

CALIFORNIA COASTAL COMMISSION

455 MARKET STREET, SUITE 300
SAN FRANCISCO, CA 94105
VOICE AND TDD (415) 904-5200
FAX (415) 904-5400



W6c

DATE: February 10, 2021

TO: Coastal Commission and Interested Persons

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

SUBJECT: LEGISLATIVE REPORT FOR FEBRUARY, 2021

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 02/10/2021. 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

2021 Legislative Calendar

Jan 1	Statutes take effect.
Jan 6	Legislature reconvenes.
Jan 10	Budget Bill must be submitted by Governor
Jan 18	Martin Luther King, Jr. Day
Jan 22	Last day to submit bill requests to Legislative Counsel
Feb 15	Presidents Day
Feb 19	Last day for bills to be introduced.
March 25	Spring Recess begins upon adjournment.
March 31	Cesar Chavez Day observed.
April 5	Legislature reconvenes from Spring Recess.
April 30	Last day for policy committees to hear and report fiscal bills.
May 7	Last day for policy committees to hear and report non-fiscal bills introduced in their house.
May 14	Last day for policy committees to meet prior to June 7.
May 21	Last day for fiscal committees to hear and report to the Floor bills introduced in their house.
May 31	Memorial Day
June 1-4	Floor session only

June 4	Last day for each house to pass bills introduced in that house.
June 7	Committee meetings may resume.
June 15	Budget Bill must be passed by midnight.
July 2	Independence Day Observed
July 14	Last day for policy committees to meet.
July 16	Summer Recess begins upon adjournment.
Aug 16	Legislature reconvenes from Summer Recess.
Aug 27	Last day for fiscal committees to meet and report bills.
Aug 30 -Sep 10	Floor session only
Sep 3	Last day to amend bills on the Floor
Sep 6	Labor Day
Sep 10	Last day for each house to pass bills. Recess begins upon adjournment.

PRIORITY LEGISLATION
SEA LEVEL RISE/ PLANNING/ ADAPTATION

[SB 1 \(Atkins\) Coastal resources: sea level rise](#)

Relative to the Coastal Act, this bill would amend the Coastal Act findings in Public Resources Code (PRC) Section 30001.5 to include the goal of anticipating, assessing, planning for, minimizing and mitigating the adverse environmental and economic effects of sea level rise within the coastal zone. It would amend PRC Sec. 30501 to require the Coastal Commission to adopt recommendations and guidelines for the identification, assessment, minimization, and mitigation of sea level rise within each local coastal program. It would add PRC Sec. 30270 requiring the Commission to take into account the effects of sea level rise in coastal resource planning and management policies and activities. And it would add Sec. 30421 to require state and regional agencies to identify, assess, and, to the extent feasible and consistent with their statutory authorities, minimize and mitigate the impacts of sea level rise. The bill also establishes the California Sea Level Rise State and Regional Support Collaborative, and allocates \$2 million per year to the Environmental Justice Small Grant Program within the EPA, \$500,000 of which would be dedicated as grants to organizations working to address and mitigate the effects of sea level rise in disadvantaged communities impacted by sea level rise. This bill is a reintroduction of SB 1100.

Introduced	12/07/20
Status	Senate Natural Resources and Environmental Quality Committees

AB 11 (Ward) Climate change: regional climate change coordinating groups

This bill would require the Strategic Growth Council to establish up to 12 regional climate change authorities by January 1, 2023, to coordinate adaptation and mitigation activities in their regions and coordinate with relevant stakeholders, and adopt guidelines that define regional climate authorities. The regional climate authorities, in cooperation with local agencies and regional stakeholders that choose to participate, would promote regional coordination, capacity-building, technical assistance and regional alignment of plans and program designed to address climate change impacts and risks. Once established, the authorities would:

- (1) Receive state and federal grants, hire staff, enter in Joint Power Agreements, establish governance procedures and policies, and would provide annual reports to the SGC on its activities.
- (2) Support the development of and updates of regional adaptation and mitigation plans, strategies, and programs, and provide technical assistance.
- (3) Support the implementation of regional adaptation and mitigation plans, strategies, and programs, including evaluating funding mechanisms and providing technical assistance.
- (4) Facilitate the exchange of adaptation and mitigation best practices, policies, projects, and strategies among participating local agencies and stakeholders.
- (5) Conduct activities to support ongoing coordination among local agencies and stakeholders, including convening working groups, organizing training opportunities, and creating mechanisms for collaboration.
- (6) Conduct educational activities for local agencies, decisionmakers, key stakeholders, and the general public to increase their understanding of climate change risks and adaptation and mitigation solutions.
- (7) Administer grants to local agencies and eligible stakeholders.

Introduced	12/07/20
Last Amended	01/21/21
Status	Assembly Natural Resources Committee

[AB 67 \(Petrie-Norris\) Sea level rise: working group: economic analysis](#)

This bill would require state agencies to take current and future sea level rise into account when planning, designing, building, operating, maintaining or investing in state infrastructure located in the coastal zone or otherwise subject to flooding from sea level rise or storm surges. It would require the OPC, in consultation with the Office of Planning and Research, to establish a multi-agency working group to develop, among other things, a standardized methodology for conducting economic analyses of the risks and adaptation strategies associated with sea level rise. The bill would require state agencies to conduct a sea level rise analysis for any state-funded infrastructure project located in the coastal zone or otherwise vulnerable to flooding from sea level rise pursuant to that methodology.

Introduced 12/07/20
Status Assembly Natural Resources Committee

[AB 72 \(Petrie-Norris\) Natural Resources Agency: coastal adaptation projects: sea level rise: regulatory review and permitting: report](#)

This bill would authorize the CNRA to explore and implement options to increasing the efficiency and coordination of coastal adaptation project review and permitting. The bill would require the agency to submit, by July 1, 2023, a report to the Legislature with additional suggestions and recommendations for improving and expediting the regulatory review and permitting process for coastal adaptation projects.

Introduced 12/07/20
Status Assembly Natural Resources Committee

[SB 83 \(Allen\) Coastal resources: climate change: sea level rise](#)

This bill would create the Sea Level Rise Revolving Loan Program to provide low-interest loans to local governments for the purchase of threatened coastal properties vulnerable to sea level rise, subject to the approval of a “vulnerable coastal property plan.” The bill would authorize the California Infrastructure and Economic Development Bank to issue bonds, and require that all loan repayments, fees and penalties be deposited in the fund. This bill is a reintroduction of AB 1293.

Introduced 12/15/20
Status Senate Natural Resources & Governance and Finance Committees

[AB 111 \(Boerner Horvath\) San Diego Association of Governments: LOSSAN Rail Corridor: study](#)

This bill would appropriate \$5 million from the General Fund to the San Diego Association of Governments (SANDAG) to study alignment alternatives for the LOSSAN Rail Corridor in San Diego County. The bill would require SANDAG to submit a report to the Legislature and designated committees by January 1, 2024. This bill is a reintroduction of AB 2062.

Introduced 12/17/20
Status Assembly Transportation Committee

HOUSING

[SB 6 \(Caballero\) Local planning: housing: commercial zones](#)

This bill would deem a housing development an allowable use in retail commercial zoning that is not adjacent to an industrial use, if certain density requirements are met. This is a reintroduction of SB 1385.

Introduced 12/09/20
Status Senate Housing & Governance and Finance Committees

[SB 8 \(Skinner\) Density Bonus Law](#)

This bill would make a non-substantive change to the Density Bonus Law.

Introduced 12/09/20
Status In Senate, pending referral

[SB 9 \(Atkins\) Housing development: approvals](#)

This bill would require cities and counties to ministerially approve applications for housing units containing 2 residential units within single-family residential zoning if certain conditions are met. The bill would also require ministerial approval for urban lot splits if the parcel is not in an historic zone and the 2 new parcels are of equal size and not less than 1,200 square feet. Neither action would be subject to CEQA. The bill would specify that these provisions would not supersede or lessen the intent or application of the Coastal Act, except that permit applications for lot splits or 2-unit residential development projects shall not require a public hearing. This is an introduction of SB 1120.

