

CALIFORNIA COASTAL COMMISSION

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**W6c**

DATE: JUNE 12, 2019

TO: Coastal Commission and Interested Persons

FROM: John Ainsworth, Executive Director
 Sarah Christie, Legislative Director

SUBJECT: LEGISLATIVE REPORT FOR JUNE, 2019

CONTENTS: This report provides summaries and status of bills affecting the Coastal Commission and California's Coastal Program, and coastal-related legislation identified by staff.

Note: Information contained in this report is accurate as of 06/03/2019. Bills added since the previous month's report are marked by an *asterisk. Recent amendments are summarized in *italics*. Bill text, votes, analyses and current status of any bill may be viewed on the California Legislature's Homepage at <http://leginfo.legislature.ca.gov/>. This report can also be accessed through the Commission's Homepage at www.coastal.ca.gov

 2019 Legislative Calendar

Jan 1	Statutes take effect.
Jan 7	Legislature reconvenes.
Jan 10	Budget Bill must be submitted by Governor.
Jan 21	Martin Luther King, Jr. Day
Jan 25	Last day to submit bill requests to Office of Legislative Counsel.
Feb 22	Last day for bills to be introduced.
March 30	Cesar Chavez Day observed.
April 11	Spring Recess begins upon adjournment.
April 22	Legislature reconvenes from Spring Recess.
April 26	Last day for policy committees to hear and report fiscal bills.
May 3	Last day for policy committees to hear and report non-fiscal bills introduced in their house.
May 10	Last day for policy committees to meet prior to June 4.
May 17	Last day for fiscal committees to hear and report to the Floor bills introduced in their house.
May 27	Memorial Day
May 28-31	Floor session only
May 31	Last day for each house to pass bills introduced in that house.
June 3	Committee meetings may resume.
June 15	Budget Bill must be passed by midnight.
July 10	Last day for policy committees to hear and report fiscal bills.
July 12	Last day for policy committees to meet. Summer Recess begins upon adjournment.
Aug 12	Legislature reconvenes from Summer Recess.
Aug 30	Last day for fiscal committees to meet and report bills.
Sept 2	Labor Day
Sept 3-13	Floor session only
Sept 6	Last day to amend bills on the Floor.
Sept 13	Last day for Legislature to pass bills. Interim Recess begins upon adjournment.
Oct 13	Last day for Governor to sign or veto bills.

PRIORITY LEGISLATION

AB 62 (Fong) State government: Fi\$Cal: transparency

This bill would require the state’s Fi\$Cal system to include a publicly accessible, interactive website that discloses specified information relating to all state expenditures, including the amount, type and description of expenditures, a brief description of its purpose, and entity making the expenditure. *Amendments of 03/28/19 make technical, non-substantive changes.*

Introduced 12/03/18
Last Amended 03/28/19
Status Assembly Accountability & Administrative Review Committee

AB 63 (Fong) State government

This bill would require state agencies to provide forms on the internet for individuals to register complaints relating to the performance of that agency, with instructions on how to electronically file or mail their complaints to the agency. The forms would include an A, B, C, D, F, grading system for individuals to rate their experiences. *Amendments of 04/03/19 specify that the bill only applies to agencies that provide direct services to the public.*

Introduced 12/03/18
Last Amended 04/03/19
Status Assembly Appropriations Committee, Suspense File. Held under Submission

AB 65 (Petrie-Norris) Coastal protection: climate adaptation: project prioritization

This bill would require the State Coastal Conservancy to prioritize Proposition 68 funds for projects that use natural infrastructure to help with adaptation to climate change, as well as those that provide multiple public benefits, including protection of communities, natural resources and recreational opportunities. *Amendments of 03/18/19 add a definition of the term “natural infrastructure,” and authorize the Conservancy to provide technical assistance to communities to assist them with natural infrastructure projects.*

Introduced 12/03/18
Last Amended 03/18/19
Status Senate Natural Resources and Water Committee

AB 68 (Ting) Land use: accessory dwelling units

This bill would shorten the time limit for a local government to approve or deny a permit application for an Accessory Dwelling Unit (ADU) and Junior Accessory Dwelling Units (JADUs) from 120 days to 60 days from receipt of a completed application; prohibit an ordinance from imposing limits on minimum lot size, lot coverage, or floor area ratio beyond certain specifications; and allow for the application of more than one ADU or Junior ADU associated with a single family or multi-family dwelling. The bill would give the Department of Housing and Community Development authority to review local ordinances relating to Accessory Dwelling Units (ADUs) and submit written findings to a local government as to whether the ordinance meets state standards, and to notify the Attorney General if the ordinance violates state law. In response, the local government may either amend its ordinance or adopt a resolution stating the reasons the ordinance is already in compliance. *Amendments of 04/03/19 would prevent a local agency from issuing a certificate of occupancy for an ADU before issuing a certificate of occupancy for the primary residence.*

