

1986

1986 Legislative Summary

Assembly Committee on Water, Parks and Wildlife

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ON

WATER, PARKS AND WILDLIFE

1986 LEGISLATIVE SUMMARY



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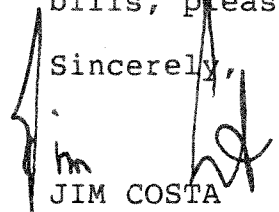
Dear Friend:

The Water, Parks and Wildlife Committee considered over 300 pieces of legislation during the 1985-86 Regular Session. Included in this summary are 94 of the most significant bills acted upon during 1986, the second half of the two-year session.

The bills are listed by subject area, and the status of each is included. Spot bills, bills not taken up by the author, and bills which failed passage may not be listed. However, generally those of greatest significance have been included regardless of status.

If you have any questions regarding the summary or specific bills, please contact the committee staff at (916) 445-6164.

Sincerely,


JIM COSTA
Chairman

142-2198

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ASSEMBLY WATER, PARKS AND WILDLIFE COMMITTEE

Legislative Summary & Bill Status Report

1986 Legislation

I. W A T E R

A. WATER DEVELOPMENT AND SUPPLY

AB 459 (Bates) Water resources development

Creates a Delta Advisory Commission and requires it to prepare a plan of action to provide the best solutions to the existing problems within the delta which include the protection of drinking water quality, the risks to the economy of the state due to the possible interruption of state and federal water supplies, and the restoration of fish and wildlife resources. Requires the plan to be submitted to the Legislature by June 30, 1989.

Requires the State Water Resources Control Board, not later than June 30, 1988, to review and update the San Francisco Bay water quality control plan. Requires the state board to deny an application for a permit to appropriate water if it determines that water conservation, water reclamation or water transfer

June 30, 1988, from issuing new permits which allow diversion of water from the delta to areas south of the delta, except for water available as the result of water conservation. (Died in Senate Agriculture and Water Resources Committee)

AB 2010 (Isenberg) Central Valley Project task force

Authorizes the Director of the Department of Water Resources to negotiate with the U.S. Bureau of Reclamation for the purchase and operation of all or part of the Central Valley Project. Requires the Director to report to the Legislature during the department's annual budget hearings from 1987 to 1997 on the status of the negotiations. (Signed by the Governor September 29, 1986, Chapter 1384)

AB 2746 (Katz) Water conveyance facilities

Requires public agencies to allow others to utilize the unused capacity in their water conveyance facilities for water transfers. Provides that public agencies shall be paid fair compensation for use of their facilities. (Signed by the Governor September 20, 1986, Chapter 918)

AB 3718 (Costa) Wildlife habitat preservation and enhancement

Authorizes the Department of Water Resources to transport project and nonproject water through the State Water Resources Development System for federal, state, and local wildlife habitat preservation and enhancement. Requires the cost of transporting the additional water to be paid by the General Fund, the federal government, or other contributions. Requires the cost of transporting water if used on lands not available for public use to be paid for by contributions other than the General Fund.
(Died on Senate Inactive File)

AB 3722 (Costa and Isenberg) Water transfers

Requires the Department of Water Resources to establish an ongoing program to facilitate the voluntary transfer of water and implement state laws that pertain to water transfers. Requires the department to facilitate these transfers only if the water to be transferred is already developed and being diverted from a stream for beneficial use or has been conserved. Requires the department to create and maintain a list of entities seeking to enter into water supply transfers and a list of the physical facilities available to carry out transfers. Requires the department to prepare a water transfer guide to assist those entities interested in water supply transfers. Requires the department to report to the water policy chairpersons of the

Legislature its findings and recommendations for any changes in existing law or state policy necessary to improve water management by the use of voluntary water transfers. (Signed by the Governor September 20, 1986, Chapter 970)

ACA 16 (Bates and Papan) Water resources development

Provides that no statute amending, or adding to, or repealing protections for areas of origin shall become effective unless approved by the voters in a statewide election, except that the Legislature may amend the provisions by a two thirds vote if the statute does not in any manner reduce the protection for fish and wildlife. (Died in Assembly Water, Parks and Wildlife Committee)

SB 1700 (Torres) Central Valley Project entitlement transfers

Requires the Director of the Department of Water Resources to continue to pursue negotiations with the U.S. Bureau of Reclamation to contract for interim rights to stored water from the federal Central Valley Project for use by state water supply contractors. Requires the director to pursue discussions with the bureau to permit parties which have federal water entitlements to contract with public water supply agencies for the transfer of the federal entitlements during times of drought. Requires the director to report to the Legislature annually during budget hearings on the status of discussions through 1993. (Signed by the Governor September 26, 1986, Chapter 1241)

B. WATER QUALITY

AB 1982 (Costa) Water conservation and water quality bonds

Authorizes the issuance of \$150 million in revenue bonds for water conservation and water quality bonds. The proceeds would be available for low interest loans to local agencies for cost-effective, capital outlay water conservation programs and for agricultural drainage water treatment and containment facilities. The Department of Water Resources administers the \$75 million water conservation component, while the State Water Resources Control Board administers the \$75 million agricultural drainage water program. (Signed by the Governor February 6, 1986, Chapter 6; approved by voters as Proposition 44 on the June 1986 primary ballot)

