intention to commence drilling with, and prohibits any drilling until approval is given by, the supervisor or district deputy. Under existing law, the notice is deemed approved if the supervisor or district deputy fails to respond to the notice in writing within 10 working days from receipt and is deemed canceled if operations have not commenced within one year of receipt. This bill would extend the time period to commence operations from one year to 24 months before the notice is deemed canceled, would prohibit the notice from being

extended, and would require the cancellation to be noted in the division's records.

[SB 759](#) (McGuire D) Wells: fees and indemnity bonds.

Introduced: 2/17/2017

Last Amended: 4/19/2017

Location: 3/9/2017-S. N.R. & W.

Summary:

Current law requires a person who acquires the ownership or operation of a well or wells, within 30 days of after acquiring the well or wells, to file with the State Oil and Gas Supervisor an individual indemnity bond in the sum of \$25,000 for each well acquired or a blanket indemnity bond of \$100,000 for any number of wells acquired. This bill would require that person to file with the supervisor a financial assurance estimate and individual indemnity bond for each well acquired, with supporting data assessing the true cost of total completion and remediation of each well and well site upon cessation of operation or an individual indemnity bond in the sum of \$100,000 for each well acquired.

[SB 773](#) (Stern D) Oil and gas: well records.

Introduced: 2/17/2017

Last Amended: 5/26/2017

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

Summary:

Current law requires an owner or operator of a well to keep, or cause to be kept, a careful and accurate log, core record, and history of the drilling of the well. Current law requires the log to be kept in the local office of the owner or operator, and, together with the tour reports of the owner or operator, is subject, during business hours, to the inspection of the supervisor, the district deputy, or the director. This bill would require the well history and all well summaries, in addition to the log, to be kept in the local office of the owner or operator, and would make them subject, during business hours, to the inspection of the supervisor, the district deputy, or the director. Because a violation of this requirement would be a crime, the bill would impose a state-mandated local program.

Sea Level Rise and Climate Change

[AB 184](#) (Berman D) Sea level rise planning: database.

Introduced: 1/19/2017

Last Amended: 5/23/2017

Location: 6/27/2017-S. THIRD READING

Summary:

Current law requires that various public agencies and private entities provide to the agency, on a biannual basis, sea level rise planning information, as defined, that is under the control or jurisdiction of the public agencies or private entities, and requires the agency to determine the information necessary for inclusion in the database, as prescribed. Current law repeals these provisions on January 1, 2018. This bill would postpone that repeal until January 1, 2023.

[AB 733](#) (Berman D) Enhanced infrastructure financing districts: projects: climate change.

Introduced: 2/15/2017

Last Amended: 6/26/2017

Location: 6/26/2017-S. THIRD READING

Summary:

Current law authorizes the legislative body of a city or a county to establish an enhanced infrastructure financing district to finance public capital facilities or other specified projects of communitywide significance, and makes related findings and declarations. This bill would additionally authorize the financing of projects that enable communities to adapt to the impacts of climate change, including, but not limited to, specified impacts described in the bill, and would make conforming changes to the Legislature's findings and declarations.

[SB 51](#) (Jackson D) Professional licensees: environmental sciences and climate change: whistleblower and data protection.

Introduced: 12/5/2016

Last Amended: 7/12/2017

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

Summary:

Current law provides for the licensure and regulation of various professions and vocations by certain entities within state government. Current law establishes various grounds upon which these entities may take disciplinary action against a licensee to suspend or revoke a license. This bill would prohibit

these licensing entities, except the State Bar of California, from taking disciplinary action, including suspension, loss of credential, registration, or other professional privilege, against a public employee, as defined to include those persons working in the environmental sciences and climate-change-related fields who are conducting scientific or technical research, in connection with actions taken by that person to report improper federal governmental activity or disclose the results of or information about scientific or technical research to the public by means that include, but are not limited to, publishing the information in a scientific or a public forum or sharing it with the media.

