

CALIFORNIA COASTAL COMMISSION

45 FREMONT, SUITE 2000
SAN FRANCISCO, CA 94105-2219
VOICE AND TDD (415) 904-5200
FAX (415) 904-5400



TU16b

August 26, 1999

TO: Coastal Commissioners and Interested Public

FROM: Peter M. Douglas, Executive Director
Jeffrey Stump, Legislative Coordinator

SUBJECT: LEGISLATIVE REPORT FOR SEPTEMBER 1999

CONTENTS:

This report provides summaries and the status of bills that affect the Coastal Commission and California's Coastal Program as well as bills that staff has identified as coastal related legislation.

Note:

This information can be accessed through the Commission's World Wide Web Homepage at <http://ceres.ca.gov/coastalcomm/index.html>

Please contact Jeff Stump, Legislative Coordinator, at (415) 904-5266 with any questions on the material contained in this report.

PRIORITY LEGISLATION

AB 18 (Keeley) Villaraigosa-Keeley Safe Neighborhood Parks, Clean Water, and Coastal Protection Bond Act of 2000

AB 18 would authorize the issuance of bonds in the amount of \$2,000,000,000 for the acquisition, development, improvement, rehabilitation, restoration, enhancement, and protection of park, recreational, cultural, historical, fish and wildlife, lake, riparian, reservoir, river, and coastal resources. This bill would require the Secretary of State to submit the bond act to the voters at the November 7, 2000 statewide general election.

Introduced 12/07/98
Last Amend 08/25/99
Status Passed Assembly floor; on Senate floor
Staff Involvement None
Comm. Position **SUPPORT**

AB 64 (Ducheny) Public Beach Restoration Act

AB 64 would establish the California Public Beach Restoration Program, to be administered by the Department of Boating and Waterways, for specified public beach enhancement, restoration, and nourishment purposes. The bill would require the Department and the State Coastal Conservancy to jointly prepare and submit to the Legislature, not later than January 1, 2002, a report detailing the restoration, nourishment, and enhancement activities undertaken through the program, evaluating the need for public beach restoration projects, the effectiveness of the program in addressing that need, and ways to increase natural sediment.

Introduced 12/07/98
Last Amend 07/02/99
Status Passed Assembly floor; passed Senate Natural Resources and Wildlife Committee, referred to Appropriations Suspense File
Staff Involvement None
Comm. Position **SUPPORT**

AB 75 (Strom-Martin) State Agency Recycling

AB 75 would require each state agency on or before March 15, 2000, to develop and adopt, in consultation with the California Integrated Waste Management Board, an integrated waste management program. It would also require each state agency and each large state facility to divert at least 25% of their solid waste generated from landfill or transformation facilities by January 1, 2001, and at least 50% by January 1, 2002. The bill would authorize the board to establish a source reduction, recycling, and composting requirement that would be an alternative to the 50% reduction required under the bill.

Introduced 12/07/98
Last Amend 08/17/99
Status Passed Assembly floor; passed Senate Environmental Quality Committee, referred to Appropriations Suspense File
Staff Involvement None

AB 399 (Wayne) Coastal Development Permits: Finding

AB 399 would require that every coastal development permit issued for any development within the coastal zone include findings pertaining to public access and public recreation policies.

Introduced 02/12/99
Last Amend None
Status This is a two-year bill.
Staff Involvement Working with author to draft legislation and amendments
Comm. Position **SUPPORT**

AB 492 (Wayne) Coastal Resources: Public Access

AB 492 would prohibit state land that is located between the first public road and the sea, or that the commission has formally designated as part of the California Coastal Trail, from being transferred or sold to any private entity, unless the state retains a permanent property interest in the land adequate to provide public access to or along the sea. The prohibition would not apply if the private entity is a nonprofit organization that exists for the purposes of preserving lands for public use and enjoyment, or if the Department of Parks and Recreation or the Coastal Conservancy makes specified findings at a noticed public hearing relating to the transfer or sale of the property.