AB 2228 (Sher) San Francisco Bay protection

Requires the State Water Resources Control Board to undertake a comprehensive review of all existing data on water quality standards for the protection of the San Francisco Bay. Requires the state board to report to the Legislature. Requires the board to cooperate with other agencies when undertaking the review. Requires the board to adopt standards for the protection of reasonable and beneficial uses of the water in the bay and to protect the bay from pollution. Requires the board to establish

a monitoring program to evaluate the effectiveness of the standards adopted pursuant to the bill. (Died in Senate Agriculture and Water Resources Committee)

AB 2668 (O'Connell) California Safe Drinking Water Bond Law of 1986

Places before the voters on the November 1986 ballot, the California Safe Drinking Water Bond Law of 1986 (Proposition 55), which authorizes the issuance of \$100 million in general obligation bonds for grants and loans to water suppliers for upgrading domestic water supply systems. (Signed by the Governor July 17, 1986, Chapter 410)

AB 3127 (Areias) Water well standards

Requires the State Water Resources Control Board to adopt a model water well, cathodic protection well and monitoring drilling well and abandonment ordinance. Requires local agencies to adopt the model ordinance or one which exceeds the requirements of the model ordinance. (Signed by the Governor September 26, 1986, Chapter 1152)

AB 3500 (Hayden) California ocean plan

Declares that it is the policy of the state that there be no discharge or pumping into the state's ocean waters, or into rivers, streams, or bays that empty into ocean waters, that would unreasonably affect beneficial uses. Requires the State Water Resources Control Board to formulate, adopt, and periodically review a water quality control plan for ocean waters. (Signed by the Governor September 30, 1986, Chapter 1478)

SB 1734 (Morgan) Water well standards

Requires a well drilling report to be filed with the Department of Water Resources within 60 days of completion of work. Requires the report to include the methods for sealing off surface or contaminated waters and the signature of the well owner or authorized representative. Makes reports available to the public. (Died in Assembly Water, Parks and Wildlife Committee)

SB 1745 (Bergeson) Water quality plans for New and Alamo rivers

Requires the California Regional Water Quality Control Board, Colorado River Basin region, to prepare a two-phase work plan for abating the pollution in the New and Alamo rivers. Appropriates

\$150,000 for the purpose of preparing the Phase I of plan.

(Signed by the Governor September 30, 1986, Chapter 1468)

SB 1815 (Davis) Water Quality Control Fund: interest rate on construction loans

Reduces the interest rate on loans from the Water Quality Control Fund from the average rate paid by the state on general obligation bonds to 50 percent of the average rate paid by the state on general obligation bonds. (Signed by the Governor September 20, 1986, Chapter 978)

SB 1817 (Morgan) Water well standards

Expands existing law to include monitoring wells under reporting requirements and defines a monitoring well as any artificial excavation by any method for the purpose of monitoring fluctuations in groundwater levels, quality of underground waters, or the concentration of contaminants in groundwater. Requires the Department of Water Resources to develop standards for installing, modifying, or abandoning groundwater monitoring wells if standards are needed to protect groundwater quality. Requires cities and counties to adopt standards where a regional board indicates such standards are necessary. Requires persons who drill, dig, or bore a water well, cathodic protection well, or monitoring well to possess a C-57 Water Well Contractor's

License. (Signed by the Governor September 29, 1986, Chapter 1373)

**SB 1906 (McCorquodale and Tanner) Drinking water quality:
grants**

Provides \$10 million for grants to local agencies for demonstration projects which will use designated technologies to remove synthetic organic chemicals and trichloromethanes from domestic water supplies. Targets grants to specified geographical areas of the state with acknowledged drinking water purity problems. (Vetoed by the Governor September 30, 1986)

SB 2119 (Torres) Water treatment devices

Requires the Department of Health Services to adopt regulations setting forth criteria and procedures for certification of water treatment devices that are claimed to affect the health or safety of drinking water. Prohibits the sale of devices that have not been certified by the department or by another entity one year after the effective date of the regulations. Authorizes the department to suspend, revoke or deny a certificate and establishes civil penalties for violation of the provisions of the law. (Signed by the Governor September 26, 1986, Chapter 1247)

SB 2319 (Roberti) Groundwater protection program

Requires the State Water Resources Control Board, in cooperation with the Department of Water Resources, to develop and submit to the Legislature by January 1, 1989, a comprehensive groundwater protection strategy plan. (Vetoed by the Governor September 30, 1986)

SB 2562 (Presley) Vessels: marine sanitation

Addresses the problems of pollution from vessels by recasting and extensively revising existing law relative to vessel sanitation. Expands remedies available to regional water quality control boards to enforce the law governing vessel sanitation practices. Allows existing funding sources of the Department of Boating and Waterways to be used to finance vessel pumpout facilities through loans to public and private marinas. Requires new publicly financed marinas in polluted areas to install pumpout facilities, as determined by the regional board. Clarifies the obligations of marine operators and the scope of authority of state and local law enforcement officers. (Signed by the Governor September 24, 1986, Chapter 1119)