Sovereign and School Lands

[AB 250](#) ([Gonzalez Fletcher D](#)) **State Coastal Conservancy: Lower Cost Coastal Accommodations Program.**

Introduced: 1/30/2017

Last Amended: 7/5/2017

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

Summary:

Would require the State Coastal Conservancy to develop and implement a specified Lower Cost Coastal Accommodations Program intended to facilitate improvement of existing, and development of new, lower cost accommodations within 1 1/2 miles of the coast. The bill would require the conservancy to take specified actions to develop and implement the program, as prescribed. The bill would require the conservancy to prepare a lower cost coastal accommodations assessment containing specified information relating to specific opportunities to improve existing, and generate new, lower cost coastal accommodations, and to update the assessment not less than every 5 years.

[AB 457](#) ([Cunningham R](#)) **Saline water conversion: Diablo Canyon nuclear powerplant.**

Introduced: 2/13/2017

Last Amended: 5/26/2017

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

Summary:

Would require the Public Utilities Commission, as part of the commission's regulatory actions related to the proposed decommissioning of the Diablo Canyon nuclear powerplant and consistent with the goal to mitigate negative impacts to ratepayers, to cause a study to be conducted on the feasibility of repurposing the water desalination facility at the Diablo Canyon nuclear powerplant for purposes of desalinating water for local use. The bill would require the commission to contract with an independent 3rd party to carry out the study on its behalf and would require the study to be conducted using moneys from the Public Utilities Commission Utilities Reimbursement Account.

[AB 552](#) ([Irwin D](#)) **United Water Conservation District.**

Introduced: 2/14/2017

Last Amended: 7/18/2017

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

Summary:

Existing law, the Water Conservation District Law of 1931, authorizes a water conservation district to be organized and established by a county board of supervisors, with specified powers and purposes. This bill would authorize the United Water Conservation District to inspect any water-producing facility within its boundaries with the consent of the operator of the water-producing facility or with a duly issued inspection warrant, as prescribed. Because the willful refusal of an inspection lawfully authorized by an inspection warrant is a misdemeanor, this bill would impose a state-mandated local program by expanding the application of a crime.

[AB 554](#) ([Cunningham R](#)) **Desalination: statewide goal.**

Introduced: 2/14/2017

Last Amended: 3/27/2017

Location: 6/2/2017-A. 2 YEAR

Summary:

The Cobey-Porter Saline Water Conversion Law provides that it is the intention of the Legislature that the Department of Water Resources undertake to find economic and efficient methods of desalting saline water so that desalted water may be made available to help meet the growing water requirements of the state. This bill would establish a goal to desalinate 300,000 acre-feet of drinking water per year by the year 2025 and 500,000 acre-feet of drinking water per year by the year 2030.

[AB 663](#) ([Bloom D](#)) **Coastal resources: low- and moderate-income housing.**

Introduced: 2/14/2017

Last Amended: 5/30/2017

Location: 6/2/2017-A. 2 YEAR

Summary:

The California Coastal Act of 1976 requires any person wishing to perform or undertake any development in the coastal zone, as defined, to obtain a coastal development permit, except as provided. The act requires that lower cost visitor and recreational facilities be protected, encouraged, and, where feasible, provided. This bill would, until January 1, 2023, also require housing opportunities for persons of low and moderate income in the coastal zone to be protected, encouraged, and, where feasible, provided. This bill contains other related provisions and other existing laws.

[AB 725](#) (Levine D) State beaches and parks: smoking ban.

Introduced: 2/15/2017

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

Summary:

Current law makes it an infraction for a person to smoke a cigarette, cigar, or other tobacco product within 25 feet of a playground or tot lot sandbox area. This bill would make it an infraction for a person to smoke, as defined, on a state coastal beach or in a unit of the state park system or to dispose of used cigar or cigarette waste on a state coastal beach or in a unit of the state park system. The bill would establish a state-mandated local program by creating a new crime.