Introduced 12/07/20
Status Senate Housing & Governance and Finance Committees

[SB 10 \(Wiener\) Planning and zoning: housing development: incentives](#)

This bill would authorize local governments, notwithstanding any other provision of law, to adopt an ordinance to zone any parcel for up to 10 units of residential density, if the parcel is located in a jobs-rich area, a transit-rich area, or an urban infill site. The bill specifies that it shall not be construed to relieve a local agency from complying with the Coastal Act of 1976.

Introduced 12/07/20
Status Senate Housing & Governance and Finance Committees

[AB 115 \(Bloom\) Planning and zoning: commercial zoning: housing development](#)

This bill would require that a housing development in which at least 20% of the units are affordable for purchase or rent to lower income households, be an allowable use on a site designated in any element of the general plan for commercial uses, notwithstanding any inconsistent provision of a city's or county's general plan, specific plan, zoning ordinance, or regulations.

Introduced 12/18/20
Status Assembly Housing and Community Development Committee

[*AB 203 \(Bates\) Approval and adoption](#)

This bill would make a non-substantive change to the Health and Safety Code, related to building standards. This is spot bill.

Introduced 01/08/2
Status Senate Rules Committee

[*SB 290 \(Skinner\) Density Bonus Law: student housing for lower income students](#)

This bill would add student housing for lower-income students to the types of development that are eligible for an incentive concession under density bonus law. The bill also reduces parking ratios to 0.5 spaces per bedroom if the development includes at least 40% moderate-income units and is within ½ mile of a major transit stop, and makes technical changes to the statute.

Introduced 01/08/2
Status Senate Rules Committee

[*AB 345 \(Quirk-Silva\) Accessory dwelling units: separate conveyance](#)

This bill would require local governments to adopt an ordinance allowing an accessory dwelling unit to be separately sold or conveyed to a qualified buyer if it was built by a qualified non-profit. Current law authorizes such an ordinance. The bill would also eliminate the requirement for the recording of a grant deed and change of ownership report, and replace it with the recordation of a recorded contract between the buyer and the non-profit seller.

Introduced 01/08/21
Status Senate Rules Committee

[AB 357 \(Kamlager\) Affordable housing](#)

This is a spot bill that states the intent to enact legislation related to affordable housing.

Introduced 02/01/21
Status Senate First Reading

COASTAL RESOURCES/OCEAN RELATED

[AJR 2 \(O'Donnell\) Coastal and marine waters: Santa Catalina Island: DDT](#)

This measure would request that the US Congress and the US EPA take all measures necessary to protect marine wildlife, humans and natural resources from the recently discovered corroding barrels of DDT that were dumped offshore between the mainland and Catalina Island.

Introduced 12/07/20
Status In Assembly, pending referral

[SB 54 \(Allen\) Solid waste: disposable packaging and food ware](#)

This bill would declare the intent of the Legislature to enact the Plastic Pollution Producer Responsibility Act, which would reduce the amount of disposable packaging and food ware waste entering California's waste stream through source reduction requirements and increased composting and recycling.

Introduced 12/07/20
Status Natural Resources & Governance and Finance Committees

[AB 63 \(Petrie-Norris\) Marine Managed Areas Improvement Act: marine resources](#)

This bill would add restoration to the list of allowable activities within an MMA.

Introduced 12/07/20
Status Assembly Water, Parks and Wildlife Committee

[SB 69 \(McGuire\) Northcoast Railroad Authority: right of way: Great Redwood Trail](#)

Relative to the Coastal Commission, this bill change the name of the North Coast Rail Authority to the Great Redwood Trail Agency, require the Rail Authority to assign all of its rights and responsibilities for the northern portion of the right-of-way to the Agency, and require the Agency to, among other things, complete an environmental assessment of the conditions of the northern portion of the right-of-way; plan, design, construct, operate, and maintain a trail in, or next to, the northern portion of the right-of-way, and complete a federal rail banking process. The bill would also give the agency certain rights and powers, including, the right to fix and collect fees, make grants, acquire interests in real property, and enter into contracts and joint powers agreements. This bill would also create the Great Redwood Trail Program Fund, and provide for the appointment of the Agency's directors.