C. GROUNDWATER

AB 792 (Costa) Groundwater management

Authorizes local agencies whose jurisdiction includes 12 specified groundwater basins subject to overdraft problems to establish programs for the management of groundwater resources. Contains a landowner protest provision, and requires an election to be conducted prior to levying rates or assessments to finance the program. (Vetoed by the Governor September 26, 1986)

SCR 92 (Ayala) Statewide acquisition of groundwater basins

Directs the water policy committees of the Legislature to hold hearings on the acquisition of groundwater basins by the state prior to the purchase of the basins. Requests appropriate state agencies to conduct technical, economic, and environmental studies concerning the viability of a groundwater basin prior to purchase. (Chaptered September 10, 1986, Resolution Chapter 160)

D. WATER CONSERVATION

AB 1658 (Isenberg) Agricultural water management planning

Requires agricultural water suppliers which supply more than 50,000 acre-feet of water annually to prepare an informational

report on its water management and conservation practices and submit it to the Department of Water Resources. Requires those suppliers that determine that a significant opportunity exists to conserve water or reduce the quantity of highly saline water or toxic drainage water to prepare and adopt an agricultural water management plan. (Chapter 954, Statutes of 1986)

AB 1982 (Costa) Water conservation and water quality bonds

Authorizes the issuance of \$150 million in revenue bonds for water conservation and water quality bonds. The proceeds would be available for low interest loans to local agencies for cost-effective, capital outlay water conservation programs and for agricultural drainage water treatment and containment facilities. The Department of Water Resources administers the \$75 million water conservation component, while the State Water Resources Control Board administers the \$75 million agricultural drainage water program. (Chapter 6, Statutes of 1986; approved by voters as Proposition 44 on the June 1986 primary ballot)

AB 3891 (Hannigan) Water conservation toilets

Makes legislative findings that promoting the use of water conservation toilets is in the public interest and necessary for the protection of the general welfare because it will save water and energy and reduce sewage. Requires that all new toilets sold

in the state must meet standards of the American National Standards Institute, and limited the existing exceptions. Requires the Department of Housing and Community Development to develop, adopt, and submit to the Building Standards Commission regulations for maximum water use in toilets for publication in the State Building Code. (Vetoed by the Governor September 26, 1986)

E. HYDROELECTRIC POWER

AB 846 (Campbell) Small hydroelectric projects: wild trout waters

Adds wild trout waters to the list of sensitive areas where small hydroelectric projects are prohibited. Defines a small hydroelectric project as one with a generating capacity of 80 megawatts or less. (Died in Senate Natural Resources and Wildlife Committee)

AB 3083 (Costa) Small hydroelectric projects

Requires project applicants to demonstrate that project revenues will exceed project costs, including the cost of mitigation measures over the life of the project. (Signed by the Governor September 14, 1986, Chapter 807)

F. WATER RIGHTS

AB 2810 (Waters) Water rights permit fees

Limits the maximum amount of an annual water permit application fee to \$25,000 and declares that the limitation applies to fees computed after January 1, 1986. (Died in Senate Appropriations Committee)

AB 2888 (Costa) Water right permits

Authorizes the State Water Resources Control Board to revoke a permit to appropriate water after a hearing to consider an extension if a permittee has not exercised due diligence in making use of its right. This avoids holding two hearings on the same subject. Exempts persons from permit fees who apply to appropriate water for the development of small hydroelectric energy facilities. These persons are required to pay all reasonable costs for processing their permit under a filing fee. (Signed by the Governor September 9, 1986, Chapter 670)

AB 3427 (Kelley) Water rights transfers

Permits any agreement for the transfer of water to exceed the seven-year limitation under existing law if mutually agreed upon by both parties to the transfer. (Signed by the Governor July 15, 1986, Chapter 364)

SB 1843 (Bergeson) Water rights: Temporary permits and temporary change orders

Repeals, revises, and recasts the provisions by which the State Water Resources Control Board may issue temporary permits or change orders for the diversion and use of water or for a change in the point of diversion, place of use, or purpose of use.

(Signed by the Governor July 22, 1986, Chapter 455)

G. FLOOD CONTROL

AB 3369 (Costa) Merced County Streams Project

Authorizes the state to participate in portions or units of the flood control project and authorizes the Reclamation Board to make a loan to Merced County for its local matching requirement.

(Signed by the Governor September 14, 1986, Chapter 819)

AB 3473 (Johnston) Delta levees

Requires the standards for the maintenance and improvement of nonproject levees in the delta shall embody and implement the short-term mitigation plan set forth in the "Flood Hazard Mitigation Plan for the Sacramento-San Joaquin Delta." Requires the Department of Water Resources to conduct annual inspections to monitor and ascertain the compliance with or progress toward

meeting those standards. (Signed by the Governor September 14, 1986, Chapter 824)

SB 2224 (Garamendi) Delta levees and banks

Authorizes the Department of Water Resources and the Reclamation Board to conduct a study to determine the potential need for state financial assistance to reclamation districts and levee districts within the Sacramento-San Joaquin Delta for maintenance of levees and banks that directly protect state highways.

