

State Coastal Conservancy November 2011 Legislative Report

ASM

[AB 565](#) **(Monning D) Conservation: State Coastal Conservancy.**

Chapter Number: 479

Status: 10/6/2011-Chaptered by the Secretary of State, Chapter Number 479, Statutes of 2011

Summary: Existing law establishes the State Coastal Conservancy in the Natural Resources Agency with prescribed powers and responsibilities for implementing a program of agricultural land protection, area restoration, and resource enhancement within the coastal zone, as defined. Existing law authorizes the conservancy, for the purpose of implementing the provisions governing the conservancy, to fund and undertake plans and feasibility studies, and award grants to public agencies and nonprofit organizations. This bill would additionally authorize the conservancy, for the purpose of implementing the provisions governing the conservancy, to award a grant to a for-profit entity to accomplish removal or alteration of the San Clemente Dam under specified conditions. The bill would limit total expenditures of state funds for the removal or alteration of the San Clemente Dam and related activities to not more than \$25,000,000.

[AB 587](#) **(Gordon D) Public works: volunteers.**

Chapter Number: 219

Status: 9/6/2011-Chaptered by the Secretary of State, Chapter Number 219, Statutes of 2011

Summary: Existing law defines "public works," for purposes of regulating public works contracts, as, among other things, construction, alteration, demolition, installation, or repair work that is performed under contract and paid for in whole or in part out of public funds. Pursuant to existing law, all workers employed on public works projects are required to be paid not less than the general prevailing rate of per diem wages for work, except as specified. This bill would extend that repeal date to January 1, 2017, and make technical, nonsubstantive changes to that provision. This bill contains other related provisions and other existing laws.

[AB 703](#) **(Gordon D) Property taxation: welfare exemption: nature resources and open-space lands.**

Chapter Number: 575

Status: 10/8/2011-Chaptered by the Secretary of State, Chapter Number 575, Statutes of 2011

Summary: Existing property tax law, in accordance with the California Constitution, provides for a welfare exemption under which property used exclusively for religious, hospital, scientific, or charitable purposes and owned and operated by funds, foundations, or corporations meeting certain statutory requirements is exempt from taxation. Existing law also provides that property used exclusively for the preservation of specified nature resources or open-space lands meeting other specified criteria shall be deemed to be included within the welfare exemption. Existing law makes the inclusion of this property within the welfare exemption inoperative on the lien date in 2012, which is January 1, 2012, and repeals this provision on January 1, 2013. This bill would extend the January 1, 2012, inoperative date until January 1, 2022, and the January 1, 2013, repeal date until January 1, 2023, of the inclusion of this property within the welfare exemption. This bill contains other related provisions and other existing laws.

[AB 971](#) **(Monning D) Personal income tax: voluntary contributions: California Sea Otter Fund.**

Chapter Number: 209

Status: 9/1/2011-Chaptered by the Secretary of State, Chapter Number 209, Statutes of 2011

Summary: The Personal Income Tax Law allows, for taxable years beginning on or after January 1, 2006, and before January 1, 2011, individual taxpayers to contribute amounts in excess of their tax liability for the support of the California Sea Otter Fund. This bill would, for taxable years beginning on or after January 1, 2011, and before January 1, 2016, unless as otherwise provided, allow taxpayers to designate on their tax returns that a specified amount in excess of their tax liability be transferred to the California Sea Otter Fund, which would be created by this bill. This bill would require money in that fund, upon appropriation by the Legislature, be allocated to the Department of Fish and Game for the purposes of establishing a sea otter fund, as prescribed, and to the California Coastal Conservancy for competitive grants and contracts for research, projects, and programs related to the Federal Sea Otter Recovery Plan or improving the nearshore ocean ecosystem. This bill contains other related provisions.

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[SB 436](#) **(Kehoe D) Land use: mitigation lands: nonprofit organizations.**

Chapter Number: 590

Status: 10/8/2011-Chaptered by the Secretary of State, Chapter Number 590, Statutes of 2011

Summary: The Planning and Zoning Law authorizes a state or local public agency, if the agency requires a property owner to transfer to the agency an interest in real property to mitigate an adverse impact upon natural resources caused by permitting the development of a project or facility, to authorize a nonprofit organization to hold title to and manage that interest in real property, provided that the nonprofit organization meets specified requirements. This bill would revise these provisions and would additionally authorize a state or local public agency to authorize a nonprofit organization, a special district, a for-profit entity, a person, or another entity to hold title to and manage an interest in property held for mitigation purposes, subject to certain requirements. This bill would also provide that if a state or local agency, in the development of its own project, is required to protect property to mitigate an adverse impact upon natural resources, the agency is authorized to take any action that it deems necessary to meet its mitigation obligations, including, but not limited to, providing funds to a nonprofit organization to acquire land or easements that satisfy the agency's mitigation obligations, including funds that have been set aside for the long-term management of any lands or easements conveyed to a nonprofit organization, as specified. This bill would, until January 1, 2022, require a special district or nonprofit organization that holds funds on behalf of a local agency, for the long-term management of land, to comply with certain requirements. The bill would also state the findings and declarations of the Legislature with respect to the preservation of natural resources through mitigation, and would state that it is in the best interest of the public to allow state and local public agencies and nonprofit organizations to utilize the tools and strategies they need for improving the effectiveness, cost efficiency, and durability of mitigation for California's natural resources.

[SB 468](#) **(Kehoe D) Department of Transportation: north coast corridor project: high-occupancy toll lanes.**

Chapter Number: 535

Status: 10/7/2011-Chaptered by the Secretary of State, Chapter Number 535, Statutes of 2011

Summary: Existing law provides that the Department of Transportation has full possession and control of the state highway system. Existing law imposes various requirements for the development and implementation of transportation projects. This bill would impose additional requirements on the department with respect to specified highway projects on State Highway Route 5 in southern California, known collectively as the north coast corridor project, that are located entirely or partially in the coastal zone, including requiring the department to collaborate with local agencies, the California Coastal Commission, and other affected local, state, and federal agencies to ensure that multimodal transportation options are evaluated and included in the public works plan and, where appropriate, in the project design for the projects. The bill would make these requirements applicable to the San Diego Association of Governments (SANDAG) and would also require SANDAG, for these projects, to establish a safe routes to transit program that integrates the adopted regional bike plan with transit services and, pursuant to SANDAG's agreement, as specified, to commit to dedicate for regional habitat acquisition, management, and monitoring activities a portion of specified taxes approved by the voters in San Diego County. The bill would, for these projects, require the department to suspend a notice of determination relating to environmental impact, issued between January 1, 2011, and January 1, 2012, until it is determined that environmental documents for the projects satisfy the requirements of the bill. The bill would also make legislative findings and declarations. This bill contains other related provisions and other existing laws.

Total Measures: 6

Total Tracking Forms: 6