

CALIFORNIA COASTAL COMMISSION

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



W6c

DATE: February 12, 2020

TO: Coastal Commission and Interested Persons

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

SUBJECT: LEGISLATIVE REPORT FOR FEBRUARY, 2020

CONTENTS: This report provides summaries and the 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 02/07/2020. Bills added since the previous 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/.

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 1	Last day for policy committees to hear and report non-fiscal bills introduced in their house.
May 8	Last day for policy committees to meet prior to June 1.
May 15	Last day for fiscal committees to hear and report to the Floor bills introduced in their house.
May 25	Memorial Day
May 26-29	Floor session only
May 29	Last day for each house to pass bills introduced in that house.
June 1	Committee meetings may resume.
June 15	Budget Bill must be passed by midnight.
June 26	Last day for policy committees to hear and report fiscal bills.
July 2	Last day for policy committees to meet. Summer Recess begins upon adjournment.
Aug 3	Legislature reconvenes from Summer Recess.
Aug 14	Last day for fiscal committees to meet and report bills.
Aug 17-31	Floor session only
Aug 21	Last day to amend bills on the Floor
Aug 31	Last day for each house to pass bills. Recess begins upon adjournment

PRIORITY LEGISLATION

Assembly Bills

[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, to achieve the most cost-effective building standards possible. *Amendments of 04/04/19 make technical, non-substantive changes. Amendments of 06/20/19 delete the reference to the 2007 edition of the California Building Standards Code, and specify that the small home building standards shall also take health and safety into consideration.*

Introduced	12/03/18
Last Amended	06/20/19
Status	Senate Inactive File

[AB 345 \(Muratsuchi\) Natural resources: environmental justice: oil and gas: regulations](#)

This bill would require the Natural Resources Agency to create an environmental justice program to identify and address gaps in existing policies and programs that impede environmental justice, and establish a grant program that would enable community groups to meaningfully participate in rulemaking and other public regulatory processes.

Introduced	03/26/19
Last amended	01/23/20
Status	Senate Rules Committee

[AB 352 \(E. Garcia\) Wildfire Prevention, Safe Drinking Water, Drought Preparation and Flood Protection Bond Act of 2020](#)

This bill would enact the Wildfire Preventions, Safe Drinking Water, Drought Preparation and Flood Protection Bond Act of 2020 in the amount of \$3.920 billion in General Obligation bonds to finance projects to harden structures in fire hazard areas, reduce wildfire risks, restore natural systems and landscapes, reduce climate impacts on vulnerable populations, protect water supply and water quality, support regional climate resilience projects, promote community access projects for disadvantaged communities, reduce flood risk, protect fish and wildlife from climate impacts, improve groundwater health, and protect coastal lands and resources. If signed by the Governor, this measure will appear on the November 3, 2020 statewide ballot.

Introduced	2/04/19
Last Amended	08/14/19
Status	Senate Environmental Quality Committee

AB 516 (Chiu) Authority to remove vehicles

This bill would amend the Vehicle Code to authorize a peace officer or public employee to tow or immobilizing a vehicle that has been left standing for 72 hour or more in violation of a local ordinance; has 5 or more unpaid parking tickets; or a registration that is expired by more than 6 months, only if the vehicle has remained parked or left standing for 10 days after a notice is affixed to the vehicle specifying the date and time the vehicle will be removed. *Amendments of 07/02/19 reduce the notice period from 10 to 5 days, and specify that if the Commission on State Mandates determines that this imposes state costs on local agencies, that the state shall reimburse for those costs.*

Introduced	02/28/19
Last amended	07/02/19
Status	Senate Appropriations 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. Amendments of June 20 add definitions, and require the Department to post on its website a list of recycling rates by material type. Amendments of 07/05/19 require the Department to report to the Legislature every 2 years on the progress implementing the bill's provisions. Amendments of 09/06 require the department to establish a Circular Economy Waste Pollution Reduction Panel to identify barriers and solutions associated with implementing the act.*

Introduced 02/21/19
Last Amended 09/06/19
Status Senate Inactive File
Position Support

[AB 1321 \(Gipson\) Public lands: State Lands Commission: coastal ports: automated technology](#)

This bill would authorize the State Lands Commission to approve, on a case-by-case basis, the use of automated technology in coastal ports within the commission's jurisdiction if the commission determines that the automated technology will provide a safe working environment and not cause critical damage to the state economy or to the economies of surrounding local communities, as specified. The bill would also require the commission to submit an annual report to the Legislature, detailing each instance in which the commission has approved a use of automated technology pursuant to the bill during the preceding year. *Amendments of 08/13 revise the bill to instead require the State Lands Commission to work with the Governor's Office of Business and Economic Development to hold a series of meetings near California ports to consider the impacts of automated technology and issue two reports to the Legislature.*

Introduced 02/22/19
Last Amended 08/13/19
Status Senate Inactive File

[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 (OPR) to prepare a report that evaluates the effect of the bill during that time with regard to housing availability and long-term rental rates. Amendments of 07/02/19 change the sunset date from January 1, 2025, to January 1, 2023. The new reporting requirement for OPR would be January 1, 2024. The amendments also make technical, clarifying changes.*

Introduced 02/22/19
Last Amended 07/02/19
Status Senate Governance & Finance Committee. Hearing cancelled.