Requires the department and the board to submit a report, together with recommendations based on the study, to the Legislature not later than June 30, 1987. (Signed by the Governor September 28, Chapter 1357)

H. MISCELLANEOUS

**AB 3621 (Johnston) Regional water quality control boards
budgets**

Requires the annual budget prepared by the State Water Resources Control Board to include a detailed plan of expenditures for each regional board. Requires each regional board, prior to adopting a proposed annual budget for submission to the state board, to conduct an assessment of its projected workload for the coming year and to hold at least one public hearing on the budget.

(Died in Senate Agriculture and Water Resources Committee)

II. P A R K S A N D R E C R E A T I O N

A. G E N E R A L

AB 3002 (Isenberg) Parks and Recreation - Various Provisions

(1) Approves revised criteria for determining priority of need for grants made pursuant to the Roberti-Z'berg-Harris Urban Open-Space and Recreation Program. Authorizes block grants under the Program to be made for the rehabilitation of historical structures in park or recreation areas. (2) Amends the Budget Act of 1986 to revert and reappropriate (a) \$62,102 from the State, Urban, and Coastal Park (1976 bond) Fund for a local assistance grant to the City of Ontario, (b) \$299,000 from the Off-Highway Vehicle Fund for a local assistance grant to the County of Los Angeles, and (c) \$100,000 from the Recreation and Fish and Wildlife Enhancement (1970 bond) Fund for a feasibility study and design of a replacement road at Castaic Lake State Recreation Area. (3) Amends the Budget Act of 1986 to appropriate (a) \$213,000 from the State, Urban, and Coastal Park (1979 bond) Fund for a local assistance grant to the County of Riverside for acquisition of land for the Chinatown Archaeological Project, (b) \$900,000 from the Parklands (bond) Fund of 1980 to the Department of Parks and Recreation for the purchase of the "Rimpau property" as an addition to Chino Hills

State Park, and (c) \$982,000 from the Parklands (bond) Fund of 1984 to the Department for storm damage repair at Little Franks Tract. (Signed by the Governor September 30, 1986, Chapter 1474, with line-item vetoes of funds for the acquisition of land for the Chinatown Archaeological Project, for the purpose of the "Rimpau property", and for storm damage repair at Little Franks Tract).

AB 3007 (Seastrand) State park system: acceptance of credit cards

Authorizes the Department of Parks and Recreation to accept credit cards for fees collected through the Department's reservation system for use of the state park system. (Signed September 14, 1986, Chapter 738)

AB 3085 (Costa) State Parks: general plans

Authorizes the Department of Parks and Recreation to prepare general plans which include more than one unit of the state park system if the units are in close proximity to one another and have similar resources and recreational opportunities and if such action would facilitate the protection of public resources and public access to those units. (Held in Senate Rules Committee)

AB 3803 (Farr) Santa Cruz County: subventions for law enforcement

Makes findings relative to law enforcement problems in coastal areas and that state parklands and coastal areas host an inordinate number of visitors each year and that such visitors are generally less likely to generate significant amounts of sales and gas tax revenues and therefore place a fiscal burden on local governments for law enforcement and criminal justice services. Requires a study by appropriate state agencies on the fiscal effects of crime along the coastline areas of Santa Cruz County, and requires the study to provide information concerning possible subvention grants for local governments. (Died in Assembly Water, Parks and Wildlife Committee)

AB 3817 (Costa) State park system: master plan

Makes findings regarding the size and diversity of land holdings of the Department of Parks and Recreation, the need for a master plan, and that the objective of a master plan should be to serve as a detailed information and policy framework to guide preparation of the Department's annual budget request. Requires the Department to develop a master plan for all real property under its jurisdiction and to update the plan biennially. (To interim study)

AB 3870 (W. Brown) Statue of Liberty

Makes findings regarding the importance of the Statue of Liberty as a national monument. Appropriates \$50,000 from the General Fund to be allocated to the Statue of Liberty-Ellis Island Foundation for the purpose of paying a portion of the restoration expenses of the Statue of Liberty. (Signed by the Governor September 26, 1986, Chapter 1261)

AB 3960 (Allen) Off-Highway Vehicle facilities

Requires the Off-Highway Motor Vehicle Recreation Commission to prepare a report regarding the adequacy of existing facilities for the use of off-highway vehicles and to make recommendations for expansion and establishment of new facilities. Requires the report to be submitted to the Legislature not later than March 1, 1987. Appropriates \$45,000 from the Off-Highway Vehicle Fund to the Commission for preparation of the report. (Signed September 26, 1986, Chapter 1155)

AB 3984 (Eaves) Seccombe Lake State Urban Recreation Area

Declares legislative intent that it is in the state's best interest to terminate its fiscal responsibility for the Seccombe Lake State Urban Recreation Area (SURA). Provides for the transfer of title to the SURA to the City of San Bernardino after

a five-year shared responsibility period. Appropriates \$2,176,000 from the 1984 Parklands Fund for planning, working drawings and construction at the SURA. Appropriates \$66,000 from the General Fund to the Department of Parks and Recreation for operating costs for the SURA for the 1986-87 fiscal year. (Signed by the Governor September 30, 1986, Chapter 1488, with a line-item veto of the \$66,000 for operating costs of the SURA)

SB 806 (Presley) Community Parklands Act of 1986

Placed before the voters on the June 1986 ballot, the Community Parklands Act of 1986 (Proposition 43) which authorized the issuance of \$100 million in general obligation bonds for grants to local agencies for the acquisition, development, improvement, rehabilitation, or restoration of local and regional parks, beaches, recreational areas and facilities, and historical resources. (Signed by the Governor February 6, 1986, Chapter 5).