Introduced 02/18/99
Last Amend 08/16/99
Status Passed Assembly floor; in Assembly for concurrence with Senate amendments
Staff Involvement Worked with author to draft amendments
Comm. Position **SUPPORT**

AB 511 (Wayne) Nonpoint Source Pollution

AB 511 clarifies the Commission's existing authority to address and minimize the adverse impacts of nonpoint source pollution when implementing Coastal Act policies related to coastal public access and recreation, the protection of biological productivity, coastal waters, and sensitive habitat, and new development. The Commission would also be required, not later than January 1, 2001, to prepare and submit to the Governor and the Legislature an annual report on the progress made in implementing the *Polluted Runoff Strategy of the California Coastal Commission*.

Introduced 02/18/99
Last Amend 06/01/99
Status Passed Assembly floor; passed Senate Natural Resources and Wildlife Committee, referred to Appropriations Suspense File
Staff Involvement Worked with author to draft legislation
Comm. Position **SUPPORT**

AB 538 (Wayne) Public Beaches: Bacteriological Standards

AB 538 would require the local permitting authority or appropriate California regional water quality control board, in cooperation with the local health officer, whenever testing reveals that the waters adjacent to a public beach fail to meet those bacteriological standards on 3 testing dates within a four-week period, or on 75% or more of the aggregate tests conducted within a 4-week period, or in certain other described circumstances, to investigate and identify the geographical sources and biological origins of the bacteriological contamination. The bill would require the regional boards to report annually to the State Water Resources Control Board, the department, and the general public on the results of any investigation and subsequent actions performed pursuant to those provisions.

Introduced 02/18/99
Last Amend 08/17/99
Status Passed Assembly floor; passed Senate Environmental Quality and Health and Human Services Committee, referred to Appropriations Suspense File
Staff Involvement None

AB 604 (Jackson) Nonpoint Source Pollution

AB 604 would require the State Water Resources Control Board, on or before January 1, 2002, in consultation with the Commission, the State Department of Health Services, and any other state agencies with authority over nonpoint source pollution, to establish a program strategy and implementation plan and performance goals for targeted management measures and for the remaining management measures, on or before January 1, 2000, or other dates as specified. The bill would make the implementation of these provisions contingent upon a determination by the Department of Finance that there are sufficient federal or state funds available for use by the state board to carry out those requirements.

Introduced 02/19/99
Last Amend 08/18/99
Status Passed Assembly floor; passed Senate Natural Resources and Wildlife Committee, referred to Appropriations
Staff Involvement None
Comm. Position **SUPPORT**

AB 642 (Lempert) Coastal Resources: Wetlands Mitigation and Restoration

AB 642 would establish the California Coastal Wetlands Mitigation Banking and Restoration Act of 2000, which would require the Department of Fish and Game, in cooperation with other responsible federal, state, and local agencies, to adopt regulations that establish standards and criteria for a mitigation bank site qualification process in the coastal zone, the evaluation of wetlands acreage and habitat values created at bank sites, and the operation of bank sites. The bill would permit any person who desires to establish a bank site to apply to the department, and to any other appropriate state department that requires a permit, for a determination that the proposed bank site and the proposed operator qualify under the standards and criteria established by the department.

Introduced 02/23/99
Last Amend 08/18/99
Status This is a 2-year bill
Staff Involvement Reviewing bill, working with author on technical amendments
Comm. Position NEUTRAL

AB 703 (Lempert) Ballast Water Discharges

This bill would require the water board, and, if determined to be appropriate by the board, the regional boards, to carry out a ballast water discharge management program in consultation with the Department of Fish and Game, the State Lands Commission, and the United States Coast Guard. The bill, on and after January 1, 2000, and until December 31, 2001, would prohibit a person from discharging ballast water that was initially loaded from coastal waters outside the Pacific Coast Region into the waters of the state, or into waters that may impact the waters of the states, unless certain requirements are met. The bill, on and after September 1, 2000 January 1, 2002, would prohibit any person from discharging any ballast water into the waters of the state or into waters that may impact the waters of the state unless the discharger has complied with statewide general waste discharge requirements prescribed by the board. The bill would provide that any person discharging ballast water in violation of this division prescribed requirements may be liable civilly.

Introduced 02/24/99
Last Amend 08/18/99
Status Passed Assembly floor; passed Senate Environmental Quality Committee, referred to Appropriations Suspense File
Staff Involvement None

AB 809 (Strom-Martin) Special Environmental Design License Plates: Fund

AB 809 would require one-half of the fees that are currently deposited in the California Environmental License Plate Fund to instead be deposited in the License Plate Coastal Access Account, which the bill would create, in the State Coastal Conservancy Fund of 1984. The bill would require the money in this new account to be available, upon appropriation, to the State Coastal Conservancy for grants to public agencies and nonprofit entities or organizations for specified purposes.