Introduced 12/03/18
Last Amended 04/03/19
Status Senate Rules Committee

AB 69 (Ting) Land use: accessory dwelling units

This bill would require the Department of Housing and Community Development authority to develop “small home building standards” for ADUs and detached dwelling units less than 800 sf., and junior accessory dwelling units, and submit those proposed standards to the California Building Standards Commission by January 1, 2021. *Amendments of 04/04/19 make technical, non-substantive changes.*

Introduced 12/03/18
Last Amended 04/04/19
Status Senate Rules Committee

AB 129 (Bloom) Microfiber pollution

This bill states it is the intent of the Legislature to enact legislation recognizing the emerging threat that microfibers pose to water quality and reducing the amount of microfibers that enter the environment. *Amendments of 03/25/19 would require the public and private entities that use a laundry system to install a microfiber filtration capture system by 2020 and 2021, respectively, and would require the State Water Resources Control Board to adopt methods for evaluating microfiber shedding and filtration efficiency.*

Introduced 12/04/18
Last Amended 03/25/19
Status Assembly Environmental Safety & Toxic Materials Committee

AB 209 (Limón) Parks: environmental education: grant program

This bill would require the Department of Parks and Recreation to establish the Outdoor Equity Grants Program, to increase the availability of outdoor education programs to underserved and at-risk populations. The bill would establish the California Outdoor Equity Account in the State Parks and Recreation Fund, and would allow the fund to receive private funds as well as funds appropriated by the Legislature.

Introduced 01/14/19
Status Senate Rules Committee

AB 255 (Limón) Parks: Coastal resources: oil spills: grants

This bill would authorize the Oil Spill Response (OSPR) administrator to offer grants to Native American Tribes and other public entities with jurisdiction over waters of the state for the purpose of providing oil spill response equipment. Current law only provides for grants to local governments.

Introduced 01/23/19
Status Senate Natural Resources and Water Committee

AB 467 (Boerner Horvath) Competitions on state property: prize compensation: gender equity

This bill would require specified state agencies, including the Coastal Commission, to include conditions on any permit or lease issued for a competition held on state land to ensure equal prize money between gendered categories at each participant level. *Amendments on 04/10/19 added co-authors.*

Introduced 02/11/19
Last amended 04/10/19
Status Senate Natural Resources and Water Committee

***AB 516 (Chiu) Authority to remove vehicles**

This bill would amend the Vehicle Code to eliminate the existing authority of a peace officer or public employee from towing or immobilizing a vehicle with 5 or more unpaid parking tickets, or a registration that is expired by more than 6 months, or that has been left standing for 72 hour or more in violation of a local ordinance.

Introduced 02/28/19
Last amended 05/01/19
Status Senate Transportation; Public Safety Committees

AB 552 (Stone) Coastal Adaptation, Access, and Resilience Program

This bill would create the Coastal Adaptation, Access and Resilience Fund in the State Treasury for the purpose of funding actions by the California Coastal Commission, the Natural Resources Agency, the Ocean Protection Council, the Department of Parks and Recreation, and the State Coastal Conservancy to address sea level rise and climate change. Funds would be subject to appropriation by the Legislature. The source of the funds would be not less than 30% of state tidelands revenues collected by the State Lands Commission. *Amendments of 4/30/19 add the State Lands Commission to the list of agencies that would receive money from the Fund.*

Introduced 02/13/19
Last Amended 04/30/19
Status Senate Rules Committee

Commission Position Support

AB 825 (Mullin) San Mateo County Flood and Sea Level Rise Resiliency District

This bill would rename and expand the authority of the San Mateo County Flood Control District, by creating the San Mateo County Flood and Sea Level Rise Resiliency District. The district would have the authority to issue general revenue bonds, and levy tax assessments on all taxable property within the district to pay for the interest on the bonds. The bill would grant rights of way in, over and across public lands for the construction and maintenance of protective works, subject to SLC approval. *Amendments of 4/10/19 clarify that nothing in the act supersedes or in any way alters or lessens the effect or application of the Coastal Act.*

Introduced 02/20/19
Last Amended 04/10/19
Status Senate Rules Committee

AB 931 (Petrie-Norris) State and local boards and commissions: appointments

This bill would establish state and local boards and commissions to be comprised of a specified minimum of female appointees. Relevant to the Coastal Commission, this bill would require at least 50% of the appointed members to be women. *Amendments of 04/22/19 limit the scope of the bill to local boards and commissions in cities with a population of 50,000 or more.*

Introduced 02/20/19
Last Amended 04/22/19
Status Assembly Appropriations Committee, Suspense File

AB 1011 (Petrie-Norris) Coastal resources: waiver of filing fees

This bill would authorize the Commission to waive the permit fee for a non-profit organization seeking to undertake a project that provides public access to coastal resources or habitat restoration.

Introduced 02/21/19
Last Amended 03/18/19
Status Senate Natural Resources and Water Committee

Commission Position Support

AB 1040 (Muratsuchi) Protection of cetaceans: unlawful activities

This bill would make it unlawful to hold in captivity any cetacean, whether wild-caught or captive-bred, for any purpose including display, performance of entertainment. The bill would make it unlawful to breed or impregnate any cetacean in captivity. The bill would allow any cetacean held in captivity prior to a specified date to lawfully remain in captivity for educational purposes.

