1992

Legislative Summary 1991-92 Session

Assembly Committee on Water, Parks and Wildlife

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CALIFORNIA LEGISLATURE

ASSEMBLY COMMITTEE

ON

WATER, PARKS AND WILDLIFE

LEGISLATIVE SUMMARY

1991-92 SESSION

DOMINIC L. CORTESE
Chairman

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November, 1992
November 13, 1992

Dear Friend:

The Water, Parks and Wildlife Committee considered nearly 300 pieces of legislation during the 1991-92 Regular Session. Included in this summary are approximately 160 of the most significant bills acted upon during that session.

The bills are listed by subject matter, and the status of each bill is included. Spot bills, bills not taken up by the author, and bills which failed passage may not be listed. However, 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,

DOMINIC L. CORTESE
Chairman
MAJOR LEGISLATION CONSIDERED BY THE
ASSEMBLY COMMITTEE ON WATER, PARKS AND WILDLIFE

1991-1992 Legislative Session

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- a -
Major Legislation Considered by the
Assembly Committee on Water, Parks and Wildlife
1991-1992 Legislative Session

WATER RECLAMATION/RECYCLING

AB 174 (Kelley) - Beneficial use

Revises legislative findings to say that the use of potable
domestic water for any nonpotable use is a waste or unreasonable
use of water when reclaimed water is available. Prohibits a
person or public agency from using water of quality suitable for
potable domestic use for nonpotable uses when suitable reclaimed
water is available. (Status: Signed by the Governor October 5,
1991, Chapter 553)

AB 673 (Cortese) - Water Recycling Act of 1991

Makes legislative findings and declarations regarding the benefits
of recycled water; establishes a statewide goal to recycle one
million acre feet of water per year by the year 2010; declares
recycled water to be a valuable resource. (Status: Signed by the
Governor July 27, 1991, Chapter 187)

AB 1643 (Speier) - Department of Health Services regulations

Requires the Department Of Health Services' regulations on the use
of reclaimed water to be revised by July 1, 1992, and every five
years thereafter, to reflect advances in technology, new research
efforts, and new uses of reclaimed water. (Status: Vetoed by the
Governor October 9, 1991)

AB 1698 (Filante) - Dual plumbing

Authorizes public agencies to require use of reclaimed water for
toilet and urinal flushing in new nonresidential structures if
specified requirements are met. (Status: Signed by the Governor
October 7, 1991, Chapter 723)

AB 1869 (Speier) - Urban/Agricultural Water Management Planning

Requires urban water management plans to do the following: 1) Identify water reclamation practices and describe the methodology employed to evaluate the effectiveness of reclamation practices; 2) Estimate past, present, and future potable and reclaimed water use; 3) Describe findings, actions, and planning related to water audits for the supplier's water distribution system, large landscape projects and residential, institutional, commercial, industrial, and governmental users; 4) Describe actions and plans
to enforce conservation and reclamation measures; 5) Describe incentives used to encourage water reclamation; and 6) Describe the actual and potential water savings achieved through conservation and reclamation activities in each user group. Requires agricultural water management plans to do the following: 1) Indicate the amount of groundwater and reclaimed water delivered to and by the water supplier; and 2) Describe water reclamation programs, including treatment and distribution facilities. (Status: Signed by the Governor October 13, 1992, Chapter 938)

AB 2252 (Felando) - Priorities for use of wastewater

Requires any person or entity holding a permit under the national pollutant discharge elimination system (NPDES) program to make the discharged wastewater available for reclamation uses if the wastewater has received secondary or higher treatment. Requires that the wastewater be used according to the following priority: 1) For in-plant uses at the originating treatment plant; 2) For reclamation uses by a reclamation entity pursuant to an agreement entered into by the permit holder and the reclamation entity by which the permit holder agrees to provide, without charge, wastewater to the reclamation entity for a period of 25 years; 3) For discharge into stream, river, bay, or ocean waters. (Status: Died in Assembly Water, Parks and Wildlife Committee)

AB 2627 (Baker) - Reclaimed Water Delivery Systems

Requires water delivery systems on private property that could deliver reclaimed water and that are constructed after January 1, 1993, to be designed so that water intended for only potable domestic uses is delivered, from the point of entry to the private property, in a separate pipeline that is not used to deliver the reclaimed water. Applies only in communities with access to and intent to use reclaimed water. (Status: Signed by the Governor August 1, 1992, Chapter 418)

AB 2731 (Kelley) - Identifying pipes carrying reclaimed water

Requires all pipes installed above or below ground, on or after June 1, 1993, that are designed to carry reclaimed water, to be colored purple or distinctively wrapped with purple tape. Imposes this requirement only in areas served by a water supplier delivering water for municipal and industrial purposes, and in no event would apply to municipal or industrial facilities that have established a certain labeling or marking system, as otherwise required by a local agency, or to water delivered for agricultural use. Violations of the provisions of the bill would be a misdemeanor. (Status: Signed by the Governor July 18, 1992, Chapter 242)
AB 2732 (Kelley) - Reclaimed water - storage reservoirs

