

# State Coastal Conservancy

## September 23, 2021 Legislative Report

### UPCOMING DEADLINES

- 10/10/21: Last day for the Governor to sign or veto bills passed by the legislature on or before September 10 and in the Governor's possession after 9/10.
- 01/01/22: Statutes take effect.
- 01/03/22: Legislature reconvenes.

### **Budget Trailer Bills**

[SB 170](#) (Enrolled) amends the FY 21/22 budget to provide additional appropriations to the Conservancy as follows:

#### General Fund

- \$10m for State Coastal Conservancy (of which \$5m is for San Francisco Bay Area) – part of Wildfire Package
- \$1m for Garrapata State Parks Coastal Trail
- \$7.75m to the City of Pacific for Esplanade Infrastructure Seawall Project
- \$2.16m to Alameda County Flood Control and Water Conservation District for Stiver's Lagoon Marsh Restoration
- \$10.3m for planning and reuse for assets of the North Coast Rail Authority (Great Redwood Trail)
- \$8m for San Mateo County Flood Control and Sea Level Rise Resiliency District for the One Shoreline Project
- \$50k for Beach Erosion Authority for Clean Oceans and Nourishment for analysis work
- \$14m for the Santa Ana River Conservation Program
- \$28.5m for West Coyote Hills
- \$200,000 for Conservancy administration of line-projects

#### Coastal Trust Fund:

- \$10m for public access at Hollister Ranch

[SB 155](#) (Public Resources, Enrolled), provides to the Conservancy, upon appropriation by the legislature, \$350m in FY 22/23 and \$150m in FY 23/24 for grants or expenditures for the protection and restoration of coastal and ocean resources from the impacts of sea level rise and other impacts of climate change.

### **Bond Legislation**

#### [SB 45](#)

**(Portantino, Allen, Hurtado, Stern, D) *Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2022.***

*Location:* Senate Inactive File

SB 45 would enact the Wildfire Prevention, Safe Drinking Water, Drought Preparation, and Flood Protection Bond Act of 2022, which, if approved by the voters, would authorize the issuance of bonds in the amount of *\$5,595 billion* to finance projects for a

wildfire prevention, safe drinking water, drought preparation, and flood protection program.

SB 45 allocates \$900 million to SCC, including: \$100 million to SCC for projects that are consistent with the San Francisco Bay Restoration Authority Act; \$700 million for purposes of Division 21; and \$100 million for restoration of former fossil fuel powerplant sites.

#### [AB 1500](#)

**(Garcia, D Mullin, D) *Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, and Workforce Development Bond Act of 2022.***

*Location:* Assembly Rules Committee

AB 1500 would enact the Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, and Workforce Development Bond Act of 2022, which, if approved by the voters at the *June 7, 2022 statewide primary election*, would authorize the issuance of bonds in the amount of *\$6,955 billion* to finance projects for safe drinking water, wildfire prevention, drought preparation, flood protection, extreme heat mitigation, and workforce development programs.

The bill allocates \$1 billion to SCC for grants or expenditures consistent with Division 21, including \$300 million for purposes of the San Francisco Bay Restoration Authority; *\$100 million* for the San Francisco Bay Area Conservancy Program; *\$40 million* for the Santa Ana River Conservancy program; \$100 million for demonstration and pilot projects that use natural infrastructure to promote climate resilience and protect critical infrastructure from sea level rise; and \$65 million for dam removal and to upgrade related downstream infrastructure to enhance sediment transport, wildlife passage , and public recreation. The balance of \$395 million may be used for general Division 21 purposes, including ADA-compliant public access improvements and outdoor recreation.

#### **Resources Related Legislation**

##### [AB 30](#)

**(Kalra, D) Parks: access to nature.**

*Location:* 2-year bill

This bill states that it is established policy of the state that access to nature and access to the benefits of nature is a human right. The bill would require that all relevant state agencies and their boards and commissions to incorporate this state policy when revising, adopting, or establishing policies, regulations, and grant criteria, or making expenditures, pertinent to the uses of outdoor access to nature, as provided.

##### [AB 67](#)

**(Petrie-Norris, D) *Sea Level Rise: working group: economic analysis.***

*Location:* 2-year bill

This bill would require the Ocean Protection Council, in consultation with a multi-agency working group of state agencies and the Office of Planning and Research, to:

- Develop a standardized methodology and template for conducting economic analyses of sea level rise and other climate-related flood risks and impacts; and
- Develop and publish a class-specific infrastructure resilience plan to prepare critical public infrastructure for projected sea level rise and inform state agency infrastructure funding decisions.

[AB 72](#)

**(Petrie-Norris, D) Environmental protection: Natural Resources Agency: coastal adaptation projects: sea level rise: regulatory review and permitting report.**

*Location:* Enrolled

This bill enacts the Coastal Adaptation Permitting Act of 2021. The bill requires the Natural Resources Agency to explore, and authorizes it to implement, options within the agency's jurisdiction to establish a more coordinated and efficient regulatory review and permitting process for coastal adaptation projects that use natural infrastructure, as defined. The bill requires the agency to submit, by July 1, 2023, a report to the Legislature with suggestions and recommendations for improving and expediting the coordination between appropriate agencies in their regulatory review and permitting process for coastal adaptation projects that use natural infrastructure.

[AB 620](#)

**(Mullin, D) Unified online environmental permit application.**

*Location:* 2-year bill

This bill expresses the intent of the Legislature to enact legislation creating a unified online environmental permit application and process for state agencies to simplify the submittal and tracking of environmental permits for permit applicants and state agencies and supports interagency coordination.