Introduced 02/21/19
Status Assembly Water, Parks & Wildlife Committee

AB 1080 (Gonzalez) California Circular Economy and Plastic Pollution Reduction Act

This bill would enact the California Circular Economy and Plastic Pollution Reduction Act, which would require the Department of Resources Recycling and Recovery (CalRecycle), in consultation with the State Water Resources Control Board and the Ocean Protection Council to develop a scoping plan for reducing plastic pollution in California by the year 2030 through source reduction, recycling and composting. AB 1080 is a companion to SB 54 (Allen). The two bills are identical in their current forms. *Amendments of 03/19/19 add additional specificity to the Department’s proposed regulations, including identification of single-use packaging materials for reduction actions; criteria for source reduction requirements, minimum post-consumer recycled content requirements; and processes for annual reporting by businesses. Amendments of 05/07/19 extend the deadline for the adoption of regulations from 01/01/21 to 01/01/23; expand the bill to include manufacturers and retailers; and require the department to develop a scoping plan for achieving the bill’s objectives prior to adopting regulations. Amendments of 05/22 substantially revise the bill to establish that it is a policy goal of the state that manufacturers and retailers reduce single-use packaging and products by 75% by the year 2030, transition to reusable products and packaging to the maximum extent practicable; and that single use packaging and products must be recyclable or compostable by specified dates. The amendments would narrow the scope of CalRecycle’s regulatory authority to “priority single use plastic products” which are defined in the bill as single-use packaging and the 10 most commonly littered single-use plastic products in California. The Department would be required to adopt regulations to implement the policy. The bill would also extend the deadline by two years for manufacturers to demonstrate a 40% recycling rate by 2028.*

Introduced 02/21/19
Last Amended 05/22/19
Status Senate Rules Committee
Position Support

AB 1300 (Kamlager-Dove) State Coastal Conservancy: Explore the Coast Program

This bill would establish the Explore the Coast Program within the State Coastal Conservancy. The program would require the Conservancy, when awarding grants to non-profit organizations, public agencies and Native American Tribes for the purpose of achieving program goals, to prioritize projects that provide students and youth the opportunity to visit the coast for the first time.

Introduced 02/22/19
Last Amended 03/28/19
Status Assembly Appropriations Committee, Suspense File

[AB 1426 \(Boerner Horvath\) State beaches: San Onofre State Beach: report on encroaching state or local agency infrastructure project](#)

This is a spot making non-substantive changes to Public Resources Code Section 30522, related to the certification of local coastal programs. *Amendments of 03/25/19 amend the bill to require the State Parks to report to legislative policy committees about any proposed state or local agency infrastructure project that would interfere with the operation of San Onofre State Beach.*

Introduced 02/22/19
Last Amended 03/25/19
Status Assembly Appropriation Committee, Suspense File. Held under Submission

[AB 1511 \(Bloom\) Coastal resources: Santa Monica Bay Restoration Commission](#)

This bill would transfer the responsibility of providing administrative services to the Santa Monica Bay Restoration Commission from the State Water Resources Control Board to the State Coastal Conservancy, pursuant to a MOU between the Natural Resources Agency, the Environmental Protection Agency, and the SMBR Commission. The purpose of the bill is to support the restoration and enhancement of the Santa Monica Bay and its watershed.

Introduced 02/22/19
Last Amended 03/26/19
Status Senate Rules Committee

[AB 1585 \(Boerner Horvath\) Accessory dwelling units](#)

This is a spot making non-substantive changes Government Code Section 65852.2, related to accessory dwelling units (ADUs).

Introduced 02/22/19
Status Assembly First Reading

[*AB 1628 \(Rivas\) Environmental justice: Attorney General: Bureau of Environmental Justice](#)

This bill would modify the definition of environmental justice in Government Code Section 65040.12 (e) to include meaningful engagement. The bill would also codify the Bureau of Environmental Justice within the Attorney General's office as a permanent state entity, state the intent of the Legislature to support funding for the bureau, and expand the Office of Planning and Research Director's agency coordination and consultation role to include the bureau.

Introduced 02/22/19
Status Senate Environmental Quality Committee, Senate Judiciary Committee
Commission Position **[Recommend Support, Analysis Attached](#)**

AB 1644 (Levine) Coastal resources: scientific advice and recommendations: agriculture

This bill would include agriculture among the specified issues on which the Coastal Commission may receive technical advice and recommendations with respect to its decisions. *Amendments of 04/29/19 revise PRC Section 30006.5 to remove reference to “the question” of sea level rise.*

Introduced 02/22/19
Last Amended 04/29/19
Status Senate Rules Committee
Commission Position Support

AB 1680 (Limón) State Coastal Conservancy: coastal access

This bill would direct the Coastal Commission, in consultation with the State Coastal Conservancy, Department of Parks and Recreation, and the State Lands Commission to develop a new public access plan for Hollister Ranch in Santa Barbara County by April 1, 2020. The bill would specify plan components. If the plan is not completed by the deadline, the State Lands Commission would be required to implement the Coastal Commission’s 1982 public access program as expeditiously as possible.