Makes legislative declarations regarding the need to use storage reservoirs to increase the use of reclaimed water in order to reduce the waste or unreasonable use of potable domestic water. Requires landscape impoundments constructed after January 1, 1993, with a storage capacity of less than 100 acre feet, to be constructed and operated to retain the reclaimed water, together with precipitation on and surface runoff into the reservoir, during a 10-year frequency 24-hour storm. Requires these landscape impoundments also to be constructed and operated to prevent inundation or washout resulting from a 10-year frequency 24-hour storm. Authorizes a Regional Water Quality Control Board to revise the above provisions to protect beneficial uses, to prevent pollution, contamination, or nuisance, encourage water reclamation, or to ensure compliance with the law. (Status: Died on Senate Inactive File)

AB 3012 (Frazee) - Master Reclamation Permit

Authorizes Regional Water Quality Control Boards to issue a master reclamation permit to a supplier or distributor of reclaimed water in lieu of issuing waste discharge requirements or water reclamation requirements. Authorizes a regional board to incorporate waste discharge requirements into a master reclamation permit for either a supplier or distributor of reclaimed water. Specifies that a waste discharge report need not be filed with a regional board by a user of reclaimed water for whom a master reclamation permit has been issued. Defines "master reclamation permit" to mean a permit issued to a supplier or distributor of reclaimed water that includes waste discharge requirements and water reclamation requirements. (Status: Signed by the Governor July 14, 1992, Chapter 211)

AB 3518 (Sher) - Graywater

Requires the Department of Water Resources, in consultation with the Department of Health Services, to adopt standards for the installation of graywater systems in residential buildings. Authorizes the installation of graywater systems in residential buildings consistent with state standards, unless specifically prohibited by local jurisdictions. (Status: Signed by the Governor July 15, 1992, Chapter 226)

AJR 55 (Kelley) - Request for federal assistance

Declares the importance of reclaimed water as a substitute for drinking water for purposes such as golf course irrigation, freeway landscaping, greenbelts, agriculture, and industry. Requests the President and Congress to enact legislation directing the federal government, in conjunction with state and local water distribution entities, to study the feasibility of developing a
network of pipelines in California to collect and distribute reclaimed water in place of potable water for groundwater recharge and certain irrigation and industrial uses. (Status: Chaptered May 5, 1992, Resolutions Chapter 24)

WATER MARKETING/WATER TRANSFERS

AB 9X (Cortese) - State drought water bank

Authorizes water suppliers, during 1991, and during 1992 if that year is also dry, to sell water to a state drought water bank. Authorizes transfers whether or not the water is surplus to the needs of the supplier's service area. (Status: Signed by the Governor April 17, 1991, Chapter 1, First Extraordinary Session)

AB 10X (Costa) - Water rights

Protects water rights in the event of transfers of water for drought relief. (Status: Signed by the Governor April 17, 1991, Chapter 2, First Extraordinary Session)

AB 231 (Costa) - Conjunctive use - water transfer

Authorizes the sale or transfer of water conserved as a result of conjunctive use of surface water and groundwater. Protects water rights as a result of substitution of groundwater for surface water. Protects groundwater basins from overdraft. (Status: Signed by the Governor September 19, 1992, Chapter 779)

AB 1605 (Costa) - Water leases

Authorizes appropriative water right holders to lease not more than 25 percent of their consumptively used or stored water for up to five years. (Status: Signed by the Governor October 11, 1991, Chapter 847)

AB 2020 (Costa) - Water transfers

Clarifies agriculture’s use of water is approximately 80% of the developed water in the state. Makes legislative findings that long-term transfers of a water user's water allocation that require land fallowing and cause third-party impacts should not be approved until 1) water conservation and voluntary transfers designed to minimize third party impacts are implemented, and 2) facilities and programs adequate to meet long-term water needs are approved. Authorizes the transfer of a water user's water allocation for up to three consecutive years, or for up to any three drought years during a 10-year period. Authorizes water agencies to establish a program to enable their water users to transfer their water allocation.
Authorizes water users to request to transfer their allocation of water for use outside the agency. Requires water agencies, within 60 days, to approve the transfer request, or deny the request, subject to making findings supporting a reasonable basis for the denial. Specifies that the conditions or findings must only relate to specified direct impacts of the proposed transfer, including impacts to groundwater, the agency's financial condition, or other relevant factors that may create an adverse financial, operations, or water supply impact on the agency or its water users.

Prohibits a water agency from denying a transfer that could, if approved, be made subject to conditions that would reasonably protect against the above impacts. Authorizes water agencies to require either 10% of the purchase price or 10% of the water transferred, or a combination of the two, to be retained by the agency. Subjects water agency actions to judicial review by filing a petition for writ of mandate in superior court.