**SB 1509 (Nielsen & Seymour) Crimes for boating offenses:
recreational marina loans**

Enacts the Nielsen-Johnston Boating Act of 1986. Places restrictions and age limitations on the operation of ski boats and jet skis, and imposes penalties for unlawful operation. Revises provisions for loans from the Harbors and Watercraft Revolving Fund to private marina owners for the development of

recreational marinas. (Signed by the Governor September 16, 1986, Chapter 877)

SB 1717 (Maddy) California Parkland, Coastal, and Open-Space Conservation Act of 1986

Places before the voters the California Parkland, Coastal, and Open-Space Conservation Act of 1986, which authorizes the issuance of \$155 million in general obligation bonds to finance a program for the acquisition, conservation, development, improvement, rehabilitation, or restoration of real property for beach, recreational, historical, and open-space purposes. (Died in Assembly Ways and Means Committee)

SB 2320 (Roberti) 1974 Park Bond Act: local assistance grant to the County of Los Angeles

Appropriates \$600,000 from the 1974 Park Bond Act to the Department of Parks and Recreation for a grant to the County of Los Angeles for acquisition and development of property adjacent to the Highland-Camrose bungalows and the Hollywood Bowl. (Vetoed by the Governor September 30, 1986)

B. HISTORICAL RESOURCES

AB 2387 (Farr) Historical Resource Grants

Appropriates \$100,000 from the General Fund to the Department of Parks and Recreation for grants to nonprofit organizations for historical resources projects. Requires the Historical Resources Commission to develop criteria for evaluating grant proposals, and requires the Office of Historic Preservation to make recommendations to the Department for the award of grants. (Died in Assembly Ways and Means Committee)

AB 3253 (Moore) Audubon Living Museum

Appropriates \$400,000 from the Environmental License Plate Fund to the State Coastal Conservancy for a grant to the National Audubon Society for capital costs in connection with the construction of the Audubon Living Museum at Ballona Creek near Marina del Rey in Los Angeles County if the museum will provide environmental education identified in the local coastal program. (Signed by the Governor September 28, 1986, Chapter 1297)

SB 2199 (Marks) Historic maritime resources

Makes legislative findings regarding the state's maritime history and the need to protect the historic, scientific, and cultural

values inherent in submerged historic maritime resources. Establishes a process for the issuance of excavation and salvage permits. Provides the Office of Historic Preservation and the Historical Resources Commission with specific roles in the review and approval of salvage permits, and codifies the responsibilities and duties carried out by the State Lands Commission with regard to such permits. (Signed by the Governor September 23, 1986, Chapter 1083)

C. MUSEUMS

AB 2599 (Calderon) California Museum of Latino History

Requires the Department of Parks and Recreation to prepare a feasibility study on the development of a California Museum of Latino History. Requires the study to be completed by June 30, 1987, and appropriates \$50,000 from the General Fund to the Department for the cost of the study. (Signed by the Governor September 29, 1986, Chapter 1386)

AB 3084 (Costa and Johnston) Department of Parks and Recreation: museums

Creates a Division of Museums within the Department of Parks and Recreation. Establishes "museums" as a category for classification of units of the state park system. Establishes a

process for the review of proposals requiring state funding for museums. (Died in Senate Appropriations Committee)

SCR 82 (Garamendi) California State History Museum

Makes findings that the State clearly needs a major state museum to provide the physical setting for the comprehensive presentation and interpretation of its history. Requests the Department of Parks and Recreation to prepare a feasibility study on the establishment of a California State History Museum in Sacramento. (Died in Assembly Water, Parks and Wildlife Committee)

III. F I S H E R I E S

A. COMMERCIAL FISHING

AB 2915 (Farr) Loan program for experimental fishing gear

Establishes a loan program, within the State Coastal Conservancy, for qualified applicants to purchase experimental fishing gear. Appropriates \$450,000 to the Conservancy for establishment of the loan program. Requires the Conservancy to report to the Legislature by January 1, 1988 on the effectiveness of the program.

Appropriates to the Department of Fish and Game \$100,000 to monitor the use of alternative fishing gear in areas where gill and trammel net closures or restrictions exist. Requires the Department to report to the Legislature by January 1, 1988 on the effectiveness of its monitoring program.

Extends existing gill and trammel net closures in specified areas off central California for sea otter protection. (Signed by the Governor September 20, 1986, Chapter 910)

AB 3081 (Felando) Increases in commercial licenses

Increases the fees for specified commercial licenses and permits issued by the Department of Fish and Game and creates new categories of licenses and permits in the commercial sector. Clarifies existing law pertaining to which individual or business is responsible for the payment of fish privilege taxes assessed by the Department. Ratifies the Department's long-standing administrative policy of collecting fish privilege taxes at the point of first sale. Repeals specified fish privilege taxes. Requires the Department to study alternatives to fish privilege taxes and license fees as a means of funding the department's commercial fishing programs and report to the Legislature by January 1, 1988. (Signed by the Governor September 23, 1986, Chapter 1049)

AB 3569 (Felando) Commercial fishing

Sardines - Continues the incidental take provisions on sardines and extends the provisions until January 1, 1990. Deletes the provisions in existing law which prohibit the taking of sardines in Santa Monica Bay.