Introduced 02/22/19
Last Amended 03/25/19
Status Senate Rules Committee
Commission Position Support

AB 1718 (Levine) State parks: state coastal beaches: smoking ban

This bill would make it an infraction for any person to smoke on a state coastal beach or a unit of the state park system, or to dispose of cigarette or cigar waste on a state coastal beach or unit of the system. The bill would require the Department of Parks and Recreation to post signs providing public notice of the restriction.

Introduced 02/22/19
Status Senate Rules Committee

AB 1731 (Boerner Horvath) Short term rentals: coastal zone

This bill would amend the Business and Professions Code to require a hosting platform that offers short-term vacation rentals to be responsible for collecting and remitting local transient occupancy taxes (TOT). The bill would also authorize a hosting platform to make a residentially zoned property within the coastal zone available as a short-term rental 365 days per year, provided that the primary resident lives on site full-time. The bill would prohibit the listing of a short-term rental for more than 30 days per year of any residential property in the coastal zone, unless the primary resident makes the property available as a short-term rental in accordance with the Lower Cost Coastal Accommodations Program administered by the State Coastal Conservancy. *Amendments of 05/02/19 delete the reference to the State Coastal Conservancy's lower-cost overnight accommodations program; limit the provisions of the bill to residentially zoned properties in urbanized areas of San Diego County's coastal zone; establish a sunset date of January 1, 2025; clarify that the bill does not apply to campgrounds, cabins, RV parks, hotels or motels; and require the Office of Planning and Research to prepare a report that evaluates the effect of the bill during that time with regard to housing availability and long-term rental rates.*

Introduced 02/22/19
Last Amended 05/02/19
Status Senate Rules Committee

AB 1749 (Boerner Horvath) Coastal resources: development permits

This is a spot bill that would make non-substantive changes to Public Resources Code Section 30624, relating to the issuance of coastal development permits.

Introduced 02/22/19
Status Assembly First Reading

AB 1785 (Boerner Horvath) Transportation: North County Transit District

This bill would have made non-substantive changes to the Public Utilities Code, related to the San Diego Regional Transportation Consolidation Act. *Amendments of 03/28/19 gutted and amended the original bill to allow a railroad owner or operator, or a local government entity through which a railroad passes, to file a special motion to strike a cause of action seeking damages for an incident occurring on a railroad right of way that is open to the public.*

Introduced 02/22/19
Last Amended 03/28/19
Status Assembly Judiciary Committee

SB 4 (McGuire) Housing

This bill states the intent to enact legislation that would limit restrictive local land use policies that contribute to increased housing costs, and also to encourage increased housing development near transit and job centers, in a manner that acknowledges relevant differences between communities. The bill would provide incentives for multifamily, Transit Oriented Development (TOD) as defined, on eligible parcels within cities and counties with unmet housing needs, including a streamlined, ministerial application process, a categorical CEQA exemption, and extended deadlines for permit expiration. These provisions would not apply in high fire hazard areas, flood plains, historic or architectural districts or the coastal zone. These provisions would not apply on any site that would require the demolition of deed-restricted affordable housing, rent-controlled housing, housing occupied by tenants within the previous 10 years, or any historic structure on a local, state or national register. The bill would require that TODs meeting specified thresholds be constructed by a skilled and trained workforce. *Amendments of 04/10/19 eliminate the previous references to local fees charged for water/sewer connection fees, multifamily projects, and fees charged by school districts. The bill adds a statement of Legislative Intent to reduce unreasonable fees on small housing developments.*

Introduced 12/03/18
Last Amended 04/10/19
Status Senate Environmental Quality Committee

SB 5 (Beall) Affordable Housing and Community Development Investment Program

This bill would establish the Local-State Sustainable Investment Incentive Program, and the Sustainable Investment Incentive Committee to oversee it. The purpose of the Program would be to incentivize the construction of more affordable and transit-oriented housing. The Program would authorize local governments and various other public local agencies to support affordable housing plans. Funds would be available via tax increment through a redistribution of educational revenue augmentation funds (ERAF), which the bill would authorize through direction to county auditors. Relevant to the Coastal Commission, one eligible use of the funding would be for coastal communities dealing with the effects of sea level rise, including the construction, repair, replacement and maintenance of infrastructure related to protecting communities from sea level rise. *Amendments of 05/21 expand the category of eligible projects to include infrastructure related to protecting communities from climate change, not just sea level rise.*

Introduced 12/03/18
Last Amended 04/24/19
Status Assembly Rules Committee

SB 6 (Beall) Residential development: available land

This bill would require the Department of General Services to develop a publicly searchable database containing information on a list of local land that is suitable and available for residential development as identified in a housing element of a general plan. *Amendments of 04/23/19 require local governments to submit an electronic copy the inventory of land suitable for residential development to the Department of Housing and Community Development for any housing element adopted after January 1, 2021. The bill would also authorize the Department to review, adopt, amend and repeal the forms, standards and definitions necessary to implement.*

Introduced 12/03/18
Last Amended 04/23/19
Status Assembly Rules Committee

SB 8 (Glazer) State parks: state coastal beaches: smoking ban

This bill would make it an infraction to smoke tobacco products on a state coastal beach or a unit of the State Parks system, or to dispose of tobacco-related waste in anything other than an appropriate waste receptacle, punishable by a fine of \$25. The bill would require the Department of Parks and Recreation to post signs providing notice of the prohibition.