Introduced 02/24/99
Last Amend 05/28/99
Status Passed Assembly floor; passed Senate Transportation and Natural Resources Committees, referred to Appropriations Suspense File
Staff Involvement Worked with author to draft legislation
Comm. Position SUPPORT

AB 848 (Kuehl) Coastal Development Permits: Temporary, Nonrecurring Movie and Television Sets

In order to expedite the processing of an application for a coastal development permit for a motion picture, television, or commercial production project in the coastal zone, AB 848 would allow the governing body of a local government with a certified local coastal program to designate the Commission as the appropriate authority to process and issue a coastal development permit for a temporary, nonrecurring location set, if the production activity, including preparation, construction, filming, and set removal at the site will not exceed 190 days. AB 848 would authorize the executive director of the Commission to schedule for a public hearing and possible action, an appeal of a coastal development permit issued by a local government for a temporary motion picture production project that does not initially comply with all applicable coastal development permit procedural requirements, but that is anticipated to comply fully with those procedural requirements by the time the matter is before the commission on appeal.

Introduced 02/24/99
Last Amend 07/06/99
Status Passed Assembly floor; failed to pass Senate Natural Resources and Wildlife Committee, reconsideration granted
Staff Involvement Working with the author on amendments

AB 885 (Jackson) Coastal Onsite Sewage Treatment Systems

AB 885 would require the State Department of Health Services, on or before January 1, 2001, in consultation with the State Water Resources Control Board, the California Coastal Commission, and the California Conference of Directors of Environmental Health, to adopt, by regulation, statewide performance standards for all onsite sewage treatment systems within the coastal zone. The bill would require all affected onsite sewage treatment systems to comply with the standards no later than January 1, 2003, or 3 years from the date of the adoption of the standards, whichever is earlier.

Introduced 02/25/99
Last Amend 05/13/99
Status This is a 2-year bill.
Staff Involvement None
Comm. Position SUPPORT

AB 989 (Lowenthal) Coastal Development: Notice of Violation

AB 989 would permit the executive director of the commission to file notice of a violation of the Coastal Act if the executive director has determined that real property has been developed in violation of the act. The bill would require a public hearing to be held if the owner submits a timely objection to the filing of the notice of violation, and would require the issuance of a clearance letter if the Commission finds that no violation has occurred. If the Commission determines that a violation has occurred, the bill would require the recordation of the notice of violation with the county recorder in which the real property is located. AB 989 would require the executive director, within 30 days after the final resolution of a violation, to record a notice of rescission with the county recorder indicating that the notice of violation is no longer valid.

Introduced 02/25/99
Last Amend 04/12/99
Status Passed Assembly floor; on Senate floor
Staff Involvement Worked with author to draft legislation
Comm. Position SUPPORT

AB 1000 (House) Eminent Domain: Regulation

AB 1000 would specify that any official act, decision, or regulation of a public entity which restricts the use or impairs the value of private property constitutes an exercise of the power of eminent domain, and shall only be given effect upon the payment to the owner of the private property of just compensation.

Introduced 02/25/99
Last Amend None
Status This is a two-year bill.
Staff Involvement None

AB 1128 (Ackerman) Private Property: Taking

AB 1128 would provide that for the purpose of any law, including any constitutional provision, that requires just compensation for the taking of any private property, that requirement shall apply upon the making of a final decision affecting private property rights. The bill would provide that a final decision, for that purpose, occurs upon the last date that an agency may make or review any agency action prior to the bringing of any action or proceeding in any court to challenge the validity of the agency action. Further, the bill states that upon the existence of any final decision, any person who claims that an agency action entitles the person to just compensation for affected property rights may exercise any administrative or judicial right or remedy to obtain that compensation, separately from any claim relative to the validity of the agency action, and the agency or court shall process the claim for just compensation without regard to the validity of the agency action.

