

STATE COASTAL CONSERVANCY
PUBLIC MEETING MINUTES
EcoCenter, Heron's Head Park Cargo Way & Jennings
San Francisco, CA
Thursday, August 5, 2010
10:00 am

MEMBERS PRESENT

Marisa Moret (Public Member)
Ann Notthoff (Public Member) (sat as Chairperson in Mr. Bosco's absence)
Jack Baylis (Public Member)
Bryan Cash (Designated Representative, Natural Resources Agency)
Susan Hansch (Designated Representative, Coastal Commission)
Karen Finn (Designated Representative, Department of Finance)

OVERSIGHT MEMBERS PRESENT

No oversight members present

OTHERS PRESENT

Sam Schuchat, Executive Officer
Pat Peterson, Deputy Attorney General
Glenn Alex, Legal Counsel

In the absence of Chair Doug Bosco, Vice Chair Ann Notthoff ran the meeting.

1. ROLL CALL

2. APPROVAL OF MINUTES

Moved and seconded. The minutes of the Conservancy May 27, 2010 public meeting were approved by a vote of 5-0-1 without change. Member Karen Finn abstained as she was not present at the prior meeting.

3. CONSENT

A. ALAMEDA CREEK

Resolution:

“The State Coastal Conservancy hereby augments its October 5, 2006 authorization to disburse an additional amount of up to thirty thousand dollars (\$30,000) to Alameda County Water District to conduct additional technical studies necessary to determine

*STATE COASTAL CONSERVANCY
PUBLIC MEETING MINUTES*

water flows for restoration of steelhead fisheries to Alameda Creek. This authorization remains subject to the Conservancy's October 5, 2006 authorization's conditions."

Findings:

"Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

1. The proposed project remains consistent with the purposes and criteria set forth in Chapter 4.5 of Division 21 of the California Public Resources Code (Sections 31160-31165) regarding the Conservancy's mandate to address resource goals of San Francisco Bay Area;
2. The proposed project is consistent with the current Project Selection Criteria and Guidelines."

B. LOWER CARMEL RIVER FLOODPLAIN RESTORATION PROJECT

Resolution:

"The State Coastal Conservancy amends its authorization of June 5, 2008 to authorize the acceptance of grant funds from the U.S. Fish and Wildlife Service (USFWS) and to disburse up to one hundred eighty thousand additional dollars (\$180,000) to the Big Sur Land Trust (BSLT) to prepare final designs, conduct additional environmental review, and prepare final permit applications for the Lower Carmel River Floodplain Restoration Project in Monterey County. Prior to the disbursement of funds, the Conservancy shall have received the funds from the USFWS and the Executive Officer of the Conservancy shall approve in writing a work program, including budget and schedule, and any contractors to be employed for these tasks."

Findings:

"Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

1. The proposed project is consistent with the current Project Selection Criteria and Guidelines.
2. The proposed remains consistent with the purposes and objectives of Chapter 5.5 of Division 21 of the Public Resources Code, regarding Integrated Coastal and Marine Resources Protection.
3. The proposed project remains consistent with local watershed management plans and water quality control plans."

C. TALL SHIPS FESTIVALS OF 2010

Resolution:

"The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed sixty thousand dollars (\$60,000) to the Maritime Museum of San Diego to plan and coordinate the Tall Ships Festivals of 2010 at the ports of San Diego, Dana Point and

*STATE COASTAL CONSERVANCY
PUBLIC MEETING MINUTES*

Chula Vista, including but not limited to, the sponsorship of visits by historic tall sailing ships, international maritime training vessels, and other unique craft, and the development of related activities which will promote access to urban waterfronts. Prior to the disbursement of any Conservancy funds, the Maritime Museum of San Diego shall submit for the review and written approval of the Conservancy's Executive Officer a work program, including scope of work, budget and schedule and the names of any contractors it intends to use to carry out the project."

Findings:

Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

1. The proposed project is consistent with the purposes and objectives of Chapter 7 of Division 21 of the Public Resources Code, regarding urban waterfront restoration.
2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on June 4, 2009.
3. The Maritime Museum of San Diego is a nonprofit organization existing under Section 501(c) (3) of the U.S. Internal Revenue Code, and whose purposes are consistent with Division 21 of the California Public Resources Code."

D. HUMBOLDT BAY WATER TRAILS IMPLEMENTATION PROGRAM

Resolution:

"The State Coastal Conservancy hereby authorizes disbursement of up to ninety-two thousand dollars (\$92,000) to the Humboldt Bay Harbor Recreation and Conservation District, to complete the final design and permitting for Phase II of the Humboldt Bay Water Trails Implementation Program. Prior to disbursement of any funds, the Executive Officer of the Conservancy shall approve in writing a work plan, budget and schedule, and any contractors to be employed in these tasks."

Findings:

"Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

1. The proposed project is consistent with the current Conservancy Project Selection Criteria and Guidelines.
2. The proposed authorization is consistent with Chapter 9 of Division 21 of the Public Resources Code, regarding public access to and along the coast.
3. The proposed project will serve greater than local needs."

Moved and seconded. Consent items were approved by a vote of 6-0.