Subjects all transfer agreements to rights of first refusal in the following order: 1) by the agency; 2) by other water users within the service area of the agency; 3) by other water users and agencies within the county or the service area of the agency. Limits the amount of water which may be transferred to 20% of the total annual water supply delivered by the agency for consumptive use, unless the agency determines that hardship conditions or the absence of third-party impacts justify a larger percentage. Prohibits the transfer of groundwater from an overdrafted groundwater basin or the replacement of transferred surface water with groundwater, except under specified conditions. Sunsets the entire act on January 1, 1996. (Status: Sent to Interim Study by the Senate Agriculture and Water Resources Committee)

AB 2090 (Katz) - Water transfers

Allows holders of groundwater rights or Pre-1914 water rights to use the existing State Water Resources Control Board (SWRCB) process to transfer water on a temporary or long-term basis. Groundwater from a critically overdrafted groundwater basin may not be transferred and may not be used to replace surface water that has been transferred. Groundwater from a non-critically overdrafted groundwater basin may not be transferred or used to replace surface water that has been transferred, unless the transfer or use would result in lessening the overdraft condition. Allows water transfers which are part of a conjunctive use program. Provides for 10% of water transferred on a long-term basis, or 10% of the cost of the water, to be set aside for use by the Department of Fish and Game (DFG) to mitigate the long-term environmental effects of water transfers.
Long-term and temporary transfers of groundwater and Pre-1914 water must comply with the California Environmental Quality Act (CEQA). In order to protect local communities from economic impacts that may be associated with water transfers, no more than 20% of the land in the boundary of the overlying retail water agency may be allowed for the purpose of transferring groundwater or Pre-1914 water on a long-term basis.

Allows retail water users receiving a water allocation from a retail water agency to transfer their water allocation on a temporary basis. Gives the water agency first right of refusal to either purchase the water or market and transfer the water. If the water agency declines, the user may transfer the water under terms and conditions set forth by the water agency to protect the agency's fiscal and operational integrity. Any taxpayer subsidies would be recovered by the water agency.

In the event the water user considers the water agency's terms and conditions unreasonable, the water user would be able to appeal through an expedited binding arbitration process. Only those terms and conditions that are in contention would be considered by an arbitration panel. The arbitration panel's determination shall be final and its findings honored through the transfer process. Not more than 20% of land within a water agency's service area may be allowed for the purpose of temporary transfer of water allocations.

Requires the SWRCB to notify DFG of any petition for a transfer of water. Requires DFG to review petitions for transfer and make recommendations to the SWRCB on 1) any unreasonable effects on fish, wildlife, their habitat or instream beneficial uses and 2) how the timing or method of transfer might enhance fish and wildlife habitat. No net loss of habitat is permitted.

Upon receipt of a petition for a water transfer, the SWRCB must notify the board of supervisors of the county from which water would be transferred. Upon request of any person or agency, the board shall notify that person or entity of any transfer proposed within their local service area.

The Department of Water Resources (DWR) may review transfers which utilize State Water Project facilities in the Sacramento-San Joaquin Delta, or which transfer water outside the service area of a State Water Project contractor. DWR must make recommendations to the SWRCB to ensure the fiscal and operational integrity of the State Water Project is maintained.

Exempts Inyo and Mono Counties and Colorado River water from the provisions of the bill. Protects the underlying water right of the transferred water as well as the water user's right to receive future water allocations if they pursue a water transfer.
Requires the SWRCB to prepare a report by December 31, 1993, on appropriate methods of quantifying riparian water rights and the feasibility of allowing the transfer of riparian water. (Status: Sent to Interim Study by the Senate Agriculture and Water Resources Committee)

AB 2473 (Hannigan) - Community impact fee

Requires the State Water Resources Control Board to notify the affected county board of supervisors of any petition submitted to the board to transfer water. Authorizes the county board of supervisors to impose a community impact fee not to exceed 10% of the cost paid for the water. Requires fee revenues to be used to mitigate the economic impacts of the water transfer. (Status: Amended to delete entire contents of bill to become a budget trailer bill. See AB 2473 also under FEES AND CHARGES section of summary.)

AB 2897 (Cortese) - Water Transfers - State Drought Water Bank

Extends the water marketing laws that resulted in creation of the state drought water bank. Waives the requirement that water must be "surplus" in order to be transferred. Authorizes water districts to contract with water users to reduce or eliminate their water supply for a specified period of time in order to transfer water. Authorizes water districts to transfer water to a state drought water bank or other water supplier or user outside the supplier's service area.

Allows the transfer of water stored by the water supplier and water made available from either of the following sources: a) Conservation or alternate water supply measures taken by individual water users or by the water supplier; b) Water developed pursuant to a contract by a water user to reduce water use below the user's allocation or to eliminate the use of water during the water year, including a contract to grow crops without the use of water from the water supplier, to fallow land, or to undertake other action to reduce or eliminate water use.

Protects local economies by limiting to 20% the amount of water which can be transferred due to land fallowing, unless the agency, following reasonable notice and public hearing, a larger percentage.

Protects water rights of the transferor. Deems a transfer under the provisions of the bill or any other provision of law to be a beneficial use by the transferor.