[*AB 1839 \(Bonta\) Climate change: California Green New Deal](#)

This measure declares the intent of the Legislature to enact a California Green New Deal Council, comprised of Governor's appointees, to increase assistance to populations impacted by climate change, accelerating reductions of GHGs, and ensure that jobs created as a result of climate policy are protective of workers' rights and available to members of disadvantaged communities.

Introduced 01/06/20

[*AB 1920 \(Boerner-Horvath\) Climate change: California Climate Adaptation Center and Regional Support Network](#)

This measure declares the intent of the Legislature to enact subsequent legislation that would establish the California Climate Adaptation Center and Regional Support Network to provide technical support and information to local governments on adapting to climate change impacts, including, but not limited to, sea level rise.

Introduced 01/13/20

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

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.

Introduced 01/13/20

[*AB 1952 \(Stone\) State entities: washing machines: microfiber filters](#)

This bill would require all washing machines owned or operated by a state entity, to include a microfiber filter, before January 1, 2022. The bill would also require every contract entered into, by a state entity for laundry services to require the washing machines used to contain microfiber filters or to have filters installed on all drain lines by the same date.

Introduced 01/17/20

[*AB 1992 \(Friedman\) Transportation: California Transportation Plan: climate change](#)

This bill states the intent of the Legislature to enact legislation that establishes a new program to fund climate change adaptation planning for transportation impacts, data collection, modeling, and training.

Introduced 01/27/20

[*AB 2027 \(Boerner-Horvath\) Ocean resources management: state policy](#)

This is a spot bill that makes non-substantive changes to Public Resources Code Section 36002, related to ocean conservation and development.

Introduced 01/30/20

[*AB 2062 \(Boerner-Horvath\) LOSSAN Rail Corridor: study](#)

This bill would appropriate \$5 million from the General Fund to the San Diego Association of Governments (SANDAG) to study alternatives for the LOSSAN Rail Corridor in San Diego County. The bill would require SANDAG to submit a report to the Legislature by January 1, 2023.

Introduced 02/04/20

[*AB 2071 \(Muratsuchi\) Once-through cooling policy: extension](#)

This bill would amend Section 13193.5 of the Water Code to prohibit the State Water Resources Control Board from granting a power plant operator a time extension to comply with the state's once through cooling policy, unless the site is in the coastal zone and contains coastal wetlands, and a local agency or NGO has obtained a Prop 68 grant to restore the wetlands on site and develop parklands.

Introduced 02/04/20

[*AB 2076 \(Bigelow\) Public lands: parks: wildfire management plan: fire hazard severity zones](#)

This bill would require the Director of the Department of Parks and Recreation to develop and implement a wildfire management plan for state parks located in high fire hazard severity zones.

Introduced 02/05/20

[*AB 2081 \(Boerner-Horvath\) Coastal resources: research: landslides and erosion: early warning](#)

This bill would appropriate \$2.5 million from the General Fund to Scripps Institution of Oceanography to conduct research on bluff erosion and submit recommendations to the Legislature on the development of an early warning system that would predict landslides on coastal bluffs.

Introduced 02/05/20

***AB 2093 (Gloria) Public records: electronic mail: retention**

This bill would require public agencies to retain and preserve every public record transmitted by email for a period of 2 years, unless a longer retention period is required by statute or regulation.

Introduced 02/05/20

Senate Bills

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 \$5.5 billion 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, support regional climate resilience projects, 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. If signed by the Governor, this measure will appear on the November 3, 2020 statewide ballot. *Amendments of 01/23/20 increase the amount of the bond from \$4.069 billion to \$5.510 billion, and include funding for the adaptation of small community wastewater treatment facilities at risk from sea level rise, consistent with an updated, certified local coastal program (80231 (b)).*

Introduced 12/03/18
Last Amended 01/23/20
Status In Assembly

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.*

Introduced 12/03/18
Last Amended 05/01/19
Status Failed passage in the Senate.

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 are 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. Amendments of 06/24/19 add definitions, and require the Department to post on its website a list of recycling rates by material type. Amendments of 07/05/19 require the Department to report to the Legislature every 2 years on the progress implementing the bill's provisions. Amendments of 09/06 require the department to establish a Circular Economy Waste Pollution Reduction Panel to identify barriers and solutions associated with implementing the act.*

Introduced	12/11/18
Last Amended	09/10/19
Status	Assembly Inactive File
Position	Support

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 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. Amendments of June 25 would require the Department to develop a plan to improve the survival rate of hatchery salmon; develop a sediment reduction plan for the Elk River watershed; require the Board of Forestry to evaluate forest practice rules that negatively affect salmonids; and prohibit timber harvesting activity under timber harvest plans that are likely to cause extreme erosion, unless certain specifications are met. Amendments of 07/03/19 require the Department's to include an analysis of the effect of in-river or ocean net-pen releases of hatchery salmon on the natural production of salmon. Amendments of 07/11 specify that an erosion control plan filed pursuant to a timber harvesting plan must be consistent with existing law.*

Introduced 01/09/19
Last Amended 07/11/19
Status Assembly Appropriations Committee. Hearing cancelled at request of author.

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 Governmental Organization Committee

[*SB 795 \(Beall\) Affordable Housing and Community Investment Program](#)

This bill would establish the Affordable Housing and Community Investment Program, and the Affordable Housing and Community Investment Committee to oversee it. The bill would allow local governments, JPAs, Affordable Housing Authorities to establish an affordable housing and community development investment agency. The bill would authorize an agency to apply for funding under the program and issue bonds, as provided, to carry out a project under the program.

Introduced	01/06/20
------------	----------

###