*STATE COASTAL CONSERVANCY
PUBLIC MEETING MINUTES*

4. EXECUTIVE OFFICER’S REPORT

The items on the agenda were discussed in the following order:

- a. Ocean Protection Council: Executive Officer Sam Schuchat updated Conservancy on Ocean Protection Council – LIDAR: Oil-rig decommissioning study.
- c. Legislative Report: Conservancy staff member Deborah Ruddock provided a Legislative Report (attached to the end of these minutes).
- b. Staffing update: Mr. Schuchat provided an update on staffing changes.
- d. Trinidad easement: Conservancy staff member Sue Corbaley provided a report on unauthorized removal of vegetation from the Conservancy’s conservation easement in the City of Trinidad. Member Susan Hansch noted that the Coastal Commission has opened a violation case.

SAN FRANCISCO BAY

5. LIVING SHORELINES

Marilyn Latta of the Coastal Conservancy presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation: Jim Hausener, California Marine Affairs and Navigation Conference and Bay Planning Coalition.

Resolution:

“The State Coastal Conservancy (“Conservancy”) hereby authorizes the disbursement of up to \$300,000 (three hundred thousand dollars) of Conservancy funds to implement a multi-objective subtidal restoration and climate change adaptation pilot project, known as “Living Shorelines,” in San Francisco Bay. These funds will augment funds for Living Shorelines, previously disbursed under the Executive Officer’s delegated authority, and will be disbursed to the following contractors in the approximate amounts that are identified below, which may change, so long as the total does not exceed \$300,000:

1. Disbursement of up to approximately \$130,000 (one hundred thirty thousand dollars) to San Francisco State University for eelgrass restoration.
2. Disbursement of up to \$80,000 (eighty thousand dollars) to one or more environmental services contractors to undertake native oyster restoration activities.
3. Disbursement of the remainder of funds to one or more environmental services contractors for environmental services necessary to implement the project including monitoring of biological (fish, bird, invertebrate interactions with the restored areas) and physical (sediment, wave velocity, shoreline erosion rates) effects of the pilot project.”

Findings:

“Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

*STATE COASTAL CONSERVANCY
PUBLIC MEETING MINUTES*

1. The proposed authorization is consistent with Chapter 4.5 of Division 21 of the Public Resources Code, regarding the resource goals of the San Francisco Bay Area Conservancy Program.
2. The proposed project is consistent with the current Project Selection Criteria and Guidelines. “

Moved and seconded. Approved by a vote of 6-0.

CENTRAL COAST

6. CAMPUS LAGOON

Rachel Couch of the Coastal Conservancy presented the Staff Recommendation.

Resolution:

“The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed \$175,000 (one hundred seventy-five thousand dollars) to the Regents of the University of California to construct a public coastal accessway and restore a degraded section of the adjacent bluff slope near the University of California, Santa Barbara Campus Lagoon in Santa Barbara, as shown on Exhibit 1 to the accompanying staff recommendation. This authorization is subject to the following conditions:

1. Prior to the disbursement of any Conservancy funds, the Regents of the University of California shall submit for review and approval of the Executive Officer of the Conservancy:
 - a. A work program, including final design plans and specifications, schedule and budget for construction.
 - b. Evidence that all necessary permits and approvals have been obtained.
 - c. A signing plan for the project acknowledging Conservancy funding.
2. The Regents of the University of California or its successor in interest shall manage and maintain the project for a period of not less than twenty years.”

Findings:

“Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

1. The proposed project is consistent with the current Project Selection Criteria and Guidelines.
2. The proposed project is consistent with Chapter 9 of Division 21 of the Public Resources Code (Sections 31400-31410) regarding public access to the coast.
3. The Conservancy has independently reviewed the Mitigated Negative Declaration prepared and adopted by the University of California, Santa Barbara on November

*STATE COASTAL CONSERVANCY
PUBLIC MEETING MINUTES*

28, 2008 for the project and finds that there is no substantial evidence that the project, as mitigated, will have a significant effect on the environment.”

Moved and seconded. Approved by a vote of 6-0.

SOUTH COAST

7. COLD CREEK WATERSHED

Bob Thiel of the Coastal Conservancy presented the Staff Recommendation.

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed \$573,000 (five hundred seventy-three thousand dollars) to the Mountains Restoration Trust (the MRT) to acquire approximately 78 acres of property in the Cold Creek watershed of the Santa Monica Mountains in Los Angeles County, commonly known as the Cold Creek High Trail Property (and consisting of Los Angeles County Assessor Parcel Numbers 4455-021-034, -052, -068, -069, and -076; 4455-050-005 and -006; and 4455-024-007) to protect significant coastal resource lands. This authorization is subject to the following conditions:

1. Prior to the disbursement of funds for acquisition, the MRT shall submit for the review and approval of the Executive Officer of the Conservancy all relevant acquisition documents, including but not limited to the appraisal, environmental assessments, agreement of purchase and sale, escrow instructions, and documents of title necessary to the acquisition.
2. The MRT shall pay no more than fair market value for the property.
3. The MRT shall permanently dedicate the property for habitat and resource protection, open space preservation, and public access in a manner acceptable to the Executive Officer.
4. Subject to the prior written approval of the Executive Officer, the MRT may transfer interests in the property to a public agency or nonprofit organization deemed acceptable by the Executive Officer, provided the public agency or nonprofit organization agrees to hold, manage and operate these interests for the purposes stated in condition number 3, above; and
5. The MRT shall acknowledge Conservancy funding by erecting and maintaining on the property, or at another approved location, a sign that has been reviewed and approved by the Executive Officer.”