[AB 930](#) (Allen, Travis R) State Lands Commission: membership.

Introduced: 2/16/2017

Last Amended: 3/23/2017

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

Summary:

Current law establishes the State Lands Commission in the Natural Resources Agency, consisting of the Controller, the Lieutenant Governor, and the Director of Finance. This bill would add to the membership of the commission 2 members appointed by the governor, one member appointed by the Senate Committee on Rules, and one member appointed by the Speaker of the Assembly.

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

Introduced: 2/16/2017

Last Amended: 5/4/2017

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

Summary:

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

[AB 1191](#) (Bigelow R) California Tahoe Conservancy.

Introduced: 2/17/2017

Last Amended: 4/5/2017

Location: 7/24/2017-A. CHAPTERED

Summary:

Current law establishes the governing body of the California Tahoe Conservancy, composed of 7 voting members and one ex officio nonvoting member. Existing law requires that the governing body include, among other members, one member appointed by the City Council of the City of South Lake Tahoe, one member appointed by the Board of Supervisors of the County of Placer, and one member appointed by the Board of Supervisors of the County of El Dorado. This bill would revise the qualifications for membership, and would also authorize a member appointed by those local government entities to also serve as a representative to any nonstate body created pursuant to the Tahoe Regional Planning Compact to the extent that such service does not involve a conflict of interest.

[AB 1555](#) (Baker R) State Lands Commission.

Introduced: 2/17/2017

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

Summary:

Current law establishes the State Lands Commission in the Natural Resources Agency and specifies that the commission is the successor to, and is vested with all the powers, duties, purposes, responsibilities, and jurisdiction formerly vested in, the Department of Finance as successor to the Surveyor General, Register of the State Land Office, State Land Office, and the Division of State

Lands. This bill would make nonsubstantive changes to this law.

[AB 1608](#) (Kalra D) Vibrant landscapes for California.

Introduced: 2/17/2017

Last Amended: 5/1/2017

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

Summary:

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

[SB 5](#) (De León D) California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Act of 2018.

Introduced: 12/5/2016

Last Amended: 7/18/2017

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

Summary:

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

[SB 42](#) (Hill D) Public lands: Martins Beach: property acquisition.

Introduced: 12/5/2016

Last Amended: 6/22/2017

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

Summary:

Current law requires the State Lands Commission to consult, and enter into any necessary negotiations, with the owners of a specified property known as the Martins Beach property, as described, in the unincorporated area of the County of San Mateo, to acquire a right-of-way or easement for the creation of a public access route to and along the shoreline, including the sandy beach. This bill would create the Martins Beach Subaccount in the fund, and would require that moneys received from public and private sources, including nonprofit sources, to be used for the creation of that public access route be deposited into that subaccount and continuously appropriated to the commission for expenditure to acquire that right-of-way or easement, as prescribed, and be expended in accordance with a specified priority.

[SB 44](#) (Jackson D) State lands: coastal hazard and legacy oil and gas well removal and remediation program.

Introduced: 12/5/2016

Last Amended: 5/26/2017

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

Summary:

Would, upon appropriation of moneys by the Legislature, require the State Lands Commission to, within 2 years, administer a coastal hazard and legacy oil and gas well removal and remediation program, as specified. The bill would authorize the commission to seek and accept on behalf of the state any gift, bequest, devise, or donation whenever the gift and the terms and conditions thereof will aid in actions undertaken to administer that program.

[SB 49](#) (De León D) California Environmental, Public Health, and Workers Defense Act of 2017.