Introduced 02/25/99
Last Amend None
Status This is two-year bill.
Staff Involvement None

AB 1280 (Jackson) Oil and Gas Development: Pipelines

AB 1280 would amend the Coastal Act requiring that all oil extracted from a source located in whole, or in part, under the sea be transported by pipeline to onshore processing and refining facilities, and that all pipelines used to transport this oil utilize the best available technology to ensure maximum protection of public health and safety and of the integrity and productivity of terrestrial and marine ecosystems. This bill would further require that, in addition to all other measures that will maximize the protection of marine habitat and environmental quality, when an offshore well is abandoned or permanently shut down, the best available technology be used to seal and cap a well to prevent any further failure or leakage of oil from the well into the marine environment. The Commission, in conjunction with the State Water Resources Control Board, the State Fire Marshal, the Division of Oil and Gas of the Department of Conservation, and the State Department of Health Services, is also required to conduct a specified inventory and assessment of oil and gas pipelines and, not later than June 1, 2000, to report its findings regarding that inventory and assessment to the Legislature.

Introduced 02/26/99
Last Amend 08/17/99
Status Passed Assembly floor; passed Senate Natural Resources and Wildlife Committee, referred to Appropriations
Staff Involvement Worked with the author on amendments.
Comm. Position **SUPPORT**

AB 1293 (Mazzoni) Coastal Protection: Public Education Programs

AB 1293 would require that the Commission's public education program also include outreach to special groups such as the boating community, and incorporate information on the prevention and reduction of nonpoint source pollution. The bill would provide that, because the actions of people throughout a watershed impact the coast and the ocean, the geographic extent of the commission's education and outreach program shall not be limited to outreach conducted only in the coastal zone. This bill would also authorize the Department of Boating and Waterways to establish a program to provide environmental education to the boating public, with the objective of preventing and reducing boating-related pollution.

Introduced 2/26/99
Last Amend 08/19/99
Status Passed Assembly floor; passed Senate Natural Resources and Appropriations Committees, on Senate floor
Staff Involvement Worked with author to draft legislation
Comm. Position **SUPPORT**

SJR 2 (Alpert) Offshore Oil Leases

This measure would request that President Clinton extend the moratorium on federal offshore leases to certain leases awarded prior to the moratorium or to terminate those leases.

Introduced 01/07/99
Last Amend 07/12/99
Status Passed Senate and Assembly floors; chaptered with Secretary of State
Staff Involvement None

SB 2 (Chesbro) Watershed, Wildlife, and Parks Improvement Bond Act of 2000

SB 2 would authorize the issuance of bonds in the amount of \$854,500,000 for the acquisition, development, improvement, rehabilitation, restoration, enhancement, and protection of park, recreational, cultural, historical, fish and wildlife, lake, riparian, reservoir, river, and coastal resources.

Introduced 12/07/98
Last Amend 03/22/99
Status This is a two-year bill.
Staff Involvement None

SB 48 (Sher) Public Records: Disclosure

SB 48 would allow any person who has been denied access by a state or local government to a public record to appeal that denial to the Attorney General within 20 days of the date of denial and in cases where the agency fails to provide any response. The bill would recommend the Attorney General issue a decision on the appeal within 20 days of the date of the request. If the Attorney General finds that an agency's decision to refuse disclosure was not justified under the California Public Records Act, this bill would allow the Superior Court, in its discretion, to impose a fine on the agency of not less than \$100 for each day that access to the public record was delayed, but not to exceed a total of \$10,000.

Introduced 12/07/98
Last Amend 08/18/99
Status Passed Senate floor; passed Assembly Governmental Organization Committee, referred to Appropriations Suspense File
Staff Involvement Working with the author

SB 57 (Hayden) Coastal, Recreational, and Natural Resources Bond Act of 2000

SB 57 would authorize the issuance of bonds in the amount of \$2,210,000,000 for the purpose of financing a program for the maintenance, expansion, development, or rehabilitation of parks and wildlife, for the protection, restoration, or enhancement of natural resource sites, or for science and environmental education centers, museums, and other facilities. The bill would require the Secretary of State to submit the bond act to the voters at the November 7, 2000, statewide general election. The state Coastal Conservancy would be provided \$200 million for various coastal programs and grants.