Findings:

“Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

1. The proposed authorization is consistent with Section 31117 and with the purposes and objectives of Chapter 8 of Division 21 of the Public Resources Code (Sections 31350-31356) regarding reservation of significant coastal resource areas.

*STATE COASTAL CONSERVANCY
PUBLIC MEETING MINUTES*

2. The proposed authorization is consistent with the current Project Selection Criteria and Guidelines”
3. The Mountains Restoration Trust is a nonprofit organization existing under Section 501(c)(3) of the U.S. Internal Revenue Code and whose purposes are consistent with Division 21 of the California Public Resources Code.”

Moved and seconded. Approved by a vote of 6-0.

8. OCEAN DISCOVERY INSTITUTE

Chris Kroll of the Coastal Conservancy presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation and presenting a slide show: Shana Fisler, Jorge Rivera and Cielo Corado, the Ocean Discovery Institute.

Resolution:

“The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed two hundred fifty thousand dollars (\$250,000) to the Ocean Discovery Institute for final design, engineering, and pre-construction planning related to the construction of the Living Lab, an environmental education center. Prior to disbursement of Conservancy funds, Ocean Discovery Institute shall submit for the review and written approval of the Conservancy’s Executive Officer:

1. A detailed work program, including budget and schedule.
2. The names and qualifications of any contractors to be employed on the project.
3. A sign plan to acknowledge Conservancy funding for the project.
4. A monitoring and evaluation component for the project.
5. Evidence of land tenure adequate to construct the project.”

Findings:

“Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

1. The proposed project is consistent with the current Project Selection Criteria and Guidelines.
2. The proposed authorization is consistent with Chapter 5.5 of Division 21 of the Public Resources Code, regarding the protection of coastal and marine resources.
3. Ocean Discovery Institute is a nonprofit organization existing under Section 501(c)(3) of the U.S. Internal Revenue Code, and whose purposes are consistent with Division 21 of the Public Resources Code.”

Moved and seconded. Approved by a vote of 6-0.

9. SWAN CANYON

Chris Kroll of the Coastal Conservancy presented the Staff Recommendation.

*STATE COASTAL CONSERVANCY
PUBLIC MEETING MINUTES*

Speaking in favor of the Staff Recommendation and presented slides: Lindsay Godwin, Endangered Habitats Conservancy.

“The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed one hundred four thousand two hundred fifty dollars (\$104,250) to the Endangered Habitats Conservancy to restore habitat in Swan Canyon, subject to the following conditions:

1. Prior to disbursement of any funds, Endangered Habitats Conservancy shall submit for the review and written approval of the Conservancy’s Executive Officer the following:
 - a. A detailed work program, including budget and schedule.
 - b. Names and qualifications of any contractors to be employed on the project.
 - c. A signage plan to acknowledge Conservancy funding for the project.
 - d. A monitoring and evaluation plan for the project.
 - e. Evidence that the necessary permits for the project have been secured.
 - f. Evidence of landowner permission for the anticipated work to occur on private property.”

Findings:

“Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

1. The proposed project is consistent with the current Project Selection Criteria and Guidelines.
2. The proposed authorization is consistent with the purposes and objectives of Chapter 5.5 of Division 21 of the Public Resources Code, regarding the protection of coastal watershed resources.
3. Endangered Habitats Conservancy is a nonprofit organization existing under Section 501(c)(3) of the U.S. Internal Revenue Code, and whose purposes are consistent with Division 21 of the Public Resources Code.”

Moved and seconded. Approved by a vote of 6-0.

10. SAN DIEGO RIVER TRIBUTARY CANYON PROJECT

Jim King of the Coastal Conservancy presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation: Michael Nelson, Executive Officer, San Diego River Conservancy.

Resolution:

“The State Coastal Conservancy hereby authorizes the expenditure of an amount not to exceed \$220,000 (two hundred twenty thousand dollars) to complete technical studies, including: real estate assessments, environmental review, permitting and associated studies required for implementation of public access improvements and natural resource enhancements in tributary canyons of the lower San Diego River in the City of San Diego.

Findings:

*STATE COASTAL CONSERVANCY
PUBLIC MEETING MINUTES*

“Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

1. The proposed project is consistent with the current Project Selection Criteria and Guidelines.
2. The proposed authorization is consistent with the purposes and objectives of Chapter 9 of Division 21 of the Public Resources Code, regarding public access to the coast.
3. The San Diego River Conservancy has approved this project for funding.
4. The proposed project serves greater than local needs.”

Moved and seconded. Approved by a vote of 6-0.

The meeting adjourned for a lunch break at 12:15 p.m. and resumed at 1:15 p.m.

NORTH COAST

11. CRESENT CITY HARBOR

Deborah Hirst of the Coastal Conservancy presented the Staff Recommendation.

Speaking in favor of the Staff Recommendation: Richard Young, Harbor Master.