Introduced 12/03/18
Status Assembly Rules Committee

SB 13 (Wieckowski) Accessory dwelling units

This bill makes several changes to the Government Code and the Health and Safety Code pertaining to Accessory Dwelling Units (ADUs). Changes include:

- Limits ADUs to lots with an existing or proposed single family dwelling.
- Prohibits local governments from requiring additional parking for an ADU that demolishes an existing garage, carport or covered parking structure.
- Prohibits local governments from requiring owner-occupancy of one of the residential units.
- Reduces the length of time to review and approve a ministerial ADU application from 120 days to 60 days for local governments that have not yet adopted an ADU ordinance. If not approved within 60 days, the application shall be deemed approved.
- Requires that ADUs cannot be restricted by ordinance to less than 800 sf.
- Limits the amount of connection fees that can be imposed for a new residential dwelling.
- Allows the owner of an ADU that receives an enforcement order to correct violations or abate nuisances to request a 10-year delay in correction of the violations provided they aren't necessary to protect public health and safety.
- Renumbers the Coastal Act "savings clause" that specifies nothing in this section shall supersede or lessen the effect of the Coastal Act.

Amendments of 05/17/19 prohibit a local agency from establishing minimum square footage for attached or detached ADUs that prohibits an efficiency unit; and from establishing a maximum square footage for an ADU that is less than 850 sf., or 1,000 sf for a unit with more than one-bedroom.

Introduced 12/03/18
Last Amended 05/17/19
Status Assembly Rules Committee

SB 45 (Allen) Wildfire, Drought and Flood Protection Bond Act of 2020

This bill would enact the Wildfire, Drought and Flood Protection Bond Act of 2020 in the amount of \$4,300,000,000, \$300 million of which would be available for coastal resources, \$300 million for protecting rivers, lakes and streams, and \$150 million for improving regional climate resilience in General Obligation bonds to finance projects to restore fire-damaged areas, reduce wildfire risks, promote healthy forests and watersheds, reduce climate impacts on vulnerable populations, protect water supply and water quality, protect rivers, lakes, and streams, reduce flood risk, protect fish and wildlife from climate impacts, improve climate resilience of agricultural lands, and protect coastal lands and resources. *Amendments of 04/04/19 make technical, non-substantive changes.*

Introduced 12/03/18
Last Amended 04/04/19
Status Senate Appropriations Committee. Hearing cancelled at author’s request.

SB 50 (Wiener) Planning and zoning: housing development: incentives

This bill would waive local density maximums and parking minimums greater than 0.5 spaces per unit, and provide other incentives for residential development project proposed within a ½-mile radius of a major transit stop. A major transit stop is defined as a site containing an existing transit station or a ferry terminal served by a bus or transit service. The bill specifies that it shall not be construed to relieve a local agency from complying with the Coastal Act of 1976. *Amendments of 03/11/19 make additional definitions in the “Equitable Communities Incentives” section of the bill; require the Department of Housing and Urban Development to publish map showing areas identified by the Department as “housing rich areas” and update it every 5 years; set the application of in-lieu fees for local governments that have not adopted an inclusionary housing ordinance; and set the term of affordability deed restrictions to 55 years for rental units and 45 years for sale units. Amendments of 05/01/19 would specify that the provisions of the bill would not apply in a Coastal Zone within a city of less than 50,000 population.*

Introduced 12/03/18
Last Amended 05/01/19
Status Senate Appropriations Committee, Suspense File. Two-year bill.

SB 53 (Wilk) Open meetings

This bill would clarify that any advisory committee or subcommittee of a multi-member state board, commission or committee is subject to the Bagley-Keene Open Meetings Act if it is comprised of 2 or more members, if one of those members represents that state body in their official capacity. This bill has an urgency clause.