Crab - Authorizes the Director of Fish and Game to specify by public announcement when crab traps may be baited prior to the opening of the crab season.

Bait Nets - Deletes the restriction on the use of bait nets in Fish and Game District 19B, Los Angeles and Long Beach Harbor.

Dip Nets - Authorizes the use of hand-held dip nets up to 30 feet broad in Southern California waters and on the east side of Catalina Island. (Signed by the Governor September 14, 1986, Chapter 763)

AB 3661 (Agnos) Herring fishery

Authorizes the Department of Fish and Game to issue herring permits to partners in the herring fishery and provides for the transfer of the permit upon dissolution of the partnership under specified conditions. Authorizes temporary substitutions of the

permit in cases of illness or injury of the permittee and prescribes the type of evidence of participation in the fishery for a crewmember on a herring boat to apply for a permit as a new entrant. Requires the Director of the Department to meet with representatives of the herring fishery to review regulations and policies which affect the fishery. (Signed by the Governor September 14, 1986, Chapter 725)

AB 3949 (Allen) Fishing ground leases

Requires the Department of Fish and Game to study the feasibility of establishing limited entry fisheries through the leasing of commercial fishing grounds, and, also requires the Department to report to the Legislature on its findings by January 1, 1988. (Died in Assembly Water, Parks and Wildlife Committee)

SB 2007 (Marks) Commercial fishing: alternative fisheries and gear

Establishes policy that the Department of Fish and Game and the Fish and Game Commission shall assist and foster the development of alternative fisheries or alternative fishing gear for commercial fishermen who have been affected by fishery restrictions, closures, or resource losses implemented to protect a fishery resource, marine mammals, seabirds, or due to a conflict with other fisheries or uses of the marine environment.

Requires the Department to use observers whenever possible to monitor the effects of alternative fishing gear. Expands the scope of circumstances under which a fisherman may appeal the denial of a permit. (Signed by the Governor September 26, 1986, Chapter 1245)

SB 2122 (Mello) Commercial fishing: gill nets

Provides for the transfer of a limited entry permit, upon application to the Department of Fish and Game, to a parent, spouse, child, or sibling of permittee whose death was accidental and occurred after January 1, 1986. Requires that the application for transfer be within one year (on or before January 1, 1987) after the death of the permittee.

Expands existing closures on the use of gill nets within specified areas and requires the department to report to the Legislature by January 1, 1988, and annually thereafter, on the effect of the gill net closures. (Signed by the Governor September 26, 1986, Chapter 1248)

B. FISH AND WILDLIFE PROTECTION AND RESTORATION

AB 524 (Costa) Endangered species: project review

Extends to July 1, 1988 existing requirements that state agencies, when evaluating projects under the California Environmental Quality Act, consult with the Department of Fish and Game to determine whether a proposed project may result in jeopardy to the continued existence of an endangered or threatened species. (Signed by the Governor March 21, 1986, Chapter 30)

AB 2631 (Costa) Civil penalties

Transfers funds to the Fish and Wildlife Pollution Cleanup and Abatement Account (FWPCAA) within the Fish and Game Preservation Fund revenues from specified civil penalties and cleanup cost recoveries related to oil spills and the protection of wildlife. Specifies that the balance of the FWPCAA on June 30 of each fiscal year in excess of \$500,000 be allocated in the succeeding fiscal year for the preservation of California's fish and wildlife resources. (Signed by the Governor September 20, 1986, Chapter 977)

AB 3584 (Wright) Marine fishery resources

Directs the Department of Fish and Game to conduct research and monitoring programs necessary to continually assess the status of marine fishery resources and to closely monitor changes in the resource. Requires the Department to report to the Legislature when a marine fishery resource is in a state of decline and cannot be maintained at specified levels and make recommendations on measures necessary to rehabilitate the resource to levels consistent with specified policies and objectives. (Signed by the Governor August 28, 1986, Chapter 586)

AB 3952 (Allen) Fish and wildlife: civil damages

Establishes, by regulations adopted by the Fish and Game Commission, a schedule of civil damages to be collected by the courts for specified violations of the Fish and Game Code or any rule or regulation adopted pursuant to the Fish and Game Code. (Interim Study)

AB 4137 (Hauser) Fish and wildlife: civil penalties

Authorizes the Department of Fish and Game to administratively impose a civil penalty on any person who violates specified provisions of the Fish and Game Code. Establishes a maximum fine level per day and specifies that any funds collected be deposited

in funds to benefit the wildlife resources of the state.