Resolution:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed six hundred eighty-five thousand dollars (\$685,000) to the Crescent City Harbor District (“Harbor District”) to prepare harbor design guidelines and standards for public access and future development, and to complete engineered plans and permits for a waterfront promenade, a Coastal Trail segment and other public access improvements in Crescent City Harbor, Del Norte County, subject to the following conditions: 1) prior to the disbursement of funds, the Harbor District shall submit for the written approval of the Conservancy’s Executive Officer a work program and budget for the project, and the names and qualifications of all contractors to be used on the project; and 2) the Harbor

District shall insure that all guidelines, standards and engineered plans prepared as part of the proposed project incorporate the minimization of greenhouse gases.”

Findings:

“Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

1. The proposed authorization is consistent with the purposes and objectives of Chapter 9 of Division 21 of the Public Resources Code.
2. The proposed authorization is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on June 4, 2009.
3. The project will serve greater than local needs.”

*STATE COASTAL CONSERVANCY
PUBLIC MEETING MINUTES*

Moved and seconded. Approved by a vote of 6-0.

12. PUBLIC COASTAL ACCESSWAYS

Matt Gerhart of the Coastal Conservancy presented the Staff Recommendation

Speaking in favor of the Staff Recommendation: Louisa Morris, Coastal Access Program Manager, Mendocino Land Trust.

Resolution:

“The State Coastal Conservancy hereby authorizes a grant of up to three hundred ninety-three thousand dollars (\$393,000) to the Mendocino Land Trust (MLT), for the purpose of undertaking the construction and opening of seven coastal accessways in Mendocino County as well as a variety of site design and planning tasks for four additional coastal accessways and for continued management of existing access easements in Mendocino County, subject to the following conditions:

1. Prior to the disbursement of any funds, MLT shall submit a detailed work program and the names and qualifications of any contractors to be employed on the project for the review and approval of the Executive Officer of the Conservancy.
2. MLT shall provide documentation that permits and approvals necessary to the completion of each project component has been obtained.
3. MLT shall implement or cause to be implemented the mitigation measures identified in Coastal Development Permit # 67-2008 and 68-2008 in development of each of the affected accessways.”

Findings:

“Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

1. The proposed project is consistent with the current Project Selection Criteria and Guidelines.
2. The proposed authorization is consistent with the purposes and objectives of Chapter 9 of Division 21 of the Public Resources Code, regarding establishing a system of public coastal access ways.
3. The proposed project serves greater than local need.
4. The Mendocino Land Trust is a nonprofit organization, existing under the provisions of Section 501(c)(3) of the Internal Revenue Code, whose purposes, which include the preservation and restoration of land for public access and recreation, are consistent with Division 21 of the California Public Resources Code.
5. The Conservancy has independently reviewed and considered the Mitigated Negative Declarations adopted by the County of Mendocino under the California Environmental Quality Act for the Little River and Kibesillah segments of the

*STATE COASTAL CONSERVANCY
PUBLIC MEETING MINUTES*

trail, respectively on January 28, 2010 and April 13, 2010 (Exhibit 3). The Conservancy finds that the project as designed avoids, reduces, or mitigates the possible significant environmental effects to a level of insignificance, and there is no substantial evidence that the project will have a significant effect on the environment, as defined in 14 Cal. Code of Regulations, Section 15382.”

Moved and seconded. Approved by a vote of 6-0.

13. MA-EL’L DUNES COOPERATIVE MANAGEMENT AREA

Su Corbaley of the Coastal Conservancy presented the Staff Recommendation.

Resolution:

“The State Coastal Conservancy hereby:

1. Approves the Ma-le’l Dunes Cooperative Area Access Management Plan attached as Exhibit 2 to the accompanying staff recommendation.
2. Adopts the Mitigated Negative Declaration prepared under the California Environmental Quality Act (“CEQA”) for the Ma-le’l Dunes Cooperative Area Access Management Plan and attached as Exhibit 3 to the accompanying staff recommendation.
3. Adopts the Ma-le’l Dunes Cooperative Area Access Plan Mitigation Monitoring Program attached as Exhibit 4 to the accompanying staff recommendation.
4. Authorizes disbursement of an amount not to exceed one hundred seventy-five thousand dollars (\$175,000) to the United States Fish and Wildlife Service to implement Phase One of the Ma-le’l Dunes Cooperative Management Area Access Plan, subject to the following conditions:
 - a. Prior to disbursement of any funds, the Executive Officer shall approve in writing a work plan, budget and schedule, detailed project designs, and any contractors to be used for the activities under this authorization.
 - b. With respect to work funded by the Conservancy and constituting an improvement or development, the grantee shall provide evidence that all permits necessary to this project have been issued.
 - c. Conservancy funding shall be acknowledged by erecting and maintaining on the property a sign or signs that has been reviewed and approved by the Executive Officer.”

Findings:

“Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

1. The proposed project is consistent with Chapter 9 of Division 21 of the Public Resources Code, regarding public access to and along the coast.
2. The proposed project is consistent with the Project Selection Criteria and Guidelines approved by the Conservancy on June 4, 2009.