Introduced 12/10/18
Last Amended 03/05/19
Status Assembly Governmental Organization Committee

SB 54 (Allen) California Circular Economy and Plastic Pollution Reduction Act

This bill would enact the California Circular Economy and Plastic Pollution Reduction Act, which would require the Department of Resources Recycling and Recovery (CalRecycle), in consultation with the State Water Resources Control Board and the Ocean Protection Council to develop a scoping plan for reducing plastic pollution in California by the year 2030 through source reduction, recycling and composting. AB 1080 is a companion to AB 1080 (Gonzalez). The two bills are identical in their current forms. *Amendments of 03/19/19 add additional specificity to the Department’s proposed regulations, including identification of single-use packaging materials for reduction actions; criteria for source reduction requirements, minimum post-consumer recycled content requirements; and processes for annual reporting by businesses. Amendments of 05/07/19 extend the deadline for the adoption of regulations from 01/01/21 to 01/01/23; expand the bill to include manufacturers and retailers; and require the department to develop a scoping plan for achieving the bill’s objectives prior to adopting regulations. Amendments of 05/22 substantially revise the bill to establish that it is a policy goal of the state that manufacturers and retailers reduce single-use packaging and products by 75% by the year 2030, transition to reusable products and packaging to the maximum extent practicable; and that single use packaging and products be recyclable or compostable by specified dates. The amendments would narrow the scope of CalRecycle’s regulatory authority to “priority single use plastic products” which are defined in the bill as single-use packaging and the 10 most commonly littered single-use plastic products in California. The Department would be required to adopt regulations to implement the policy. The bill would also extend the deadline by two years for manufacturers to demonstrate a 40% recycling rate by 2028.*

Introduced	12/11/18
Last Amended	05/22/19
Status	Assembly Rules Committee
Position	Support

SB 62 (Dodd) Endangered species: accidental take associated with routine and ongoing agricultural activities: state safe harbor agreements

This bill would make permanent a temporary exception in the California Endangered Species Act for the otherwise unlawful “take” of an endangered species if accidentally committed in the context of routine, ongoing agricultural activities. The bill would also require the reporting of any such take within 10 days. The bill would also extend the Safe Harbor Act from January 1, 2020, to January 1, 2024. The Safe Harbor Act encourages landowners to voluntarily manage lands to benefit endangered, threatened or candidate species without being subject to additional regulatory requirements as a result of their efforts. *Amendments of 03/19/19 extend the provisions of the bill to individual farmers, ranchers, and their bona fide employees.*

Introduced 01/03/19
Last Amended 04/03/19
Status Assembly Water Parks and Wildlife Committee

SB 67 (McGuire) Cannabis: temporary licenses

This bill would allow for the reinstatement of an expired, temporary license issued by the Department of Food and Agriculture for a commercial cannabis operation, provided that the licensee submits a completed application and application fee. The temporary license would be revoked after the department issues an annual or provisional license, or denies the application for same. This bill has an urgency clause, and if enacted, will take effect immediately.

Introduced 01/08/19
Last Amended 03/21/19
Status Assembly Agriculture Committee, Business & Professions Committee

SB 69 (Wiener) Ocean Resiliency Act of 2019

This bill amends multiple codes including the Public Resources Code, Fish and Game Code, Public Health Code, and Water Code to address issues related to fisheries, ocean acidification, timber harvest plans, vessel speeds in the Santa Barbara Channel and San Francisco Bay, marine invasive species, and other topics. The bill would also require various studies and reports related to wetlands, beneficial reuse of dredged materials, low-trophic mariculture, and the potential for kelp and native oyster reefs to sequester carbon. The bill would require the State Air Resources Board to develop a voluntary speed reduction program to reduce air pollution, whale strikes and harmful underwater acoustics in the Santa Barbara Channel and San Francisco Bay; require the Natural Resources Agency to conduct an inventory of the state’s coastal wetlands, updated every 5 years; require the State Coastal Conservancy to develop a beneficial reuse program for dredged sediments in coastal restoration projects; and require the Ocean Protection Council to submit a report to the Legislature. *Amendments of 04/29/19 delete the requirement for the Department of Fish and Wildlife to conduct a survey of all dams in all rivers frequented by fish every five years. Amendments of 05/17 remove Sections related to: timber harvest plans; low-trophic mariculture; an ocean acidification working group; the Water Quality Monitoring Council; ballast water control technology; and amendments to the California Ocean Plan.*

Introduced 01/09/19
Last Amended 05/17/19
Status Senate Rules Committee

SB 140 (Stern) Specialized license plates: The Endless Summer

This bill would require the State Coastal Conservancy, in consultation with the California Highway Patrol, to develop a specialized license plate with the image of a surfer to fund projects and programs that promote exposure to surfing, its cultural heritage, and the coastal resources on which it depends.

Introduced 01/17/19
Status Senate Appropriations Committee, Suspense File. Held under Submission

SB 168 (Wieckowski) Climate change: Chief Climate Resilience Officer

This bill would establish the position of Chief Climate Resilience Officer in the Office of Planning and Research, and require the preparation of guidance documents for statewide integration of adaptation and resiliency measures. *Amendments of 04/11/19 specify that guidance documents must include projected economic and fiscal impacts. Amendments of 05/17 specify that the appointment is subject to Senate confirmation.*

Introduced 01/28/19
Last Amended 05/17/19
Status Assembly Rules Committee

SB 241 (Moorlach) Personal Income Tax: California Voluntary Contribution Program

As amended April 22, this bill would repeal the expiration dates for the California Firefighters Memorial Fund and the California Peace Officers Memorial Fund personal income tax check-offs, thereby allowing those funds to remain on the California income tax return forms indefinitely. The bill would also substantially revise the procedure for inclusion of not-for-profit organizations on the annual tax forms, making it a fee-based application to the Franchise Tax Board limited to charitable organizations as defined in the bill. In order to be eligible, a charitable organization must average at least \$100,000 in gross receipts, be registered as a Charitable Trust with the State Attorney General's Office, and have submitted 3 years of annual returns with the Franchise Tax Board.