Prohibits the replacement of transferred surface water with groundwater unless the groundwater use is either a) consistent with a groundwater management plan adopted pursuant to state law, or b) approved by the water supplier from whose service area the water is to be transferred and that supplier, if a groundwater
management plan has not been adopted, determines that the transfer will not create, or contribute to, conditions of long-term overdraft in the affected groundwater basin.

Clarifies that the bill does not prohibit the transfer of previously recharged groundwater from an overdrafted basin or the replacement of transferred surface water with groundwater previously recharged into an overdrafted basin, if the recharge was part of a groundwater banking operation.

(Status: Signed by the Governor August 12, 1992, Chapter 481)

AB 2899 (Isenberg and Katz) - Transfer requirements

Prohibits the Department of Water Resources from making its water conveyance facilities available to, or purchasing water for the water bank program from, a public agency unless the public agency agrees to do both of the following: 1) Comply with the terms and conditions of any license or permit issued, or other requirement imposed, by the State Water Resources Control Board or regional water quality control boards pursuant to the provisions of Divisions 2 and 7 of the Water Code; and 2) Comply with stream alteration agreements pursuant to Section 1601 of the Fish and Game Code. (Status: Died in Assembly Water, Parks and Wildlife Committee)

AB 2994 (Areias) - Dry and critically dry year transfers

Authorizes the Director of the Department of Water Resources (DWR) to declare a water year as "dry" or "critically dry". Requires water districts, within two days of a declaration, to conduct a survey among its water users whether or not the water users are interested in reducing or eliminating their water use and to specify a price for the water. Requires a district to report to DWR the amount and price of water available for transfer to other water districts or users or the state water bank.

Authorizes a district, pursuant to the provisions contained in AB 2897 (Cortese), to 1) contract with water users to reduce or eliminate their use of water supplied by the district, and 2) contract with other water suppliers or users or the state water bank to transfer the water created through the contracts.

Requires districts proposing to transfer water to give preference to districts which conserve water pursuant to a conservation plan. Requires the water district purchasing the water to pay a fee between 2% and 5% of the purchase price, which must be deposited in a special fund for use by the transferor for conservation measures and creating additional sources of water.

Prohibits a contract from being entered into if the water user is to replace the water with other surface water or groundwater, unless the transfer originates from a groundwater management district or a groundwater control agency or is pursuant to a
conjunctive use or groundwater management program. Prohibits a contract from being entered into if the transfer would create, or contribute to, a water shortage within the service area of the district proposing the transfer. Places a 20% limit on the amount of irrigated agricultural land within the service area of the transferor which may be fallowed as the result of transfers undertaken pursuant to this bill. Protects the water rights of the water district from which the water is being transferred. (Status: Died in Senate Agriculture and Water Resources Committee)

AB 3730 (Costa) – Terms and conditions of water transfers

Makes legislative findings that voluntary water transfers are discouraged by the complexity and costs of preparing documents relating to water rights and environmental conditions in the Sacramento-San Joaquin Delta. Declares that the state's water delivery system will be improved and water transfers encouraged if appropriate state agencies annually prepare recommendations relating to the times, terms, and conditions for the transfer of water from the delta.

Requires the State Water Resources Control Board (SWRCB), the Department of Water Resources (DWR), and the Department of Fish and Game to annually prepare recommendations relating to the times, terms, and conditions for the transfer of water from the delta in order to ensure that proposed transfers do not, within the delta, injure legal users of the water or unreasonably affect fish, wildlife, or other instream beneficial uses. Requires the recommendations to be based on the snow and water surveys conducted by DWR in early April of each year. Allows the SWRCB to make a determination whether or not a transfer would injure delta water users or unreasonably affect fish, wildlife, or other instream beneficial uses. (Status: Died in Senate Appropriations Committee)

SB 1669 (Hill) – San Joaquin Valley Drainage – Water Transfers

Enacts the San Joaquin Valley Drainage Relief Act and Program, to be administered by the Department of Water Resources (DWR). Recommends the retirement of 75,000 acres of irrigated agricultural lands in the San Joaquin Valley due to low productivity, poor drainage, and high levels of selenium in shallow groundwater. Authorizes DWR and other appropriate public agencies and nonprofit organizations to jointly purchase and manage retirement land and water. Requires the distribution of conserved water through sales to public agencies, investor-owned utilities, corporations, and individuals. Requires DWR to set the sales price of the water to make the program self-supporting. (Operative July 1, 1993.) (Status: Signed by the Governor September 26, 1992, Chapter 959)
SB 9X (Bergeson) - Water transfers

Allows water districts to buy back water from their customers for the purpose of transferring the water. (Status: Signed by the Governor April 17, 1991, Chapter 3, First Extraordinary Session)