*STATE COASTAL CONSERVANCY
PUBLIC MEETING MINUTES*

3. The Conservancy has independently reviewed and considered the Mitigated Negative Declaration/Finding of No Significant Impact and Mitigation Monitoring Program prepared under CEQA and the National Environmental Protection Act, and attached to the accompanying staff recommendation as Exhibits 3 and 4, respectively, and finds that there is no substantial evidence that the project as mitigated will have a significant effect on the environment, as defined in 14 California Code of Regulations Section 15382.
4. The proposed project will serve greater than local needs.”

Moved and seconded. Approved by a vote of 6-0.

14. DEPUTY ATTORNEY GENERAL’S REPORT

Deputy Attorney General Pat Peterson, who has represented the Conservancy for 27 years, announced that she will retire at the end of this year.

15. CONSERVANCY MEMBER COMMENTS

There were no member comments.

16. PUBLIC COMMENT

Jim Hausener from California Marine Affairs and Navigation Conference and the Bay Planning Coalition commented on a future concern about eel-grass expansion and the Subtidal Habitat Goals Guidelines.

17. **CLOSED SESSION** regarding *United States of America v. 127.60 Acres of Land, more or less, situated in San Diego County, State of California, U.S. District Court, Southern District of California, Civil No. 06CV1670W NLS. Session was not held.*

18. CLOSED SESSION

The Conservancy met in closed session under Government Code Section 11126(e) to confer with counsel regarding the unauthorized removal of vegetation from the Conservancy’s conservation easement in the City of Trinidad.

ADJOURNMENT

The meeting was adjourned at 2:15 p.m.

**August 2010 Legislative Report
Coastal Conservancy
A-AGRI.**

SB 1177 (Kehoe D) Agriculture: 22nd District Agricultural Association: greenway zone.

Current Text: Amended: 7/1/2010 [pdf](#) [html](#)

Introduced: 2/18/2010

Last Amended: 7/1/2010

Status: 7/1/2010-From committee with author's amendments. Read second time. Amended. Re-referred to Com. on AGRI.

Location: 7/1/2010-A. AGRI.

Summary:

Would require the 22nd District Agricultural Association (district) to develop, manage, and maintain a minimum 100-foot wide greenway zone at a specified location, a specified section of which would be required to be completed by January 1, 2012, as specified, for the purpose of protecting, enhancing, and restoring the overall environmental quality of the San Dieguito River and adjacent wetlands. The district also would be required to develop a public access trail in the greenway zone, as specified. The district would be required to submit its plan for implementation of the greenway zone to the California Coastal Commission at any time prior to, but no later than, the date the district applies for a coastal development permit, if required, for the replacement of an existing exhibit hall. Construction of certain sections of the greenway zone would be required to be completed prior to a certificate of occupancy being issued for a new exhibit hall, except that the maintenance period may still be incomplete. This bill contains other related provisions and other existing laws.

A-APPR.

SB 1124 (Negrete McLeod D) Land conservation: California Wildlife, Coastal, and Park Land Conservation Act: County of San Bernardino.

Current Text: Amended: 6/21/2010 [pdf](#) [html](#)

Introduced: 2/18/2010

Last Amended: 6/21/2010

Status: 6/30/2010-From committee: Do pass, but first be re-referred to Com. on APPR. (Ayes 13. Noes 0.) Re-referred to Com. on APPR. (Heard in committee on June 29.)

Location: 6/30/2010-A. APPR.

Summary:

Would revise and recast that law to authorize the County of San Bernardino to sell property it owns within the Chino Agricultural Preserve that was purchased with grant funds from the act if the county, among other things, uses the proceeds from each sale only for the acquisition of replacement land or conservation easements within the preserve. The bill would prohibit the county from selling or acquiring land or conservation easements unless and until the Board of Supervisors for the County of San Bernardino adopts a detailed land plan by December 31, 2011. The bill would require the land plan to meet certain conditions including that it identify each parcel of property acquired with grant funds and show which parcel will be sold, exchanged, purchased, or retained. This bill would also require the county to take certain steps to implement an adopted land plan, including recording a conservation easement for the purpose of agricultural preservation and open-space conservation on each property identified for retention by April 1, 2012. This bill contains other related provisions.

A-APPR. SUSPENSE FILE

SB 503 (Kehoe D) State General Obligation Bond Law: audits.

Current Text: Amended: 6/23/2010 [pdf](#) [html](#)

Introduced: 2/26/2009

Last Amended: 6/23/2010

Status: 6/30/2010-Set, first hearing. Referred to APPR. suspense file.

Location: 6/30/2010-A. APPR. SUSPENSE FILE

Summary:

Would require the Controller to select one or more projects funded by any state general obligation bond act approved on or after January 1, 2010, to be the subject of an audit to be conducted as specified. The Controller would be required annually to assign up to 5 auditor positions to conduct these audits. The Controller would be authorized to examine any record of any agency, contractor, and other specified parties that relates to the use of bond proceeds and would be required, by April 30 of each year, to prepare an audit plan for the following fiscal year. The bill would require an entity that is to be audited, prior to contracting with the Controller for an audit, to determine that it is able to pay the estimated cost of conducting the audit from the proceeds of bonds for administrative purposes for that project. The bill would prohibit the Controller from conducting the audit if those proceeds are not available.