AB 826

**(Bennett, D) Beach Erosion: South Central California Coast: Point Conception to Point Mugu.**

This bill was gutted and amended with different subject matter.

[AB 1219](#)

**(Berman, D) Income taxes: Natural Heritage Preservation Tax Credit Act of 2000.**

*Location:* Enrolled

This bill renews The Natural Heritage Preservation Tax Credit Act of 2000 for qualified contributions on or after January 1, 2021, and no later than June 30, 2026. The Act requires the Wildlife Conservation Board to implement a program under which property may be contributed to the state, any local government, or to any non-profit organization designated by a local government to provide for the protection of wildlife habitat, open space, and agricultural lands.

[AB 1570](#)

**(Committee on Natural Resources) Public resources: omnibus bill.**

*Location:* Enrolled

This bill includes a provision requiring the Conservancy to include in its required triennial report to the legislature a discussion of the agency's progress in implementing its Lower Cost Coastal Accommodations Program.

[SB 1](#)

**(Atkins, D) Coastal Resources: sea level rise.**

*Location:* Enrolled

SB 1 creates The California Sea Level Rise Mitigation and Adaptation Act of 2021, a new program for the state to take action to prepare for sea level rise associated with climate change. The bill creates within the Ocean Protection Council the five-member California Sea Level Rise State and Regional Support Collaborative to provide state and regional information to the public and support to local, regional, and other state agencies for the identification, assessment and, as feasible, mitigation of adverse impacts of sea level rise.

The bill requires, upon appropriation in the annual Budget Act, the Collaborative to expend up to \$100 million annually from bond funds and other sources for grants to local governments to update local and regional land use plans to account for sea level rise and for investments to implement those plans. The bill requires the OPC to coordinate with the Conservancy and the other state planning and coastal management agencies to administer the grants consistent with their statutory authority.

The bill requires state and regional agencies identify, assess, and to avoid, minimize and mitigate the impacts of sea level rise.

[SB 69](#)

**(McGuire, D) North Coast Railroad Authority: right-of-way: Great Redwood Trail Agency: Sonoma-Marín Area Rail Transit District.**

*Last amended:* 04/26/2021

*Location:* Enrolled

This bill renames the North Coast Railroad Authority the Great Redwood Trail Agency and establishes a new governance structure and trail mandate for the agency. The bill authorizes the agency to contract with the Coastal Conservancy, another state agency, or another organization to staff the agency.

[SB 83](#)

**(Allen, D) California Infrastructure and Economic Development Bank: Sea Level Rise Revolving Loan Program.**

*Location:* Enrolled

SB 83:

- Requires the Ocean Protection Council to develop the Sea Level Rise Revolving Loan Program in consultation with the Conservancy to provide low-interest loans to local agencies to purchase coastal properties in their jurisdictions identified as “vulnerable” coastal properties.
- Establishes the Sea Level Rise Revolving Loan Fund to be administered by the Conservancy to provide those loans to eligible agencies.

The bill makes implementation of the Program is contingent on legislative appropriation in the annual Budget Act “or another statute for its purposes.”

[SB 433](#)

**(Allen, D) California Coastal Act: enforcement: penalties**

*Location:* Enrolled

This bill expands the Coastal Commission’s administrative penalty authority to all types of Coastal Act violations. The bill specifies that the Commission cannot impose administrative penalties on a state agency.

**Administrative Legislation**

[AB 105](#)

**(Holden, D) The Upward Mobility Act of 2021: boards and commissions: civil service: examinations: classifications.**

*Location:* Enrolled

AB 105 requires that on or after January 1, 2022, all state boards and commissions consisting of one or more volunteer members or commissioners must have at least one volunteer board member or commissioner who self-identifies as Black, African American, Hispanic, Latino, Asian, Pacific Islander, Native American, Native Hawaiian, or

Alaska Native; who self-identifies as gay, lesbian, bisexual, or transgender; who is a veteran, as defined; or who has a disability, as defined.

AB 105 requires departments of the state to:

- Video and electronic record any oral examination.
- Inform examinees they are being recorded and maintain for three years examination materials for each examination, including examination question and other written materials.
- Establish an upward mobility program using goals developed annually by CalHR. Model upward mobility goals may include race, gender, and LGBTQ, veteran status, and physical or mental disability as factors to the extent permissible under state and federal equal protection laws. The program must include the number of employees expected to progress from low-paying occupational groups to entry-level technical, professional, and administrative positions and the target timetable. CalHR would be responsible for each department's annual goals and timetables.
- Submit a report to CalHR, the Department of Finance Director, and the Legislative Analyst if, after two consecutive fiscal years of failure to meet goals, explaining the reasons and potential solutions for the following two years.
- Report to CalHR annually all adverse actions taken against employees, along with corresponding demographic information if the civil servant agrees to provide it. CalHR would submit this information as part of its annual report to the Legislature about the status of the civil service.
- Beginning July 1, 2022, break down demographic data for Californians of African into two categories: African-American descendants of U.S. enslaved persons and African Americans not descended from U.S. enslaved persons, including, but not limited to, African Blacks, Caribbean Blacks, and other African Americans or Blacks.

AB 339

**(Lee, Cristina Garcia, D) Local government: open and public meetings.**

This bill no longer impacts state agencies.

[AB 361](#)

**(Rivas, D) Open meetings: state and local agencies: teleconferences**

*Location:* Enrolled

Allows, until January 1, 2024, local agencies to use teleconferencing without complying with specified Ralph. M Brown Act restrictions in certain state emergencies, and provides similar authorizations, until January 31, 2022, for state agencies subject to the Bagley-Keene Open Meetings Act and legislative bodies subject to the Gloria Romero Open Meetings Act of 2000.