

CALIFORNIA COASTAL COMMISSION

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DATE: October 07, 2020

TO: Coastal Commission and Interested Persons

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

SUBJECT: LEGISLATIVE REPORT FOR OCTOBER, 2020

CONTENTS: This report provides summaries and status of chaptered 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 10/04/2020. 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

2020 Legislative Calendar

Jan 1	Statutes take effect
Jan 6	Legislature reconvenes
Jan 10	Budget Bill must be submitted by Governor
Jan 17	Last day for policy committees to hear fiscal bills
Jan 20	Martin Luther King, Jr. Day
Jan 24	Last day to submit bill requests to Office of Legislative Counsel
Jan 31	Last day for each house to pass bills introduced in 2019
Feb 17	Presidents Day
Feb 21	Last day for bills to be introduced
March 27	Cesar Chavez Day observed
April 2	Spring Recess begins upon adjournment
April 13	Legislature reconvenes from Spring Recess
April 24	Last day for policy committees to hear and report fiscal bills
May 4	Assm reconvenes from Joint Recess
May 11	Senate reconvenes from Joint Recess
May 22	Last day for Assm policy committees to meet for fiscal bills
May 25	Memorial Day
May 29	Last day for Assm policy committees to meet for 1 st House non-fiscal bills. Last day for Senate policy committees to meet for 1 st House fiscal bills.
June 1	Committee meetings may resume
June 5	Last day for Assembly fiscal committees to report 1 st House bills to the Floor. Last day for Senate policy committees to hear and report non-fiscal bills
June 15	Budget Bill must be passed by midnight
June 19	Last day for Assembly to pass 1 st House bills. Last day for Senate fiscal committees to hear and report Senate Bills to the Floor. Assembly Summer Recess begins upon adjournment
June 26	Last day for Senate to pass 1 st House bills
July 2	Summer Recess begins upon adjournment
July 27	Legislature reconvenes from Summer Recess
Aug 14	Last day for Assembly policy committees to meet and report bills
Aug 18	Last day for Senate policy committees to meet and report bills
Aug 21	Last day for fiscal committees to meet and report bills
Aug 24-31	Floor session only
Aug 24	Last day to amend bills on the Floor
Aug 31	Last day for each house to pass bills. Session adjourns at midnight
Sept 30	Last day for the Governor to sign or veto bills

PRIORITY LEGISLATION: ASSEMBLY BILLS

[ACA 5 \(Weber\) Government Preferences](#)

This bill would repeal Proposition 209, a constitutional amendment passed by the voters in 1996. Prop 209 prohibits the state from discriminating against, or giving preferential treatment to, any individual or group on the basis of race, sex, color, ethnicity, or national origin in public employment, education or contracting. It invalidated a series of state laws intended to rectify and remedy the under-representation of people of color and women in the workplace and educational institutions.

Introduced	01/18/19
Last Amended	05/04/20
Status	Chaptered
Commission Position	Support

[AB 69 \(Ting\) Land use: accessory dwelling units](#)

This bill has been gutted and amended from a bill to create “small home building standards” to a bill to create the “Help Homeowners Add New Housing Program” for accessory dwelling unit financing. The bill would require the California Housing Finance Agency to issue revenue bonds in an amount determined by the Treasurer, for the purpose of creating a state-backed lending program to induce private lenders to issue loans to home owners for the construction of additional residential units, including ADUs on their properties, with the goal of adding 50,000 additional housing units on single-family properties within 5 years.

Introduced	12/03/18
Last Amended	07/30/19
Status	Vetoed. <u>Veto Message Here</u>

AB 1426 (Boerner Horvath) Public resources: San Onofre State Beach: road construction

This bill would codify the 2016 consent decree in the Orange County Toll Road decision, by statutorily prohibiting the Transportation Corridor Authority (TCA) or any similar entity from constructing a "major thoroughfare" thru a specified area (generally, the proposed toll road route), and would restrict any road building activities to those that primarily serve visitors. It would not preclude Caltrans from any future widening of Hwy 5. *Amendments of 06/17 require that any new road be consistent with the Orange County Southern Subregion Habitat Conservation Plan (HCP).*

Introduced 02/22/20

Last Amended 06/17/20

Status Chaptered. Chapter 168, Statutes of 2020

AB 1788 (Bloom) Pesticides: use of second-generation rodenticides

This bill would prohibit the use of second generation anti-coagulant rodenticides, with certain exceptions, until the Director of the Department of Pesticide Regulations (DPR) concludes a re-evaluation in consultation with the Department of Fish and Wildlife (CDFW) and adopts any additional restrictions necessary to ensure that the products will not result in significant adverse effects to non-target wildlife. The bill would exempt from its provisions the use of second generation anticoagulant by any governmental agency employee for public health activities, use by a mosquito or vector control district to protect the public health, use for the eradication of nonnative invasive species inhabiting or found to be present on offshore islands in a manner that is consistent with all otherwise applicable federal and state laws and regulations, use to control an actual or potential rodent infestation associated with a public health need, and use for research purposes.

