

CALIFORNIA COASTAL COMMISSION

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**T-21**

April 11, 2006

TO: Coastal Commissioners and Interested Public

FROM: Peter M. Douglas, Executive Director
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SUBJECT: LEGISLATIVE REPORT FOR APRIL 2006

CONTENTS: This report provides summaries and 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: Information contained in this report is accurate as of 3/30/06. Changes in the status of some bills may have occurred between the date this report was prepared and the presentation date. Current status of any bill may be checked by visiting the California Senate Homepage at www.sen.ca.gov. This report can also be accessed through the Commission's World Wide Web Homepage at www.coastal.ca.gov

Legislative Calendar

*Some deadlines may be waived by a majority vote of the Rules Committee

Jan. 1	Statutes take effect
Jan. 4	Legislature reconvenes
Jan. 10	Budget must be submitted by Governor
Jan. 13	Last day for policy committees to hear and report to Fiscal Committees
Jan. 20	Last day for any committee to hear and report 2005 bills introduced in their house
Jan. 27	Last day to submit bill requests to Office of Legislative Counsel
Jan. 31	Last day for each house to pass 2005 bills introduced in their house
Feb. 24	Last day for bills to be introduced
Apr. 6	Spring Recess begins
Apr. 17	Legislature reconvenes
May 19	Last day for policy committees to meet prior to June 5
May 26	Last day for Fiscal Committees to hear and report 2005 bills introduced in their house
May 26	Last day for Fiscal Committees to meet prior to June 5
May 30	Through June 2—Floor Session only. No committees may meet
June 2	Last day for bills to be passed out of house of origin
June 5	Committee meetings may resume
June 15	Budget must be passed by midnight
June 29	Last day for a legislative measure to qualify for the general election ballot
June 30	Last day for policy committees to meet and report bills
July 7	Summer Recess begins at the end of session if Budget Bill has been enacted
Aug. 7	Legislature reconvenes
Aug. 18	Last day for Fiscal Committees to meet and report bills to the Floor
Aug. 25	Last day to amend bills on the Floor
Aug. 31	Last day for each house to pass bills. Final Recess begins at end of session
Sept. 30	Last day for Governor to sign or veto bills passed by the Legislature before Sept. 1

PRIORITY LEGISLATION

AB 782 (Mullin) Redevelopment: project area

This bill would amend the Health and Safety Code to eliminate antiquated subdivisions as a criterion for declaring “blight” in a redevelopment area.

Introduced	02/18/05
Last Amended	01/04/06
Status	Senate Local Government Committee

AB 1165 (Bogh) Energy Resources: energy agency reorganization

This bill would abolish the State Energy Resources and Conservation Commission, the California Consumer Power and Conservation Financing Authority, and the Electricity Oversight board. It would create the Department of Energy, headed by a Secretary of Energy, and would create the California Energy Commission and the Office of Energy Market Oversight within the department. The secretary would be appointed by, and hold office at the pleasure of, the Governor, subject to confirmation by the Senate. The bill would authorize the Governor to appoint members as proscribed by the bill.

Introduced	02/18/05
Last Amended	08/31/05
Status	Senate Energy, Utility and Commerce Committee

AB 1679 (Mullin) Department of Transportation: property transfer

This bill would permit Caltrans to lease approximately 30 acres of land in San Mateo County, originally purchased as a future alignment for the Devil’s Slide Bypass, to the Montara Water and Sanitary District for water resources, and passive public recreation. The bill would also require Caltrans to offer the District right of first refusal for purchase, when and if Caltrans determines the property to be “surplus.”

Introduced	02/22/05
Last Amended	01/11/06
Status	Referred to Assembly Transportation and Housing Committee

AB 1940 (Koretz) Environment: marine debris

This bill would add Section 30327 to the Public Resources Code, directing the Coastal Commission to take additional steps, within its existing resources, to address marine debris. These additional steps include but are not limited to the following: Increase public outreach and educations; Coordinate with public agencies, including local governments, to reduce marine debris; Convene a multi-agency task force for the purpose of implementing a statewide effort to reduce marine debris.

Introduced	02/01/06
Status	Referred to Assembly Natural Resources Committee
Position	Support if Amended

AB 2299 (Harman) California Coastal Act: Aquaculture

This bill would amend Section 30411 of the Coastal Act relating to the requirement for the Department of Fish and Game to prepare a programmatic EIR for existing and potential aquaculture operations. The bill would specify that any private industry funds expended for preparation of the report prior to 2007, including in-kind contributions and materials, would count as matching funds, and would appropriate \$300,000 from the general fund to complete the EIR. Note: This section is proposed for repeal by SB 201 (Simitian).

Introduced	02/22/06
Status	Assembly Water, Parks & Wildlife Committee

AB 2388 (Vargas) Power plants

This bill would provide for the establishment of a Chief Deputy Director for the Department of Parks and Recreation.

Introduced 02/24/06
Status Assembly Water, Parks & Wildlife Committee

AB 3028 (Laird) Parks and recreation

This bill would provide for the establishment of a Chief Deputy Director for the Department of Parks and Recreation.

Introduced 02/24/06
Status Assembly Rules Committee

AB 3031 (Houston) Seismic retrofit projects

This bill would exempt Caltrans seismic retrofit projects from certain provisions of CEQA and the Coastal Act by re-instating recently sunsetted provisions of the Streets and Highways Code.