Introduced 12/07/98
Last Amend 08/23/99
Status Passed Senate Natural Resources and Wildlife Committee; passed Assembly Natural Resources, re-referred to Appropriations
Staff Involvement None
Comm. Position Support

SB 74 (Murray, Sher) Parks, Coastal, Recreational, and Natural Resources Bond Act of 2000

SB 74 would establish the Murray-Hayden Urban Parks, Environmental Cleanup, and Youth Service Act, which would provide funding for various projects and programs to develop parks, recreation, and youth service centers, and establish youth service projects. The bill would require all state agencies to cooperate in carrying out the provisions of the act by providing advice and assistance to those departments that have primary responsibility for implementing a program or project under the act.

Introduced 12/07/98
Last Amend 04/15/99
Status This is a two-year bill.
Staff Involvement None

SB 110 (Peace) Energy Conservation, Power Facility and Site Certification, Notice of Intention

SB 110 would eliminate the requirement that electric utilities' 5- and 12-year forecasts established by the Energy Commission serve as the basis for the planning and certification of electric transmission and thermal power plant facilities. Various changes with respect to the information required in an Application for Certification and in the commission's written decision concerning the application are made by this bill. The bill would require the Secretary of the Resources Agency, by January 1, 2001, to review the facility certification program to determine whether that program meets specified criteria for state regulatory programs under the CEQA.

Introduced 12/15/98
Last Amend 08/19/99
Status Passed Senate floor; passed Assembly Natural Resources and Utilities and Commerce Committees; referred to Appropriations
Staff Involvement Working with the author on amendments

SB 153 (Haynes) Property Owner Rights Act of 1999

SB 153 would require public agencies to minimize the number of agency actions that may significantly impair the use of private property. Under this bill, every public agency is required to conduct a private property taking impact analysis prior to taking any agency action that may significantly impair the use of private property. Furthermore, this bill would require an exaction or mitigation measure, imposed by a public agency as a condition to a discretionary act, to have a direct relationship to the public burdens imposed by, and to be roughly proportional in nature and extent to the impact of, the proposed activity.

Introduced 01/07/99
Last Amend None
Status This is a two-year bill.
Staff Involvement None
Comm. Position **OPPOSE**

SB 221 (Alpert) Oil Spill Prevention

Existing law, the Lempert-Keene-Seastrand Oil Spill Prevention and Response Act, prohibits the operation of a nontank vessel of 300 gross registered tons or greater in the marine waters of the state unless the owner or operator prepares and submits an oil spill contingency plan to the administrator for oil spill response and the plan is approved. SB 221 would authorize the administrator to establish a lower standard of financial responsibility for nontank barges that is not less than the expected costs from a reasonable worst-case oil spill into marine waters.

Introduced 01/25/99
Last Amend 07/08/99
Status Passed Senate Environmental Quality and Senate Judiciary Committees, referred to Appropriations
Staff Involvement None

SB 227 (Alpert) Water Quality: Nonpoint Source Pollution

SB 227 would require the state board, on or before January 1, 2001 and in consultation with the regional boards, to prepare, implement and enforce of a detailed program for the purposes of implementing the state's nonpoint source management plan pursuant to Sections 303 and 319 of the Clean Water Act, Section 6217 of the federal Coastal Zone Act Reauthorization Amendments of 1990. The state board would be required, commencing on or before February 1, 2001, and in consultation with the commission, to prepare and submit a nonpoint source pollution control management report with prescribed components.

Introduced	01/25/99
Last Amend	07/15/99
Status	Passed Senate floor; passed Assembly Water, Parks, and Wildlife and Natural Resources Committees, referred to Appropriations Suspense File
Staff Involvement	Worked with author to draft legislation
Comm. Position	SUPPORT

SB 241 (Alpert) California Endowment for Marine Preservation

SB 241 would establish the California Endowment for Marine Preservation, to be governed by a board of directors, in order to create a permanent source of funding for projects that will enhance the quality, use, and enjoyment of the open coastal marine resources of the state. The bill would also require each owner and operator of certain offshore oil platforms or production facilities, who receives government permits that allow the platform or facility to remain in place, to deposit an unspecified amount with the endowment.

Introduced	01/26/99
Last Amend	None
Status	This is a two-year bill.
Staff Involvement	Working with author

SB 243 (McPherson) Recreational Property: Development Fees

SB 243 would require the State Board of Control to allow a claim for reasonable attorney's fees incurred by an owner of any interest in real property or a public entity as a defendant in a civil action seeking to restrict or prevent public access through the property if the owner or public entity gives permission to the public to enter the property pursuant to a specified agreement. The bill would limit the total sum of the claim for attorney's fees to \$200,000 per fiscal year. This bill would also require that moneys in the Coastal Access Account derived from the filing fees be continuously appropriated without regard to fiscal year to, and expended by, the Coastal Conservancy for grants to public agencies and private nonprofit entities or organizations.