Introduced 02/11/19
Last Amended 04/29/19
Status Senate Appropriations Committee, Suspense File. Held under Submission
Commission Position Oppose

SB 262 (McGuire) Commercial fishing: landing fees: sea cucumbers

This bill would amend the Fish and Game Code to extend the sunset for the current sea cucumber commercial fishery program to April 1, 2030, and set the landing fee rate schedule for 2019. *Amendments of 03/18/19 make minor, non-substantive changes to the bill.*

Introduced 02/12/19
Last Amended 03/18/19
Status Assembly Water, Parks and Wildlife Committee

SB 332 (Hertzberg) Wastewater treatment: recycled water

This bill would amend the Water Code to declare that the discharge of treated wastewater from ocean outfalls is a waste and unreasonable use of water. The bill would require wastewater treatment facilities to reduce annual discharge volumes by at least 50% by January 1, 2030, and by at least 95% by January 1, 2040. The bill would subject operators to a civil penalty of \$2,000 per acre foot of water above the required reduction. *Amendments of 4/30/19 modify various deadlines within the bill.*

Introduced 02/19/19
Last Amended 04/30/19
Status Senate Appropriations Committee, Suspense File. Held under Submission

***SB 424 (Jackson) Tobacco products: single-use and multiuse components**

This bill would prohibit the sale or distribution in California of any cigarette with a single-use filter, single-use electronic cigarette or an attachable single-use filter. The bill would authorize a city attorney, county counsel or District Attorney to assess a \$500 civil fine for violation. The bill would also require manufacturers of tobacco products to use recyclable materials for their products sold in California, or provide a take back or mail back program for non-recyclable components.

Introduced 02/21/19
Last amended 05/17/19
Status Assembly Rules Committee

SB 518 (Wiekowski) Public Records Act: court costs and attorneys fees

This bill would require a public agency that improperly withholds public records subject to the Public Records Act to pay court costs and attorney's fees to the plaintiff even if a settlement offer is made and accepted prior to judgement, notwithstanding Section 998 of the Code of Civil Procedures.

Introduced 02/19/19
Last Amended 04/30/19
Status Assembly Rules Committee

***SB 551 (Jackson) Oil and gas: decommissioning, cleanup and remediation: costs**

This measure would require the Division of Oil, Gas and Geothermal Resources (DOGGR) to develop a mechanism to assess the full cost of decommissioning, cleanup and remediation of oil and gas infrastructure, including pipelines, pump facilities and storage facilities.

Introduced 01/22/19
Last amended 05/17/19
Status Senate Floor, Third Reading

SB 576 (Umberg) State Coastal Conservancy: coastal climate change adaptation

As amended April 23, this bill would require the State Coastal Conservancy to develop and implement a climate adaptation and readiness program that would include collaboration and coordination with the Office of Planning and Research, California State University Long Beach, various state conservancies and other entities to recommend best practices and strategies for improving climate resiliency for coastal communities, infrastructure and habitat. The bill would also require the Conservancy to participate in, facilitate or host an international conference on coastal climate change every two years, in cooperation with the Natural Resources Agency, the Ocean Protection Council, and other relevant state agencies. *Amendments of 05/21 would require the Conservancy to recommend best practices and strategies to improve coastal climate resiliency, and collaborate with academia, scientists and NGOs to facilitate climate change-related information sharing.*

Introduced 02/22/19
Last amended 05/21/19
Status Assembly Rules Committee

SR 12 (Jackson) 50th anniversary of the Santa Barbara Oil Spill

This measure commemorates the 50th anniversary of the offshore oil spill in Santa Barbara on January 8, 1969, and honors the efforts of environmental leaders who worked to achieve stronger protections for coastal resources as a result.

Introduced 01/23/19
Status Enrolled

SR 32 (Jackson) Coastal resources

This measure establishes the Senate’s support for the federal Coastal Zone Management Act, and its opposition to any federal actions that would weaken California’s federal consistency review authority.

Introduced 04/11/19
Status Senate Natural Resources and Water Committee

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**BILL ANALYSIS****AB 1628 (Rivas)**

As Introduced 02/22/2019

SUMMARY

Assembly Bill 1628 would amend the definition of Environmental Justice in Government Code Section 65040.12(e) to include a reference to meaningful engagement. The new definition would read:

(e) For purposes of this section, “environmental justice” means the fair treatment *and meaningful engagement* of people of all races, cultures, and incomes with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies.

The bill would also establish the Legislature’s support for establishing the Bureau of Environmental Justice in the Attorney General’s Office as a permanent state entity. The Office of Planning and Research, as the coordinating agency for all state governmental environmental justice programs, would be required to consult with the Bureau.