SB 1006 (Pavley D) Natural resources: climate change: Strategic Growth Council.

Current Text: Amended: 6/21/2010 [pdf](#) [html](#)

Introduced: 2/10/2010

Last Amended: 6/21/2010

Status: 8/4/2010-Action From APPR.: To APPR. SUSPENSE FILE.

Location: 8/4/2010-A. APPR. SUSPENSE FILE

Summary:

Would require the council to take certain actions with regard to coordinating programs to address climate change impacts. The bill would require the council additionally to provide, fund, and distribute information to local governments and regional agencies regarding climate change adaptation strategies, projects, or activities, as described. The bill would also define "financial assistance" for purposes of the council. This bill contains other related provisions and other existing laws.

A-BUDGET

AB 1609 (Blumenfield D) 2010-11 Budget.

Current Text: Amended: 6/7/2010 [pdf](#) [html](#)

Introduced: 1/8/2010

Last Amended: 6/7/2010

Status: 6/10/2010-Re-referred to Com. on BUDGET.

Location: 6/10/2010-A. BUDGET

Summary:

Would make appropriations for support of state government for the 2010-11 fiscal year. This bill contains other related provisions.

A-CONSENT CALENDAR

SB 1034 (Ducheny D) Archaeological resources: restitution.

Current Text: Amended: 8/2/2010 [pdf](#) [html](#)

Introduced: 2/12/2010

Last Amended: 8/2/2010

Status: 8/4/2010-Action From APPR.: Do pass.To CONSENT CALENDAR.

Location: 8/4/2010-A. CONSENT CALENDAR

Summary:

Would make that violation punishable by a fine not exceeding \$10,000, by imprisonment in a county jail not to exceed one year, or by both that fine and imprisonment , thereby imposing a state-mandated local program by increasing the term of imprisonment for such a violation . The bill would require a court to order restitution to the state agency , conservancy, or other instrumentality of the state that has primary management authority over the public lands where the violation occurred or to the city, county, district, or other local agency owning or having jurisdiction over the public lands where the violation occurred . The bill would establish procedures for determining the commercial and archaeological value of those resources and the cost of restoration and repair. This bill contains other related provisions and other existing laws.

A-DEAD

AB 1818 (Blumenfield D) Santa Monica Mountains Conservancy: Upper Los Angeles River and Watershed Protection Program.

Current Text: Amended: 4/19/2010 [pdf](#) [html](#)

Introduced: 2/11/2010

Last Amended: 4/19/2010

Status: 6/4/2010-Failed Deadline pursuant to Rule 61(b)(11). (Last location was APPR. SUSPENSE FILE on 5/28/2010)

Location: 6/4/2010-A. DEAD

Summary:

Would establish the Upper Los Angeles River and Watershed Protection Program. The program would be administered by the Santa Monica Mountains Conservancy to address the resource protection, public recreation, water conservation, and water quality goals of the Upper Los Angeles River watershed in a coordinated, comprehensive, and effective way. This bill contains other related provisions and other existing laws.

AB 1958 (Caballero D) State government.

Current Text: Introduced: 2/17/2010 [pdf](#) [html](#)

Introduced: 2/17/2010

Status: 5/7/2010-Failed Deadline pursuant to Rule 61(b)(6). (Last location was PRINT on 2/17/2010)

Location: 5/12/2010-A. DEAD

Summary:

Would state the intent of the Legislature to enact legislation to require each department in state government to make recommendations on reducing its costs by 5%, and to use those cost savings to fund preapproved infrastructure projects not funded by existing bond funding.

AB 2074 (Monning D) Natural resources: Andrew Molera State Wilderness.

Current Text: Introduced: 2/18/2010 [pdf](#) [html](#)

Introduced: 2/18/2010

Status: 4/23/2010-Failed Deadline pursuant to Rule 61(b)(5). (Last location was W.,P. & W. on 3/4/2010)

Location: 4/23/2010-A. DEAD

Summary:

Would designate the Andrew Molera State Wilderness as a component of the California wilderness preservation system. The bill also would authorize the California Coastal Trail to be located, designed, constructed, or operated within the Andrew Molera State Wilderness.

AB 2353 (Logue R) Conservancies: reporting requirements.

Current Text: Amended: 4/28/2010 [pdf](#) [html](#)

Introduced: 2/19/2010

Last Amended: 4/28/2010

Status: 6/4/2010-Failed Deadline pursuant to Rule 61(b)(11). (Last location was APPR. SUSPENSE FILE on 5/28/2010)

Location: 6/4/2010-A. DEAD

Summary:

Would require the California Tahoe Conservancy, the Sacramento-San Joaquin Delta Conservancy, the San Joaquin River Conservancy, the Baldwin Hills Conservancy, the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy, the San Diego River Conservancy, and the Coachella Valley Mountain Conservancy to submit biennial reports to the Legislature and to the Secretary of the Natural Resources Agency detailing their funding, land management costs, administrative costs, and a description of, and the amount of money expended for, all projects funded by the conservancy, a project schedule, and progress toward achieving specified purposes, among other things. The bill would also conform the dates for submitting the reports to when the existing reports are required to be submitted by the State Coastal Conservancy, Santa Monica Mountains Conservancy, and the Sierra Nevada Conservancy. This bill contains other related provisions and other existing laws.