Introduced 02/24/06
Status Assembly Transportation and Natural Resources Committees

SR 20 (Florez) Relative to tribal gaming

This resolution would require the Senate to adopt a new rule prohibiting the ratification of Indian gaming compacts that authorize Indian casinos on non-tribal lands. The rule would have exempted any compacts that have been negotiated and executed by the Governor prior to September 30, 2005, thus allowing the relocation of the Big Lagoon Rancheria in Humboldt County to the City of Barstow. Committee amendments on 2/28 removed the exemption for Big Lagoon, but the resolution failed passage.

Introduced 01/04/06
Last Amended 02/28/06
Status Failed passage, Senate Governmental Organization Committee. Reconsideration granted.

SB 153 (Chesbro) California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2006

This bill would authorize \$3,945,000,000 in General Obligation bonds for the purpose of financing the acquisition, development and preservation of parks, coastal, recreational, cultural and agricultural lands, and other clean air and water projects as specified. The Senate Natural Resources Committee report to the Conference Committee includes \$10 million for grants to local governments for LCP updates, \$250 million for the State Coastal Conservancy for coastal projects and acquisitions, \$100 million for the Ocean Protection Council for grants, \$350 million for the Wildlife Conservation Board for habitat acquisitions, and \$100 million for easements for “working landscapes.” No specific projects or acquisitions are enumerated.

Introduced 02/15/05
Last Amended 09/02/05
Status Assembly Appropriations Committee.

SB 201 (Simitian) Marine finfish aquaculture: Sustainable Oceans Act

This bill would prohibit any person from engaging in finfish aquaculture without a permit from the Fish and Game Commission. It would also require that a final programmatic EIR prepared for a coastal marine finfish aquaculture project and approved by the Fish and Game Commission includes an analysis of specific impacts, and that it ensures that marine finfish aquaculture is managed in an environmentally sustainable manner. The bill would set specific standards for finfish aquaculture leases, including monitoring requirements and management practices. The bill limits finfish aquaculture to species native to California. This bill deletes Section 30411 (c) from the Coastal Act, which requires the Department of Fish and Game to prepare a programmatic EIR for existing and potential commercial aquaculture operations, and incorporates that requirement into the new standards.

Introduced 02/22/05
Last Amended 03/23/06
Status Assembly Appropriations Committee

SB 306 (Campbell) Property transactions: Sunset Ridge Park

This bill would permit the director of the Department of Parks and Recreation to lease the property known as Sunset Ridge Park to the City of Newport Beach, without monetary remuneration, for a period not to exceed 25 years. The purpose of this bill is to allow the City to fund and construct needed improvements, such as trails, benches, passive recreation areas and habitat restoration. This bill would also require the City to comply with applicable storm water waste discharge requirements issued by the Santa Ana Water Quality Control Board or the State Water Resources Control Board.

Introduced 02/16/05
Last Amended 04/27/05
Status Assembly Appropriations Committee, Suspense File.

SB 426 (Simitian) Renewable energy

This bill would require the California Energy Commission to conduct a statewide needs assessment that analyzes the state's projected need for natural gas, including Liquefied Natural Gas, as part of a public process. This bill would also require the Energy Commission, in consultation with the Coastal Commission and other state agencies, to conduct a comparative analysis of the currently proposed sites to assess their relative merits as they relate to public health, environmental constraints and other impacts. Recent amendments clarify that the Federal Energy Bill of 2005 does not abrogate the State's property rights with respect to LNG facilities, and sets specific findings that must be made in furtherance of the Federal Deepwater Port Act of 1974 that would apply to the Governor's decision to disapprove a license to construct an LNG application.

Introduced 02/17/05
Last Amended 08/31/05
Status Senate Unfinished Business

Commission Position Support

SB 1003 (Escutia)

This bill would designate the California Energy Commission as the only state agency with permitting authority over Liquefied Natural Gas (LNG) terminals in California. This bill is double-joined with SB 426 (Simitian).

Introduced 02/15/05
Last Amended 07/13/05
Status Assembly Appropriations Committee.

Commission Position Neutral

SB 1024 (Perata) Public works and improvements: bond measure

This bill would enact the Safe Facilities, Improved Mobility, and Clean Air Bond Act of 2005 to authorize an unspecified amount in state general obligation bonds for specified purposes, including the state transportation improvement program, passenger rail improvements, levee improvements, flood control, port infrastructure and security projects, trade corridors of significance, emissions reduction projects, environmental enhancement projects, transit-oriented development, transportation needs in cities, counties, and housing, regional growth, and infill development purposes, subject to voter approval. This bill would require the Secretary of State to submit the proposed bond measure to the voters at the November 7, 2006 election.

Introduced	02/22/05
Last Amended	01/26/06
Status	In Assembly

SB 1434 (Kuehl) Ocean Protection

This bill would authorize the Ocean Protection Council to hire a science advisor and an executive policy officer.

Introduced	02/22/05
Last Amended	03/27/06
Status	Senate Appropriations Committee

SB 1843 (Committee on Natural Resources) California Coastal Act

This bill would make technical, non-substantive changes to the Coastal Act, delete obsolete sections, and make other conforming changes to the statute.

Introduced	03/07/06
Status	Senate Natural Resources Committee

Please contact Sarah Christie, Legislative Coordinator, at (916) 445-6067 with any questions on material contained in this report.