RECOMMENDED MOTION

I move the Commission **Support** AB 1628, and I recommend a **Yes** vote.

PURPOSE OF THE BILL

The purpose of the bill is to broaden the definition of environmental justice to ensure that state agencies take the necessary steps to engage with disadvantaged communities of color in a meaningful way, and to assist the Attorney General secure the necessary resources to fund the establishment of a permanent environmental justice bureau within the agency.

According to the author, “AB 1628 supports the Attorney General’s Bureau of Environmental Justice in its efforts to protect vulnerable communities from environmental hazards, and adds ‘meaningful engagement’ to make sure all voices are heard.”

EXISTING LAW

Government Code Section 6040.12(a) establishes the Governor’s Office of Planning and Research as the coordinating agency in state government for environmental justice programs. The Director of State Planning and Research is required to consult with specified entities, including the Natural Resources Secretary and the Secretary for Environmental Protection.

Public Resources Code 30013 establishes that in order to advance the principles of environmental justice and equity, Government Code Section 6040.12(a) applies to the Coastal Commission and all other public agencies implementing the Act.

PROGRAM BACKGROUND

In 2016, AB 2616 (Ch. 578, Stats of 2016) amended the Coastal Act to cross reference the existing definition of environmental justice in the Government Code; added the definition in Public Resources Code Section (PRC 30107.3); established that the Coastal Commission may consider environmental justice in permit decisions and appeals (PRC 30604(h)); and specified that one of the Governor's appointees shall reside in and work directly with communities with diverse racial and ethnic populations who are disproportionately burdened by high levels of pollution and issues of environmental justice (PRC 30301(f)).

On March 8, 2019, the Coastal Commission adopted an Environmental Justice Policy, to inform the implementation of the Commission's new authority. The goal of the Policy is to provide guidance and clarity for Commissioners, staff, and the public. The Policy is intended to integrate the principles of environmental justice, equality, and social equity into all aspects of the Commission's program and operations, and to ensure public confidence in the Commission's mission, process, and commitment to coastal equity.

To develop the Policy, Commission staff spent more than a year meeting with and listening to environmental justice stakeholders, including community groups, social justice leaders, and public agencies with established environmental justice programs. Staff contacted over 100 groups and individuals, by email, phone and in person. The agency formed an internal environmental justice team with staff members in every district office to serve as local points of contact, participated in racial equity and environmental justice trainings, attended community meetings, collaborated with sister agencies, created a dedicated webpage and email address, hosted webinars, developed an environmental justice newsletter and listserv, and reviewed all three drafts of the policy in detail with engaged stakeholders. The process underscored the importance of meaningful engagement with communities who will be most directly affected by the implementation of the Policy.

In 2018, Attorney General Xavier Becerra established the Bureau of Environmental Justice within the DOJ's Environment Section, to facilitate improved enforcement of environmental laws in disadvantaged communities. The Bureau is tasked with protecting people and communities from pollution and public health hazards through investigation and enforcement of the law. According to the Attorney General's Office, the Bureau will focus on: 1) Ensuring compliance with the California Environmental Quality Act and land use planning laws; 2) Remediating contaminated drinking water; 3) Eliminating or reducing exposure to lead and other toxins in the environment and consumer products; 4) Challenging the federal government's actions that repeal or reduce public health and environmental protections; and, 5) Penalizing and preventing illegal discharges to air and water from facilities located in communities already disproportionately burdened with pollution.

ANALYSIS

Historic inequalities, as well as California's growing population, changing demographics, socio-economic forces, judicial decisions, and policy choices have and continue to shape development patterns, land use decisions and population shifts that widen the disparity gap. Not only is equitable access to the coast for all Californians essential, so is protecting coastal natural

resources for future generations. To fulfill the agency's mission of protecting and preserving coastal resources for all people, the Commission is committed to fully integrating the concepts principles of environmental justice into all of its decisions, policies, and programs to achieve more meaningful engagement, equitable process, effective communication, and stronger coastal protection benefits that are accessible to everyone. Expanding the definition of environmental justice to explicitly include meaningful engagement is consistent with the Commission's overall commitment to ensure that the values of coastal protection and the policies of the Coastal Act are implemented equitably for all Californians. AB 1628 will ensure that meaningful engagement is at the forefront of all state efforts to address environmental justice.

AB 1628 also seeks to improve statewide coordination across multiple agencies and support effective enforcement of environmental laws in disadvantaged communities by codifying the establishment of the Bureau of Environmental Justice within the Department of Justice. This would establish the Bureau as a permanent state entity, and ensure that the program maintains continuity across successive administrations. This will have the effect of bringing additional equity to the enforcement of environmental laws statewide, including in the coastal zone.

SUPPORT

California Environmental Justice Alliance
Center for Community Action and Environmental Justice
Center for Race, Poverty and the Environment
Communities for a Better Environment
County of Santa Cruz
Leadership for Justice and Accountability
Physicians for Social Responsibility
PODER

OPPOSITON

None on file.

RECOMMENDED POSITION

Staff recommends the Commission **Support** AB 1628.

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