AB 2465 (Yamada D) Vector control: state agencies.

Current Text: Amended: 4/7/2010 [pdf](#) [html](#)

Introduced: 2/19/2010

Last Amended: 4/7/2010

Status: 6/4/2010-Failed Deadline pursuant to Rule 61(b)(11). (Last location was APPR. SUSPENSE FILE on 5/28/2010)

Location: 6/4/2010-A. DEAD

Summary:

Would require, with respect to any land that is acquired by the state on and after January 1, 2011, that the acquiring state agency take specified actions with regard to mosquito control on state properties, as described in the June 2008 Best Management Practices for Mosquito Control on California State Properties prepared by the State Department of Public Health. This bill contains other existing laws.

A-PRINT

ABX6 1 (Nava D) Taxation: Oil Industry Fair Share Act.

Current Text: Introduced: 10/26/2009 [pdf](#) [html](#)

Introduced: 10/26/2009

Status: 10/27/2009-From printer.

Location: 10/26/2009-A. PRINT

Summary:

Would impose a tax on and after January 1, 2010, upon any producer for the privilege of severing oil from the earth or water in this state for sale, transport, consumption, storage, profit, or use, as provided, at the rate of 10% of the gross value of each barrel of oil severed. The tax would be administered by the State Board of Equalization and would be collected pursuant to the procedures set forth in the Fee Collection Procedures Law. The bill would require the board to deposit all revenues, less refunds, collected pursuant to these provisions into the General Fund. This bill contains other related provisions and other existing laws.

S-APPR.

AB 408 (Saldana D) Commercial fishing: lobster management enhancement.

Current Text: Amended: 8/2/2010 [pdf](#) [html](#)

Introduced: 2/23/2009

Last Amended: 8/2/2010

Status: 8/3/2010-From committee: Do pass. (Ayes 7. Noes 3.) (August 2).

Location: 8/2/2010-S. APPR.

Summary:

Would require the department to deposit supplement revenues in the Lobster Management Enhancement Account, which the bill would create in the Fish and Game Preservation Fund. The bill would require that money in the account be expended by the department, upon appropriation by the Legislature, exclusively to fund specified projects and programs to improve lobster sustainability and management. The bill would create a 5-member Lobster Management Enhancement Advisory Committee that would be required to meet only once during any calendar year to recommend to the department projects and programs and budgets for the expenditure of account moneys, including a plan to prioritize expenditures. Those lobster management enhancement provisions would be repealed on January 1, 2017. This bill contains other related provisions and other existing laws.

AB 1504 (Skinner D) Forest resources: carbon sequestration.

Current Text: Amended: 8/2/2010 [pdf](#) [html](#)

Introduced: 2/27/2009

Last Amended: 8/2/2010

Status: 8/2/2010-In committee: Set, first hearing. Referred to APPR suspense file.

Location: 8/2/2010-S. APPR.

Summary:

Would include in that list of specified public needs and that list of specified values sequestration of carbon dioxide. The bill also would make other legislative findings and declarations relative to carbon dioxide sequestration as it relates to forests. This bill contains other related provisions and other existing laws.

AB 2598 (Brownley D) Tidelands and submerged lands: sea level action plan.

Current Text: Amended: 7/15/2010 [pdf](#) [html](#)

Introduced: 2/19/2010

Last Amended: 7/15/2010

Status: 8/2/2010-SEN. APPR. Vote - Placed on Appropriations Suspense file.

Location: 7/15/2010-S. APPR.

Summary:

Would require each local trustee of granted public trust lands, as defined, to give management priority to, and take all reasonable actions that are necessary for, the preparation of a sea level action plan for all of its legislatively granted public trust lands. The bill would require a local trustee to prepare the plan by July 1, 2012, and submit the plan to the Natural Resources Agency, the Governor's Office of Planning and Research, and the State Lands Commission. The bill would require the plan to include, among other things, an assessment of the impact of sea level rise on granted public trust lands, an estimate of the financial cost of this impact, and strategies to prevent or mitigate damage to development and infrastructure and to protect and enhance habitat. This bill contains other related provisions.

S-N.R. & W.

AB 2503 (John A. Perez D) Ocean resources: artificial reefs.

Current Text: Amended: 6/21/2010 [pdf](#) [html](#)

Introduced: 2/19/2010

Last Amended: 6/21/2010

Status: 6/29/2010-Do pass as amended, and re-refer to the Committee on Rules.

Location: 6/21/2010-S. N.R. & W.