Introduced 12/07/20
Status Senate Transportation Committee

[*AB 223 \(Ward\) Dudleya: wildlife: taking and possession](#)

This bill would make it a misdemeanor to remove, uproot, harvest or cut dudleya from state or locally owned land, or from privately owned land without the owner's written permission. It would also be unlawful to possess, transport, export or offer to sell or to purchase dudleya harvested in violation of these provisions, punishable by a fine of not less than \$5,000 and up to one year in county jail.

Introduced 01/11/21
Status Water, Parks and Wildlife Committee

[*AB 303 \(Rivas\) Aquaculture: mariculture](#)

This bill would amend the Fish and Game Code to require the Department of Fish and Wildlife to investigate whether and how to seek state verification authority from the United States Army Corps of Engineers to streamline the review and approval of federal permits issued by the United States Army Corps of Engineers that may be required by a mariculture project intending to operate in this state.

Introduced 01/25/21
Status Assembly Rules Committee, pending referral

[*AB 379 \(Gallagher\) Wildlife conservation: conservation lands](#)

This bill would authorize the Wildlife Conservation Board to enter into agreements with, and provide grants or loans to, California Native American Tribes to enhance or manage fish and wildlife habitats. The bill would also allow for the sale or transfer of conservation lands to Tribes to improve conservation management, public access, historic preservation, or to protect or enhance the biological value of conservation lands. Current law authorizes these activities with non-profits, and state and local agencies.

Introduced 02/01/21
Status Assembly First Reading

FIRE

[SB 12 \(McGuire\) Local government: planning and zoning: wildfires](#)

This bill would require local governments to amend their land use plans to include maps of any very high fire hazard areas within its jurisdictions upon each revision of its housing element after July 1, 2024. Within 12 months of any update, the local government must adopt a very high fire hazard risk overlay zone or otherwise amend its zoning ordinance to be consistent with the land use plan.

Introduced 12/07/20
Status Governance and Finance & Housing Committees

[SB 55 \(Stern\) Very high fire hazard severity development prohibition](#)

This bill would prohibit the creation or approval of new residential development in a very high fire hazard severity zone or a state responsibility area.

Introduced 12/07/20
Status Senate Rules Committee

[SB 63 \(Stern\) Fire prevention: vegetation management: public education: grants: fire hazard severity zones: forest management](#)

Relevant to the Coastal Commission, this bill would require the Director of Forestry and Fire Protection (CalFire) to identify areas of the state as moderate and high fire hazard severity zones based on specific criteria. It would prohibit defensible space clearance beyond the parcel's property line, except with the written consent of the neighboring land owner in order to meet the 100' defensible space clearance requirement. The bill would make changes to CalFire's local assistance grant program for fire prevention activities to increase the protection of people, structures and communities through vegetation management along roadways and driveways, public education and projects to reduce flammability of structures from wind-driven embers

Introduced 12/07/20
Status Senate Natural Resources & Housing Committees

[*AB 380 \(Seyarto\) Forestry: priority fuel reduction projects](#)

This bill would require CalFire, to determine what communities are at greatest risk of wildfire, based upon best available science and socioeconomic factors. CalFire would then identify priority fuel reduction projects by December 31, 2022, and update the list annually thereafter. The department would not be required to develop regulations to implement these provisions.