Introduced: 12/5/2016

Last Amended: 7/18/2017

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

Summary:

The Porter-Cologne Water Quality Control Act regulates the discharge of pollutants into the waters of the state. The California Safe Drinking Water Act establishes standards for drinking water and regulates drinking water systems. The California Endangered Species Act requires the Fish and Game Commission to establish a list of endangered species and a list of threatened species and generally prohibits the taking of those species. The Protect California Air Act of 2003 prohibits air quality management districts and air pollution control districts from amending or revising their new source review rules or regulations to be less stringent than those rules or regulations that existed on December 30, 2002. This bill would prohibit state or local agencies from amending or revising their rules and regulations implementing the above state laws to be less stringent than the baseline federal

standards, as defined, and would require specified agencies to take prescribed actions to maintain and enforce certain requirements and standards pertaining to air, water, and protected species.

[SB 50](#) (Allen D) Federal public lands: conveyances.

Introduced: 12/5/2016

Last Amended: 7/12/2017

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

Summary:

Would establish, except as provided, a policy of the state to discourage conveyances of federal public lands in California from the federal government. The bill would, except as provided, specify that these conveyances are void ab initio unless the State Lands Commission was provided with the right of first refusal or the right to arrange for the transfer of the federal public land to another entity.

[SB 73](#) (Hueso D) Official state ship of discovery.

Introduced: 1/10/2017

Last Amended: 5/1/2017

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

Summary:

Current law establishes the state flag and the state's emblems, including, among other things, "the Californian" as the official state tall ship. This bill would establish the "San Salvador" as the official state ship of exploration.

[SB 287](#) (Dodd D) Habitat restoration: invasive species: Phytophthora pathogens.

Introduced: 2/9/2017

Last Amended: 3/15/2017

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

Summary:

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

[SB 290](#) (Jackson D) Marine mammals and sea turtles: entanglement and stranding: emergency rescue services: grants.

Introduced: 2/9/2017

Last Amended: 5/1/2017

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

Summary:

Would, upon appropriation of moneys by the Legislature, require the Wildlife Health Center at the Davis campus of the University of California to provide grants to qualified organizations, as defined, that respond to marine mammal or sea turtle entanglement or stranding emergencies. The bill would require the grants to be issued on an emergency basis and not for the operating expenses of a qualified organization, except as specified.

[SB 386](#) (Glazer D) State beaches and parks: smoking ban.

Introduced: 2/14/2017

Last Amended: 7/13/2017

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

Summary:

Current law makes it an infraction for a person to smoke a cigarette, cigar, or other tobacco-related product within 25 feet of a playground or tot lot sandbox area. This bill would make it an infraction for a person to smoke, as defined, on a state coastal beach or in a unit of the state park system or to dispose of used cigar or cigarette waste on a state coastal beach or in a unit of the state park system. The bill would establish a state-mandated local program by creating a new crime.

[SB 402](#) (Allen D) Marine fisheries: state policy.

Introduced: 2/15/2017

Last Amended: 5/2/2017

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

Summary:

Would declare that it is the policy of the state to robustly protect and enhance the significant economic, environmental, recreational, aesthetic, and educational values provided by the Pacific fisheries and would require the Department of Fish and Wildlife and Fish and Game Commission to consider this policy when revising, adopting, or establishing policies, regulations, expenditures, or grant criteria

relating to the protection and management of marine fisheries. The bill would require the department and commission, to the extent feasible, to attempt to work collaboratively with the federal government and all fisheries stakeholders in furtherance of this policy.

Technology

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

Introduced: 2/15/2017

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

Summary:

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

[AB 1187](#) (Garcia, Eduardo D) Crowdsourcing and Citizen Science Act of 2017.

Introduced: 2/17/2017

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

Summary:

Would establish the Crowdsourcing and Citizen Science Act of 2017, which would authorize the Secretary for Environmental Protection and the heads of the various boards, offices, and departments within the California Environmental Protection Agency to use crowdsourcing and citizen science approaches to conduct activities designed to advance the mission of the California Environmental Protection Agency. This bill would impose specified duties with regard to crowdsourcing and citizen science projects, including promoting these projects.

Total Measures: 47

Total Tracking Forms: 47