DESALINATION

AB 2111 (Polanco) - Qualifying water facilities

Authorizes an owner or operator of a desalination facility to request a local water agency to designate the facility as a "qualifying water facility" (QWF). Authorizes a QWF to request the local agency to issue an order requiring a) connection of the QWF to the facilities of the local water agency, b) purchase of the desalted water by the water agency, and c) other actions necessary to implement the connection. Specifies that the water agency will not be required to purchase water from a QWF in an amount which causes the agency to discontinue using an existing water supply which provides water at a cost lower than the actual cost. (Status: Vetoed by the Governor October 8, 1991)

AB 2206 (Polanco) - California Desalination Authority

Creates the California Desalination Authority, consisting of five members appointed by the Governor, the Speaker of the Assembly, and the Senate Rules Committee. The purpose of the Authority is to administer the Desalination Bond Act proposed in AB 2111 (Polanco) and to promote the use of desalination to obtain adequate, reliable, and high quality water supplies. (Status: Died on Assembly Floor)

AB 3111 (Polanco) - Desalination Policy

Enacts the Water Resources Alternatives Policy Act. Establishes a standardized process to facilitate and encourage public-private partnerships to develop desalination facilities and to establish a regulated market for desalinated water. (Status: Vetoed by the Governor September 19, 1992)

GROUNDWATER MANAGEMENT

AB 255 (Costa) - Basins subject to critical overdraft conditions

Authorizes local agencies within 11 groundwater basins subject to critical conditions of groundwater overdraft, as identified by the Department of Water Resources, Bulletin 118-80, as revised December 24, 1982, to establish programs for the management of groundwater resources. The 11 basins are Pajaro Basin, Cuyama Valley Basin, Ventura Central Basin, Eastern San Joaquin County Basin, Chowchilla Basin, Madera Basin, Kings Basin, Kaweah Basin,
Tulare Lake Basin, Tule Basin, and Kern County Basin. (Status: Signed by the Governor October 12, 1991, Chapter 903)

AB 3030 (Costa) - Statewide Groundwater Management

Repeals the authority granted under the provisions of AB 255, above, and substantially re-enacts similar statewide authority for water districts to enact groundwater management plans and programs for the protection and recharge of groundwater basins and to encourage conjunctive use of surface and groundwater. (Status: Signed by the Governor September 26, 1992, Chapter 947)

SB 207 (Thompson) - Glenn County Groundwater Management Act*

Authorizes the Board of Supervisors of Glenn County to create the Glenn County Groundwater Management District. Authorizes the district to undertake a groundwater management program and to undertake various activities in connection with that program, including the registration of groundwater extraction facilities and the levying of groundwater extraction and management charges. Authorizes the district to require operations of registered extraction facilities to file annually a groundwater extraction statement, and prohibits the exportation of groundwater from the district without a permit from the district. Gives the district specified enforcement powers. (Status: Vetoed by the Governor October 26, 1992. (Note: This bill is nearly identical to SB 867 (Thompson), which was vetoed by the Governor on September 26, 1992; however, SB 867 contained an override procedure that was not included in this bill.)

SB 867 (Thompson) Glenn County Groundwater Management Act*

See summary under SB 207, above. (Status: Vetoed by the Governor September 26, 1992)

SAN FRANCISCO BAY/SACRAMENTO-SAN JOAQUIN DELTA

AB 1132 (Campbell) - Bay/Delta protection

Establishes state policy to protect and preserve all reasonable and beneficial uses of the Bay/Delta estuary and tributaries. Requires the State Water Project to be operated to mitigate the negative impacts on the estuary from the operation of the project. (Status: Failed passage in the Assembly Ways & Means Committee)

ACA 21 (Knowles) - Delta protection

Prohibits the Legislature from amending or repealing specified provisions of the Water Code relating to the protection of areas of origin (the "county of origin" and the "watershed protection" statutes) and to protection of the Sacramento-San Joaquin Delta (the Delta Protection Act). (Status: Died in Assembly Water, Parks and Wildlife Committee)
SB 443 (Johnston) - California Water Plan - Delta

Requires the Department of Water Resources (DWR), in preparing the California Water Plan, to conduct at least one public hearing within the boundaries of the Sacramento-San Joaquin Delta and to solicit the comments of affected interest groups and public entities. Requires the plan to include a discussion of various alternatives for improving and protecting the current uses and configuration of the delta. Requires DWR to submit to the Legislature by January 1, 1994, a report on land use patterns within the boundaries of the delta and the lands immediately adjacent to the delta. Requires implementation of the bill only to the extent money is appropriated in the annual Budget Act. (Status: Signed by the Governor September 26, 1992, Chapter 953)

SB 1065 (Boatwright) - Sacramento-San Joaquin Delta flood protection and levee maintenance

Requires the Resources Agency to supervise the implementation of the Delta Levee Maintenance Subventions Program and the special delta flood protection projects program in order to ensure that the cumulative impact of projects funded has resulted in no net long-term loss of riparian, wildlife, or fisheries habitat. Requires the Agency, the Reclamation Board, and the Department of Fish and Game to enter into a memorandum of understanding to coordinate program implementation. (Status: Signed by the Governor October 14, 1991, Chapter 1140)

SB 1866 (Johnston) - Delta Protection Act of 1992*

Enacts the Johnston-Baker-Andal-Boatwright Delta Protection Act of 1992 to create a 19-member Delta Protection Commission. Specifies the powers and duties of the commission. Requires the commission, by July 1, 1994, to prepare and adopt a comprehensive long-term resource management plan for the delta, which meets specified requirements for the primary zone, as defined. Requires, within 180 days of the adoption of the regional plan or amendments, that local governments submit to the commission proposed amendments which will cause their general plans to be consistent with specified criteria, including the regional plan, with respect to land located within the primary zone.