Introduced	01/26/99
Last Amend	08/17/99
Status	Passed Senate floor; passed Assembly Natural Resources and Judiciary Committees, referred to Appropriations Suspense File
Staff Involvement	Worked with author on amendments
Comm. Position	SUPPORT

SB 300 (Poochigian) Governmental Liability: Permits

SB 300 would provide that a state agency is liable to a private property owner for a temporary taking of the owner's real property if the agency is responsible for a delay in the issuance of a development permit affecting the use of the real property, and the delay is the result of a final decision of the agency that is later determined by a court to be legally erroneous. The bill would also provide that a delay that occurs as a result of the normal development approval process or as a result of litigation challenging a final decision by a state agency constitutes a temporary taking under those provisions if the final decision of the state agency is later determined by a court to be legally erroneous.

This bill would also declare that it is intended to supersede the holding of the California Supreme Court in *Landgate, Inc. v. California Coastal Com.*, 17 Cal. 4th 1006, with regard to any claim arising on or after its effective date.

Introduced	02/03/99
Last Amend	None
Status	Failed to Pass Senate Judiciary Committee (reconsideration granted)
Staff Involvement	Testified in Committee
Comm. Position	OPPOSE

SB 551 (McPherson) Local Agencies: Building and Zoning Ordinances

SB 551 would add building and zoning ordinances incorporated in any local coastal plan to those ordinances that do not apply under existing law to the location or construction of facilities for the production, generation, storage, or transmission of water, wastewater, or electrical energy or to electrical substations in an electrical transmission system which receives electricity at less than 100,000 volts.

Introduced	02/19/99
Last Amend	None
Status	Author dropped bill.
Staff Involvement	None

SB 1065 (Bowen) Public Records: Electronic Format

SB 1065 would require any agency that has information that constitutes an identifiable public record in an electronic format to make that information available in an electronic format, when requested by any person. The bill would require the agency to make the information available in any electronic format in which it holds the information.

Introduced	02/26/99
Last Amend	04/27/99
Status	Passed Senate; on Assembly floor
Staff Involvement	None

SB 1244 (O'Connell) Coastal Resources: Oil and Gas Development

The California Coastal Act of 1976, requires that oil and gas development be permitted in accordance with specified requirements if specified conditions are met. SB 1244 would authorize oil and gas development to be permitted in accordance with specified requirements if the applicant for a permit for that development can demonstrate that the development can be performed safely and is consistent with the geologic conditions of the well site.

Introduced	02/26/99
Last Amend	None
Status	This is a two-year bill.
Staff Involvement	None

COASTAL-RELATED LEGISLATION

AB 680 (Lempert) Oil Spill Prevention: Nonmarine Waters

Under the existing Lempert-Keene-Seastrand Oil Spill Prevention and Response Act, it is a crime to, among other things, knowingly engage in or cause the spill or discharge of at least one barrel of oil into marine waters, and the intentional or negligent spill or discharge of that quantity of oil into marine waters is also subject to specified civil penalties. AB 680 would make such a spill or discharge of oil into nonmarine waters of the state on or after January 1, 2000, subject to criminal and civil penalties. The bill would require specified factors to be considered in determining the amount of criminal, civil, or administrative penalties to be imposed for such a spill or discharge. The bill would specify that the act does not apply to a discharge or spill of oil to groundwater or dry land, unless a specified amount of the oil enters the surface water.

Introduced	02/23/99
Last Amend	08/23/99
Status	Passed Assembly floor; passed Senate Natural Resources, referred to Appropriations
Staff Involvement	None

AB 730 (Dickerson) Watershed Protection

AB 730 would require the Secretary of the Resources Agency to carry out a watershed management and rehabilitation program to restore watersheds in the state. The bill would declare the intent of the Legislature to annually appropriate an unspecified amount of money to the Resources Agency to carry out the program.