Introduced 02/22/20

Last Amended 08/28/20

Status Chaptered. Chapter 250, Statutes of 2020

[AB 1949 \(Boerner Horvath\) Fisheries: California Ocean Resources Enhancement and Hatchery Program](#)

This bill would expand the existing Ocean Resources Enhancement and Hatchery Program, administered by the Department of Fish and Wildlife, in the following ways:

- Changes the focus of the program from research into how hatchery-raised fish can enhance certain desirable, impacted species to include any desirable marine species.
- Changes the focus of the program from research into how hatchery-raised fish can enhance certain desirable, impacted species to include research and understanding of hatchery operations and benefits.
- Allows the Department to contract with any public or private entity, as opposed to existing law which is limited to private non-profits conducting relevant research.
- Makes changes to the appointment of the advisory council.

Amendments of 06/03 clarify that volunteers cannot displace state employees.

Amendments of 08/20 would repeal the program on January 1, 2028.

Introduced 01/17/20

Last Amended 08/20/20

Status Chaptered. Chapter 345, Statutes of 2020

[AB 2172 \(Petrie-Norris\) State highways: Route 133: relinquishment](#)

This bill would authorize the California Transportation Commission to relinquish a 3.4-mile section of Highway 133 (Laguna Canyon Road) in coastal zone, adjacent to Crystal Cove State Park in the City of Laguna Beach.

Introduced 02/11/20

Status Chaptered. Statutes of 2020, Chapter 126

[AB 2809 \(Mullin\) BCDC: Suisun Marsh Preservation Act of 1977](#)

This bill would require BCDC to create and implement procedures for reviewing staff decisions in enforcement cases, a method for assessing civil penalties in cases involving multiple violations, establish timelines for resolving cases, and a matrix for assessing fines and civil penalties. The bill would also authorize BCDC to record a Notice of Violation (NOV) against properties subject to enforcement actions. It would prevent any funds deposited into the Bay Fill Clean-up and Abatement Fund from being used to pay for staff salaries of enforcement actions. The bill would also require BCDC to review all local protection programs under the Suisun Marsh Preservation Act every 5 years, beginning in 2025. *Amendments of 5/18 strike the provision authorizing BCDC to record a notice of violation on properties that are subject to an enforcement order, and the provision prohibiting the Commission from using the Abatement Fund to pay for staff salaries.*

Introduced 02/20/20
Last Amended 05/18/20
Status Chaptered. Chapter 220, Statutes of 2020

[AB 3214 \(Limon\) Oil and gas: oil spills: fines and penalties](#)

This bill would double the maximum and minimum fines for discharging or spilling oil into the waters of the state, or knowingly fail to clean up, abate or remove spilled oil. Current fines are not less than \$2,500 or more than \$250,000 per day for a first conviction, and not less than \$5,000 or more than \$500,000 per day for a second conviction.

Introduced 02/21/20
Last Amended 08/13/20
Status Chaptered. Statutes of 2020, Chapter 119

SENATE BILLS

[SB 1301 \(Hueso\) Tijuana River Valley: binational watershed management plan](#)

As amended, this bill would require the California Natural Resources Agency and the California EPA and their subsidiary departments to collaborate in the creation of a Tijuana River Valley Watershed Action Plan, subject to appropriation. Upon completion, the CNRA and the EPA would consult w the Government of Mexico, the State of Baja California, and the City and County of San Diego and other US cities within the watershed to protect water quality, fisheries, wildlife habitat, water supply and waste water discharge.

Introduced 02/21/20
Last Amended 08/24/20
Status Chaptered. Chapter 1301, Statutes of 2020.

SB 1320 (Stern) Climate change: California Climate Change Assessment

As amended, this bill would require the Office of Planning and Research, through the Integrated Climate Adaptation and Resiliency Program and in coordination with the Natural Resources Agency, the Energy Commission, and the Strategic Growth Council, to develop the California Climate Change Assessment, and update the assessment at least every five years. The report would require the assessment to provide an integrated suite of products that report the projected impacts and risks of climate change, based on best available science, and identify potential solutions to inform legislative policy.

Introduced 02/21/20

Last Amended 08/11/20

Status Chaptered. Statutes of 2020, Chapter 136

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