Summary:

Would repeal those provisions and, instead, would enact the California Marine Life Legacy Act to establish a program of artificial reef research and development, administered by the department. The act would authorize the department to conditionally approve the conversion of an offshore oil platform or production facility into an artificial reef, if specified criteria are satisfied, including a finding that the alternative of converting the decommissioned offshore oil platform or production facility into an artificial reef provides a net environmental benefit and substantial cost savings compared to the alternative of removing the facilities. The act would require the Ocean Protection Council, for purposes of determining whether such a conversion provides a net environmental benefit, to determine criteria for biological evaluation of an oil platform or production facility for use as an artificial reef, to consult with the department, the California Coastal Commission, the State Lands Commission, the California Ocean Service Trust and other responsible agencies as to those criteria, and would require that the conversion comply with the California Environmental Quality Act. The act would require the State Lands Commission to

determine the cost savings of a conversion, and would require the owner or operator, upon conditional approval for conversion, to apportion a percentage of the cost savings funds in accordance with a prescribed schedule to the California Endowment for Marine Preservation , the county immediately adjacent to the location of the facility , and the General Fund . The act would authorize the department to take title to a decommissioned offshore oil platform or production facility in open coastal waters if prescribed requirements are met. This bill contains other related provisions.

S-RLS.

[AB 1518](#) ([Anderson R](#)) **State government: boards, commissions, committees: report.**

Current Text: Amended: 4/8/2010 [pdf](#) [html](#)

Introduced: 2/27/2009

Last Amended: 4/8/2010

Status: 4/8/2010-Read second time and amended. Re-referred to Com. on RLS.

Location: 4/8/2010-S. RLS.

Summary:

Would require the Department of Finance, on or before July 1, 2011, to send a report to the Chief Clerk of the Assembly and the Secretary of the Senate that identifies every state board, commission, and committee created by statute that the department determines to be inactive , as defined, with respect to the reason for which it was established.

S-THIRD READING

[AB 471](#) ([Nava D](#)) **Legal services.**

Current Text: Amended: 7/15/2010 [pdf](#) [html](#)

Introduced: 2/24/2009

Last Amended: 7/15/2010

Status: 8/3/2010-Read second time. To third reading.

Location: 8/3/2010-S. THIRD READING

Summary:

Would recast these provisions, define terms for their purposes, and state several factors the Attorney General may consider when considering consenting to a state agency, commissioner, or officer employing in-house counsel or outside counsel, as defined. The bill would make other conforming changes.

[AB 1581](#) ([Torres D](#)) **Environment: California Environmental Quality Act: notice: scoping meeting.**

Current Text: Amended: 6/23/2010 [pdf](#) [html](#)

Introduced: 3/27/2009

Last Amended: 6/23/2010

Status: 8/3/2010-Read second time. To third reading.

Location: 8/3/2010-S. THIRD READING

Summary:

Would additionally require the lead agency to provide a notice to other entities that have filed a written request for the notice. By requiring a lead agency to provide a notice to these entities, this bill would increase the service provided by a local agency, thereby creating a state-mandated local program. This bill contains other related provisions and other existing laws.

[AB 2103](#) ([Hill D](#)) **San Francisco Bay Restoration Authority.**

Current Text: Amended: 6/2/2010 [pdf](#) [html](#)

Introduced: 2/18/2010

Last Amended: 6/2/2010

Status: 6/14/2010-From Consent Calendar. Ordered to third reading.

Location: 6/14/2010-S. THIRD READING

Summary:

Would require the board of supervisors of each affected county, when the authority proposes a measure to levy a benefit assessment, special tax, or property-related fee for submission to the voters, to call a special election on the regional measure and place the regional measure on the ballot of the next regularly scheduled election, and would require the county clerk of each county to report the results of the special election to the authority .

[AB 2181](#) ([Hagman R](#)) **State Contract Act: contracting by state agencies.**

Current Text: Amended: 5/10/2010 [pdf](#) [html](#)

Introduced: 2/18/2010

Last Amended: 5/10/2010

Status: 8/3/2010-Read second time. To third reading.

Location: 8/3/2010-S. THIRD READING

Summary:

Would instead have those projects under the charge and control of the Department of General Services. This bill contains other related provisions and other existing laws.

AB 2717 (Skinner D) Insurance: agents and brokers: senior designation: use.

Current Text: Amended: 7/15/2010 [pdf](#) [html](#)

Introduced: 2/19/2010

Last Amended: 7/15/2010

Status: 8/3/2010-Read second time. To third reading.

Location: 8/3/2010-S. THIRD READING

Summary:

Would require that the commissioner approve a senior designation only if the organization that issues the designation satisfies specified requirements, including, but not limited to, accreditation standards, education and examination requirements, and having minimum standards and procedures regarding disciplining the organization's designees for improper or unethical conduct. This bill contains other related provisions.

S-VETOED**SB 4 (Oropeza D) Public resources: state beaches and parks: smoking ban.**

Current Text: Vetoed: 5/3/2010 [pdf](#) [html](#)

Introduced: 12/1/2008

Last Amended: 3/11/2010

Status: 5/3/2010-In Senate. To unfinished business. (Veto) VETOED

Location: 5/3/2010-S. VETOED

Summary:

Would make it an infraction for a person to smoke, as defined, a pipe, cigar, or cigarette on a state coastal beach or in a unit of the state park system, as defined, except as specified. The bill would require that the ban on smoking be in effect in units of the state park system only if the district superintendent of the state park system has posted an order in accordance with state park regulations policy that prohibits smoking in those areas, and public notice of the proposed order has been provided for at least 30 days. The bill would establish a state-mandated local program by creating a new crime. This bill contains other related provisions and other existing laws.

Total Measures: 23

Total Tracking Forms: 23