Introduced	02/24/99
Last Amend	None
Status	This is a two-year bill.
Staff Involvement	None

AB 928 (Brewer) Upper Newport Bay Ecological Reserve Maintenance and Preservation Fund: Appropriation

Existing law establishes the Upper Newport Bay Ecological Reserve Maintenance and Preservation Fund in the State Treasury and appropriates \$200,000 annually from the General Fund to the fund for expenditure by the Department of Fish and Game for purposes relating to the maintenance and preservation of the Upper Newport Bay Ecological Reserve. AB 928, until January 1, 2005, would appropriate an additional \$200,000 from the General Fund to the maintenance and preservation fund for expenditure by the department for those purposes.

Introduced	02/25/99
Last Amend	05/28/99
Status	Passed Assembly floor; referred to Senate Natural Resources and Wildlife Committee, held for interim study
Staff Involvement	None

AB 993 (Shelley) Marine Resources: Sea Life Conservation Act

AB 993 would require the Department of Fish and Game to prepare a study report and other relevant analyses and recommendations to guide the siting process and the development of the Marine Life Protection Program. The bill would require the department to convene a master plan team to advise and assist in the preparation of a master plan, as specified. The bill would require the department to submit a draft of the master plan to the commission on or before January 1, 2002, and the final master plan on or before April 1, 2002. The bill would require the department, on or before July 1, 2001, to convene in each biogeographical region, siting workshops composed of interested parties, to review the alternatives for MPA networks and to provide advice on a preferred siting alternative

Introduced	02/25/99
Last Amend	08/24/99
Status	Passed Assembly floor; passed Senate Natural Resources and Wildlife Committee, referred to Appropriations Suspense File
Staff Involvement	None

AB 1179 (Frusetta) Wetlands Protection: Legislative Findings and Declarations

AB 1179 would make legislative findings and declarations relating to the importance of protecting and restoring wetlands in the state.

Introduced 02/25/99
Last Amend None
Status This is a two-year bill.
Staff Involvement None

AB 1210 (Strom-Martin) Marine Resources: Commercial Fishing: Bodega Marine Life Refuge

AB 1210 would authorize the Director of Fish and Game to appoint the Director of the Bodega Marine Life Refuge. It would also specify the authority of the marine life refuge director. The bill would make it unlawful to enter the marine life refuge for specified purposes without authorization, or to anchor or moor a vessel in the refuge without authorization. This bill would impose landing receipt requirements on certain commercial fishermen, as specified, including maintaining an accurate tally sheet of sales and recording the total of daily sales at the completion of sales for that day on a landing receipt as an alternative to making a landing receipt for each individual sale.

Introduced 02/26/99
Last Amend 08/17/99
Status Passed Assembly floor; passed Senate Natural Resources and Wildlife Committee, referred to Appropriations
Staff Involvement None

AB 1219 (Kuehl) Land Use: Water Supply

AB 1219 would require that the water supply assessment process under the Planning and Zoning Law be linked to the land use planning to enhance coordination between public water systems and land use agencies as development projects proceed from planning to the construction process. It would also require the public water system to prepare a statement containing the most current water supply assessment, to be used by the city or county as a condition for approval of a subdivision map application. The bill would also require a city or county to disapprove a subdivision map application if the public water system concludes that water supplies are insufficient and that it is unreasonable to acquire additional water supplies, unless the city or county makes specified findings based on substantial evidence and imposes specified conditions.

Introduced 02/26/99
Last Amend 04/07/99
Status This is a two-year bill.
Staff Involvement None

AB 1239 (Leonard) Safe Drinking Water, Clean Water, Flood Prevention, and Water Supply Act

AB 1239 would authorize, for purposes of financing a safe drinking water, flood protection, and water quality, and water supply program, the issuance, pursuant to the State General Obligation Bond Law, of bonds in the amount of \$2,050,000,000. The bill would require the Secretary of State to submit the bond act to the voters at the March 7, 2000, statewide direct primary election.

Introduced 02/26/99
Last Amend None
Status This is a two-year bill.
Staff Involvement None

SB 394 (McPherson) Aquatic Nuisance Species

Existing law contains provisions designed to prevent the introduction and spread of aquatic nuisance species, as defined, into any river, estuary, bay, or coastal area through the exchange of ballast water of vessels prior to entering those waters. It also requires operators of all vessels that have the capacity to take on or discharge ballast water to complete a ballast water control report form as a condition of using the waters of this state. These provisions are to be repealed on January 1, 2000.