Imposes a penalty assessment of 10% on fines imposed for specified fish and game and boating violations that occur within the delta. Provides for the deposit of the penalty assessments in the Sacramento-San Joaquin Delta Protection Fund, which the bill creates. Makes up to $250,000 annually available from the Fund, upon appropriation by the Legislature, for support of the commission. Requires the commission to report to the Governor and Legislature by December 31, 1993, on a funding mechanism to replace the penalty assessment. Requires the commission, commencing January 1, 1995, to submit an annual report to the Governor and Legislature describing the progress in achieving the
objectives of the bill. Sunsets the commission on January 1, 1997. (Status: Signed by the Governor September 23, 1992, Chapter 898)

WATER CONSERVATION/MANAGEMENT/PLANNING

AB 11X (Filante) - Water shortage contingency plan

Amends the Urban Water Management Planning Act to require every urban water supplier (wholesaler as well as retailer) to adopt an urban water management plan. Requires the plan to include a water shortage contingency plan containing specified elements, such as stages of action to be undertaken in response to shortages, including up to a 50 percent reduction in water supply. (Status: Signed by the Governor October 14, 1991, Chapter 13, First Extraordinary Session)

AB 455 (Cortese) - Water Supply Planning*

Enacts a process to link land use planning with water supply planning in order to ensure an adequate water supply to support new growth. Requires cities and counties to send their proposed general plan amendments to public water systems with 3,000 or more service connections serving the area. Gives water agencies an opportunity to comment and provide any relevant information about existing and planned future water supplies to serve planned future demands on those supplies. (Status: Signed by the Governor September 12, 1992, Chapter 631)

AB 799 (Cortese) - California Water Plan

Requires 5-year updates by the Department of Water Resources of California's water resource planning document, "The California Water Plan". Requires the department to release the plan in draft form and conduct a series of public hearings throughout the state to receive comments and to update the plan based on comments received. (Status: Signed by the Governor October 6, 1991, Chapter 620)

AB 1704 (Eastin) - California 2020 Water Planning Act

Makes legislative findings that the quantity of water in the state is sufficient to meet all of the state's needs if water is used wisely. Creates a 23-member California Water Planning Task Force to evaluate California's major long-term water problems and to report recommendations and solutions to the Governor and Legislature by December 31, 1992. (Status: Failed passage in Assembly Water, Parks and Wildlife Committee)
Requests the Governor to work in cooperation with Governor Hickel of Alaska in supporting federal efforts to explore the feasibility of constructing a sub-oceanic freshwater pipeline from Alaska to California in order to provide a reliable and secure long-term supply of water to California. (Status: Chaptered by Secretary of State September 6, 1991, Resolutions Chapter 87)

Requires, with specified exceptions, that water meters be installed on new potable water service connections on and after January 1, 1992. Requires installation costs to be paid by the water user; authorizes water purveyors to collect charges for those costs. (Status: Signed by the Governor September 16, 1991, Chapter 407)

Requires the Department of Water Resources (DWR), in preparing the California Water Plan, to conduct at least one public hearing within the boundaries of the Sacramento-San Joaquin Delta and to solicit the comments of affected interest groups and public entities. Requires the plan to include a discussion of various alternatives for improving and protecting the current uses and configuration of the delta. Requires DWR to submit to the Legislature by January 1, 1994, a report on land use patterns within the boundaries of the delta and the lands immediately adjacent to the delta. Requires implementation of the bill only to the extent money is appropriated in the annual Budget Act. (Status: Signed by the Governor September 26, 1992, Chapter 953)

Requires that on or after January 1, 1994, all water closets sold or installed in the state use less than 1.6 gallons per flush and that all urinals use an average of one gallon per flush. Contains certain exceptions. Specifies that the bill does not pre-empt the actions of a local public agency to require greater water or energy savings. (Status: Signed by the Governor September 30, 1992, Chapter 1347)

Amends the Revenue Bond Law of 1941 to 1) authorize countywide wholesale water agencies which do not have a mechanism for collecting their water charges to contract with the county to
collect those charges, and 2) include flood control agencies among those entities which may perfect a lien on real property for nonpayment of existing charges.

Allows water conservation districts to adjust groundwater charges at mid-water-year (January 1), as well as at the end of the water year (June 30).