(Interim Study)

**SB 805 (Presley) Wildlife and natural areas conservation:
bond issue**

Amends the Budget Act of 1986 to increase the funds available to the Wildlife Conservation Board by \$1 million for land acquisition and development. The funds are appropriated to the Board from the Environmental License Plate Fund. (Signed by the Governor September 30, 1986, Chapter 1498)

SB 1086 (Nielsen) Upper Sacramento River fisheries and riparian habitat

Requires the Wildlife Conservation Board, not later than January 1, 1988, to inventory the lands along the upper Sacramento River to identify and determine the priority of those lands that are valuable to fish and wildlife. Requires the board to make a preliminary identification of potential willing sellers of this property. Creates a 25-member advisory council and requires the council to develop a plan to provide for anadromous fisheries protection, restoration, and enhancement and associated riparian habitat preservation along the upper Sacramento River. The management plan, along with a proposed implementation program, must be submitted to the Legislature by January 1, 1989.

Appropriates \$250,000 from the Environmental License Plate Fund for the inventory and plan. (Signed by the Governor September 18, 1986, Chapter 885)

SB 2163 (Mello) Advisory Committee on Salmon and Steelhead Trout

Authorizes the expenditure of funds in the Fisheries Restoration Account, upon appropriation by the Legislature, to fund the administrative costs of the Advisory Committee on Salmon and Steelhead Trout. Appropriates \$375,000 from the Account to the Department of Fish and Game for the administrative costs of the Committee for the 1985-86, 1986-87, and 1987-88 fiscal years. (Signed by the Governor June 27, 1986, Chapter 212)

C. FISH AND WILDLIFE MANAGEMENT

AB 432 (Bradley) Salton Sea: resource management plan

Makes the Office of Planning and Research the lead agency for developing and implementing a coordinated resource management plan for the Salton Sea, and requires the office to submit the plan to the Legislature by January 1, 1987. (Died in Assembly Water, Parks and Wildlife Committee)

AB 947 (N. Waters) Mountain lions

Includes mountain lions in general provisions relating to protection of land or property or livestock from depredators and the issuance of permits for that purpose, and repeals specific authorization for the take of mountain lions when land is damaged or is in danger of being damaged by mountain lions. Declares state policy regarding mountain lions and requires the Department of Fish and Game to specify certain geographical areas of the state and develop a management plan for each of those areas. Requires the Fish and Game Commission to establish, in an amount not exceeding \$200, license tag fees. (Died in Senate Natural Resources and Wildlife Committee)

AB 3117 (Mountjoy) Bighorn sheep

Designates the Nelson bighorn sheep located in two specified areas in the state as a game mammal and authorizes the Fish and Game Commission to permit sport hunting in those two areas. Requires the Department of Fish and Game to develop management plans for the bighorn sheep population statewide and segregates the revenues derived from the hunting program into a special account within the Fish and Game Preservation Fund. (Signed by the Governor September 14, 1986, Chapter 745)

AB 3302 (Waters, N.) Waterfowl habitat

Declares legislative intent with regard to protection and retention of property for waterfowl habitat by private landowners. (Died in Assembly Water, Parks and Wildlife Committee)

AB 3889 (N. Waters) Management of mountain lions

Requires the Fish and Game Commission to manage mountain lions where repeated incidents of injury to humans or damage to livestock, domesticated animals and wildlife occur. Requires the Commission to direct the Department of Fish and Game to develop a plan for the management of mountain lions within the area of concern. Authorizes the Commission to direct the take of mountain lions by departmental personnel or other appropriate persons under contract with the Department. (Died in Senate Natural Resources and Wildlife Committee)

SB 493 (Roberti) California Waterfowl Habitat Program

Authorizes the Department of Fish and Game to enter into 10-year contracts, under specified conditions, for the purpose of conserving and improving waterfowl habitat. Funds for the program would be appropriated from federal Section 8(g) monies. (Vetoed by the Governor September 30, 1986)

SB 2261 (Maddy) Wildlife management programs: military lands

Authorizes the Department of Fish and Game to develop, in cooperation with the military, programs to implement wildlife management programs on military installations. (Signed by the Governor August 28, 1986, Chapter 591)

D. DEPARTMENT OF FISH AND GAME FUNDING

AB 2077 (Allen) Department of Fish and Game: funding

Proposes that funding for the Department's wildlife management areas be divided between the Fish and Game Preservation Fund and the General Fund as established by the Department of Finance. (Died in Assembly Water, Parks and Wildlife Committee)

SB 1385 (Richardson) Funding: Department of Fish and Game

Appropriates \$1.7 million from the General Fund to the Department of Fish and Game to fund the Wildlife Protection Branch within the Department for activities consistent with the protection of the fish and wildlife resources of the state. (Died in Assembly Ways and Means Committee)

E. HUNTING AND FISHING GENERAL

AB 3147 (Waters, N.) Fish and Game - General

Makes various changes to the Fish and Game Code relative to (1) sport fishing and hunting, (2) size limits for specified species taken commercially, (3) landing requirements for specified limited entry fisheries and (4) gill and trammel net closures. (Signed by the Governor September 14, 1986, Chapter 817)

AB 3198 (Hill) Hunting and fishing guides

Requires employees of hunting and fishing guides to be registered and licensed by the Department of Fish and Game. Makes permanent the increase in the guide license from \$25 to \$45 and increases the value of the surety bond required of guides by the Department. (Signed by the Governor September 14, 1986, Chapter 750)