This bill would extend these provisions until January 1, 2004.

Introduced	02/12/99
Last Amend	04/26/99
Status	Chapters by Secretary of State. Chapter 185, Statutes of 1999.
Staff Involvement	None

SB 413 (Burton) Water Resources Bond Act of 2000

SB 413 would authorize, for purposes of financing a safe drinking water, water quality, water supply, and flood protection program, the issuance, pursuant to the State General Obligation Bond Law, of bonds in the amount of \$ _____. The bill would require the Secretary of State to submit the bond act to the voters at the _____ 2000 statewide election.

Introduced	02/12/99
Last Amend	None
Status	This is a two-year bill.
Staff Involvement	None

SB 680 (O'Connell) Land and Water Conservation

SB 680 would require the Secretary of the Resources Agency to implement a program under which qualified property may be contributed to the state, any local government, or to any nonprofit organization designated by a local government in order to provide for the protection of wildlife habitat, open space, and agricultural lands.

Introduced	02/24/99
Last Amend	08/16/99
Status	Passed Senate floor; passed Assembly Natural Resources and Revenue and Taxation Committees, referred to Appropriations Suspense File
Staff Involvement	None

SB 755 (Hayden) California Environmental Quality Act

SB 755 would make various amendments to the California Environmental Quality Act including, but not limited to, the following: when making a finding of overriding benefit, a potential increase in the public agency's revenues may not be the sole factor in finding a valid overriding benefit; if a master environmental impact report is prepared, the master environmental project shall be certified prior to a lead agency's approval of any phase of the project and; prohibit a city or county from approving a development agreement without prior or concurrent compliance with the act. The bill would also authorize a lead agency to refuse to approve a project if the applicant willfully made a material misrepresentation or false statement in the application or during the environmental review process for the project

Introduced	02/24/99
Last Amend	08/16/99
Status	Passed Senate floor; passed Assembly Natural Resources, referred to Appropriations Suspense File
Staff Involvement	None

SB 1057 (Johannessen) Environmental Quality: Land Acquisitions

SB 1057 would prohibit the categorical exemption of a project, pursuant to CEQA, that includes the acquisition of land for the purpose of fish and wildlife conservation or habitat establishment, preservation, restoration, or enhancement.

Introduced	02/26/99
Last Amend	None
Status	Failed passage in Senate Environmental Quality Committee; reconsideration granted
Staff Involvement	None

SB 1088 (Poochigian) Watershed Management

SB 1088 would authorize state and local agencies to undertake a watershed management program. The bill would require the state agency or local agency undertaking the watershed management program to provide a general public notice and assemble a stakeholder planning team consisting of specified members. It would prescribe procedures for the adoption of the program and require the agency adopting the program to consider protests to the adoption and implementation of the program. Finally, SB 1088 would require state and local projects to be consistent with a watershed management program adopted pursuant to the act.

Introduced	02/26/99
Last Amend	04/05/99
Status	This is a two-year bill.
Staff Involvement	None

SB 1164 (Mountjoy) Public Lands Protection Act

This bill would enact the Public Lands Protection Act, which, until January 1, 2008, would prohibit steep slopes on undeveloped private property in Los Angeles County from being developed or used for any purpose other than agriculture, grazing, or low-density residential use, or from being rezoned to allow development at a higher level of residential density use, unless the proposed rezoning for alternative development or use is summarized in a proposal that is submitted to the voters in a local ballot measure, and approved by a majority of the voters voting thereon. The bill would prohibit the rezoning of any portion of undeveloped private property that is zoned for low-density residential use as of January 1, 2000, without voter approval

Introduced	02/26/99
Last Amend	05/10/99
Status	This is a two-year bill.
Staff Involvement	None

SB 1281 (Chesbro) Department of Boating and Waterways: State and Local Agencies

SB 1281 would appropriate \$69,751,030 from the General Fund to the Director of Boating and Waterways for allocation for the 1999-2000 fiscal year to local port and harbor agencies and state and local agencies for purposes of meeting local matching share requirements for federal navigation projects, as specified. The bill would express legislative intent with respect to the funding of projects of specified local port and harbor agencies and state and local agencies in the period extending from July 1, 2000, to June 30, 2004, inclusive.

Introduced	02/26/99
Last Amend	05/03/99
Status	This is a two-year bill.
Staff Involvement	None