Makes a technical, clarifying change to the Uniform Standby Charge Procedures Act regarding the continuation of charges. Authorizes Kern County Water Agency, after notice and public hearing, to levy water fees in the same manner as currently permitted for California Water Districts.

Authorizes the San Mateo County Flood Control District, by ordinance approved by two-thirds of the governing board (county board of supervisors), to levy a charge to help pay for flood control, water conservation, sewer systems, or water pollution abatement projects. (Status: Signed by the Governor September 29, 1992, Chapter 1208)

AB 3753 (Chandler) - Glenn Colusa Irrigation District - voting

Changes the voting structure of the Glenn Colusa Irrigation District from a resident-voter district to a landowner-voter district. Specifies that only landowners may vote in district elections and they need not be residents of the district to qualify as voters. Gives each landowner one vote, and provides a process for determining the qualified voter in cases where a parcel of land is in joint ownership. Provides that any voter is eligible to be a member of the district's board of directors as long as the voter is a landowner within the division that the voter represents. (Status: Signed by the Governor September 29, 1992, Chapter 1151)

DAMS AND RESERVOIRS

AB 984 (Isenberg) - Dam safety inspection fees

Increases application filing fees and annual fees paid to the Department of Water Resources for the dam safety inspection program. Provides for automatic fee increases in 1993, 1995, and 1997 for annual fees. (Status: Signed by the Governor October 14, 1991, Chapter 1086)

AB 2410 (Seastrand) - Dam safety inspection fees

Eliminates the scheduled automatic fee increases imposed pursuant to AB 984, above, under the dam safety inspection program. Requires the annual dam safety inspection fee to be adjusted to $300 if the dam has a storage capacity of 150 acre feet or less.
Increases from 10 acre feet to 25 acre feet the size of dams and impoundment structures which would be granted water rights due to being constructed prior to January 1, 1969, and meeting specified other requirements. (Status: Died in Senate Appropriations Committee)

AB 3784 (Becerra) - Refilling of damaged reservoirs

Prohibits the filling of a reservoir that has been drained due to water seepage and is located within a five-mile radius of two or more faults, unless all structural defects have been permanently corrected. Specifies that "permanently corrected" does not include the covering of any existing cracks with asphaltic concrete, clay, or a hypalon lining. (Status: Died in Assembly Water, Parks and Wildlife Committee)

WATER QUALITY

AB 1103 (Bates) - Unannounced inspections

Requires the North Coast, San Francisco Bay, Central Coast, Los Angeles, and San Diego regional water quality control boards to conduct unannounced inspections of facilities that discharge waste to Humboldt, Tomales, San Francisco, Monterey, Santa Monica, or San Diego Bays. Requires four annual unannounced inspections of major dischargers and two annual unannounced inspections for other dischargers. Becomes operative only if SB 1565 is enacted. (Status: Vetoed by the Governor September 22, 1992)

AB 2533 (Alpert) - Waste discharge permits

Requires Regional Water Quality Control Boards to include in national pollutant discharge elimination system (NPDES) program permits for discharges directly into the ocean the bacterial assessment and remediation action requirements included in the California Ocean Plan. (Status: Died in Senate Agriculture and Water Resources Committee)

AB 3323 (Hayden) - Health-based standards for ocean waters

Requires the State Water Resources Control Board (SWRCB) to formulate and adopt water quality standards for marine bay, estuarine, and coastal waters to protect swimmers and beach users. Requires the SWRCB to use tests which measure the quantity of coliform bacterium and enterococci bacterium, among other substances. (Status: Died in Senate Agriculture and Water Resources Committee)

SB 1266 (Ayala) - Wastewater treatment plants

Establishes as a misdemeanor crime the operation of a wastewater treatment plant without a valid certificate issued by the State
Water Resources Control Board, and imposes civil liability in an amount not to exceed $100 for each day of violation. (Status: Signed by the Governor May 8, 1992, Chapter 47)

SB 1277 (Ayala) - Pollution abatement

Increases the authority of Regional Water Quality Control Boards to oversee cleanup and abatement efforts. Allows a regional board access to affected property in specified circumstances. (Status: Signed by the Governor September 16, 1992, Chapter 729)

WATER FEES AND CHARGES

AB 2473 (Burton) - Waste discharge and water rights fees

Revises water rights fees to require permittees to pay an annual fee based on the amount of water diverted or stored, not to exceed $75,000 annually. Revises waste discharge fees to require every person for whom waste discharge requirements have been prescribed, or dischargers who have been identified as significant sources of water pollution to pay an annual fee, based on volume of discharge. Sunsets both water rights and waste discharge fees on July 1, 1994. Requires the State Water Resources Control Board (SWRCB) to prepare by January 1, 1994, a report which includes proposed legislation recommending appropriate new fee schedules. Requires the SWRCB and regional water quality control boards, by July 1, 1993, to identify sources of nonpoint pollution to include in the report and proposed legislation. (Status: Assembly refused to concur in Senate amendments - failed passage)