Introduced 02/02/21
Status Assembly First Reading

TRANSPORTATION

[SB 231 \(McGuire\) Department of Transportation: transfer of property: Blues Beach](#)

This bill would authorize Caltrans to transfer the property known as Blues Beach in Mendocino County to a qualified non-profit organization organized by one or more qualified Native American Tribe for environmental protection. The bill would require the property to only be used for natural habitat purposes, and would require the property to revert to the department if the property is not maintained

Introduced 12/07/20
Status Senate Rules Committee, pending referral

[SB 227 \(Jones\) Off-highway vehicles](#)

This bill would make several changes to the Public Resources Code dealing with off-highway vehicles (OHVs). It would require the State Air Resources Board, in consultation with the Department of Parks and Recreation, to adopt a regulation by January 1, 2023, prescribing when competition motorcycles and all-terrain vehicles may operate on public lands to practice for sanctioned competition events. It would also require public land managers to administer off-highway vehicle competition practice in accordance Section 2415 of Title 13 of the California Code of Regulations.

Introduced 01/15/21
Status Senate Rules Committee, pending referral

BONDS

[SB 45 \(Portantino\) Wildfire Prevention, Safe Drinking Water, Drought Preparation and Flood Protection Bond Act of 2021](#)

This bill would enact the Wildfire Prevention, Safe Drinking Water, Drought Preparation and Flood Protection Bond Act of 2021 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.

Introduced 12/07/20
Status Senate Natural Resources and Water Committee

[SB 5 \(Akins\) Housing: bond act](#)

This bill would state the intent of the Legislature to enact legislation that would authorize the issuance of bonds to finance housing-related programs that serve the homeless and extremely low income and very low income Californians

Introduced 12/07/20
Status Senate Rules Committee, pending referral

ADMINISTRATIVE/STATE/LOCAL ACTIONS

[AB 2 \(Fong\) Regulations: legislative review: regulatory reform](#)

This bill would require the Office of Administrative Law to submit to the Legislature a copy of any major adoption, amendment or repeal of any state agency regulation. Any such regulation would not become effective if the Legislature adopts a statute to override it. The bill would also require each state agency to review its regulations, identify any that are duplicative, overlapping, inconsistent, or out of date, to revise those identified regulations, and report to the Legislature and Governor on or before January 1, 2023.

Introduced 12/07/20
Status Assembly Accountability and Administrative Review

[AB 29 \(Cooper\) State bodies: meetings](#)

This bill would require that a state body must include all writings and materials provided for a noticed public hearing in connection with a matter subject to discussion or consideration at the meeting. The bill would require all writings and materials to be posted on the state body's website no less than 10 days prior to the hearing. The bill would also require state bodies to provide all of the notice materials to any member of the public who requests such material in writing on the same day it is provided to members of the state body or within 72 hours of the meeting, whichever is earlier. This bill is a re-introduction of AB 2028.

Introduced 12/07/20
Status Assembly Governmental Organization Committee

[SB 241 \(Umberg\) Civil discovery](#)

This bill would declare the intent of the Legislature to enact legislation that would streamline discovery processes in order to reduce costs to the courts and litigants.

Introduced 01/21/21
Status Assembly Accountability and Administrative Review

[*AB 339 \(Lee\) Open meetings](#)

This bill would require all public meetings of the Legislature, state agencies and local governments to include an opportunity for all persons to attend and participate via phone or internet that includes closed-captioning. All teleconferenced meetings would also have to provide for in-person public comment at a designated site. The bill would also require local agencies and state bodies to translate agendas and instructions for participation into all languages for which 5% of the population governed by the entity are speakers. Additionally, state agencies and local governments would be required to provide qualified bi-lingual interpreters.

Introduced 01/28/21
Status Assembly First Reading

***AB 343 (Fong) Public Records Act Ombudsperson**

This bill would create a Public Records Act Ombudsperson within the office of the State Auditor. The Ombudsperson's office would receive requests to investigate cases where a member of the public believes a Public Records Act request has been improperly denied. The Ombudsman would have the authority to require the release of records found to be improperly denied. Agencies found to have improperly withheld records would be required to reimburse the Ombudsman's office for its expenses.

Introduced	01/28/21
Status	Assembly First Reading

##