AB 3544 (Kelly) Specialized fishing licenses

Authorizes license agents of the Department of Fish and Game to sell punch cards and sport fishing license upgrade stamps. In addition, the Department is authorized to issue sportfishing permits, valid for two days, to groups of mentally or physically handicapped persons under the care of a certified public or private institution. (Signed by the Governor September 14, 1986, Chapter 762)

AB 3888 (Kelley) Sport fishing and hunting license fees

Specifies that the fees for certain licenses and permits be maintained at existing levels. Extends the current temporary fee for a resident sportfishing license for one year, until January 1, 1988. Requires the Department of Fish and Game to issue one-day sportfishing license to residents or nonresidents for a fee of \$5, and eliminates the existing five-day and ten-day nonresident sportfishing licenses. (Signed by the Governor September 29, 1986, Chapter 1368)

F. MISCELLANEOUS

AB 2377 (Hauser) Tri-state compact on groundfish

Replaces the Pacific Fishery Management Council with the Tri-State Groundfish Travel Governing Board for the purposes of managing the groundfish resources off the coasts of Washington, Oregon and California. (Died in Assembly Water, Parks and Wildlife Committee)

AB 3458 (Hauser) Indian fishing agreements

Authorizes the Department of Fish and Game to enter into agreements with the Covelo Indian Community of the Round Valley Indian Reservation to regulate the traditional Indian subsistence

fishing practices in the boundary streams of the historic 1873 Round Valley Indian Reservation. (Signed by the Governor September 9, 1986, Chapter 691)

AB 3626 (Bradley) Humane treatment of animals in scientific research

Requires the humane care, treatment, and use of animals in animal research facilities, according to specified provisions. Defines key terms as they relate to the humane treatment of animals in research. Establishes an infraction for violation of provisions of the bill. Directs the Assembly Water, Parks and Wildlife Committee to conduct a hearing on the subject of animal research and the impact of the bill upon animal research. (Held in Assembly Water, Parks and Wildlife Committee)

AB 3772 (Hauser) Commercial fishing publication and seafood marketing order

Requires the Department of Fish and Game to determine the cost of publishing a monthly publication containing specified information requested by the commercial fishing industry. Requires the Department to report to the Legislature by March 1, 1987 on the costs of preparing the publication. Specifies that the studies and programs related to the monthly publication will be conducted only if funds are appropriated by the Legislature. Appropriates

\$50,000 to the State Coastal Conservancy to conduct a study on the feasibility of establishing a seafood marketing council in California.

Establishes the Commercial Fishing Facilities Fund in the State Treasury for the purpose of providing funds to the State Coastal Conservancy for the repair, replacement, and construction of publicly owned improvements for use as commercial fishing facilities. (Vetoed by the Governor September 30, 1986)

AB 3946 (Allen) Department of Fish and Game: license revenue branch study

Requires the Department of Fish and Game to enter into a contract with the Franchise Tax Board or other appropriate state or private collection agency to implement suitable departmental administrative procedures to ensure the orderly issuance of, and the timely collection of, revenues from the issuance of sport fishing and hunting licenses, stamps and tags. Requires the Department to implement the plan by November 1, 1986. (Died in Assembly Water, Parks and Wildlife Committee)

AB 3948 (Allen) Marine resources: law enforcement

Requires the Auditor General to evaluate the status and effectiveness of the Department of Fish and Game's marine

resource oriented law enforcement operations and equipment, and submit a report to the Legislature by March 1, 1987. (Died in Senate Natural Resources and Wildlife Committee)

AB 3951 (Allen) Fish and game license agents

Authorizes the Department to waive the prohibition on providing a license agent with additional licenses, stamps or tags for an additional 10 working days under specified conditions. (Died in Assembly Ways and Means Committee)

ACR 125 (Wright) Marine recreational fishing

Encourages state agencies with jurisdiction over marine resources to recognize the importance of marine recreational fishing to the economy of Southern California, and to take appropriate steps to ensure the continued survival of marine resources. (Chaptered May 30, 1986, Resolution Chapter 43)

AJR 10 (Hauser) Magnuson Fishery Conservation and Management Act

Memorializes Congress to make specified changes to the Magnuson Fishery Conservation and Management Act relative to appointments on the Council, involvement of Council Advisory Panels in development of management plans, and prohibit all foreign fishing

off California. (Chaptered February 21, 1986, Resolution Chapter 10)

SB 1926 (Mello) Revocation and suspension: permits or licenses

Deletes the requirement that proceedings to revoke or suspend specified licenses or permits issued by the Department of Fish and Game must be conducted in accordance with Government Code Section 11500. Requires the Fish and Game Commission, prior to the effective date of this act, to adopt regulations which insure due process to individuals affected by this act. (Signed by the Governor September 26, 1986, Chapter 1244)

SB 2253 (Keene) Indian fishing agreement: Klamath River

Authorizes the Director of the Department of Fish and Game to enter into an agreement with the Klamath River Indian Tribes for the purpose of providing a legal mechanism to encourage cooperative agreements which allow protection of the resource among all the user groups, while recognizing the unique status of the Klamath River and the fishing rights issue. (Signed by the Governor September 26, 1986, Chapter 1186)