AB 3693 (Chandler) - Waste discharge fees

Increases from $10,000 to $150,000 the maximum annual fee which the State Water Resources Control Board may impose upon entities subject to waste discharge requirements. Eliminates exemption for National Pollutant Discharge Elimination System (NPDES) permit holders, therefore requiring all NPDES permit holders to pay an annual fee of up to $150,000. (Status: Failed passage in the Assembly Water, Parks and Wildlife Committee)

SB 959 (Presley) - Safe Drinking Water, Fish, and Wildlife Act of 1992

Requires urban retail water suppliers which annually deliver or receive 500 acre-feet or more of water to pay an unspecified annual water charge which would increase annually through 1997. Authorizes suppliers to assess a charge on retail customers, except low-income ratepayers. Expresses legislative intent that monthly water charges to the average household be no greater than a specified amount, increased annually through 1997. Transfers $75 million to the Safe Drinking Water Loan Account; authorizes the transfer of an additional $5 million per year to the Safe
Drinking Water Grant Account. Allocates two-thirds of the remaining money to the Groundwater Cleanup Account, for loans and grants for capital outlay projects for groundwater cleanup, to be administered by the Secretary of Cal-EPA. Allocates one-third of the remaining money to the Fish and Wildlife Resource Account; authorizes the use of money in the account to restore or manage fish and water-dependent wildlife resources. Conditions the operations of this bill on the approval by the voters of Senate Constitutional Amendment 29 (Presley). (Status: Died in Assembly Water, Parks and Wildlife Committee)

SB 2070 (Ayala) - Water standby and availability charges

Provides the terms "water standby charge" and "water availability charge" have the same meaning, thereby precluding a local public agency from imposing two separate charges. (Status: Signed by the Governor September 19, 1992, Chapter 778)

MISCELLANEOUS WATER

AB 1357 (Cortese) - Drought Response Act

Authorizes the Governor to declare a "state of drought" if 1) the Director of Water Resources determines by February 15th in any year that the year is projected to be a critically dry or dry year, and 2) the two prior years have been critically dry or dry. Authorizes the Director, after the Governor’s declaration, to take specified actions to assist a water supplier which has requested assistance, if the water supplier has declared a water shortage emergency pursuant to existing provisions of law and has adopted regulations satisfactory to the Director.

Creates the Drought Action Team, made up of specified state agencies and interest groups, and requires the Director, prior to taking any drought actions under this act, to submit to the team for approval a proposed drought action plan. Authorizes the Governor, if the team does not approve the plan within 15 days, to approve or disapprove the plan in whole or in part. Prohibits any drought action plan from 1) injuring any water right holder or federal or state water project contractor without compensation, 2) jeopardizing the public health, 3) unreasonably affecting fish and wildlife and other instream beneficial uses or other environmental values. Requires the Governor to rescind the state of drought declaration if hydrologic and meteorological conditions improve sufficiently.

Specifies that the act does not limit or modify any other emergency powers provided in state law. Creates a Drought Response Account in the Reserve for Economic Uncertainties, and expresses legislative intent that the account have an unencumbered balance of $1 million at the beginning of each fiscal year.
Authorizes the Director of Finance to transfer money from the Special Fund for Economic Uncertainties to the account in an amount sufficient to pay any claims above the $1 million. (Status: Died in Assembly Water, Parks and Wildlife Committee)

AB 2035 (Kelley) - Interim relief in water rights proceedings

Authorizes the State Water Resources Control Board, on its own motion, or upon the petition of an interested party, to issue an interim relief order in proceedings to enforce all of the following: 1) Section 2 of Article X of the California Constitution; 2) The public trust doctrine; 3) Water quality objectives; 4) Requirements contained in permits and licenses to appropriate water; 5) Water quality control plans; 6) State policies relating to beneficial use of water; and 7) Requirements that dam owners must allow sufficient water at all times to pass to keep in good condition any fish below the dam.

Allows the board, as part of the interim relief order, to require the water diverter or user to cease all harmful practices, employ specific procedures to prevent or mitigate the harm, complete and submit monitoring work, including environmental documentation, reimburse the board's expenses, and take other required action.

Requires the board, if it orders interim relief, to set a schedule for consideration of permanent relief. Exempts interim relief provided by the board from the provisions of the California Environmental Quality Act. Provides a process for reconsideration of all or part of an interim relief order. Allows interested parties to file a petition for a writ of mandate in a superior court to inquire into the validity of the interim relief.

Requires the Attorney General, upon request of the board if any water diverter or user fails to comply with an interim relief order, to petition the superior court for the issuance of injunctive relief, by issuing a temporary restraining order, preliminary injunction, or permanent injunction. Imposes a civil penalty of $5,000 for each day in which a violation occurs, on any person or entity who violates any interim relief order issued by the board. Allows civil penalty to be imposed administratively by the board or by the superior court upon petition by the Attorney General at the request of the board. (Status: Died in Assembly Water, Parks and Wildlife Committee)

SB 1532 (Keene) - Public access along top of levees

Prohibits any person or entity from restricting nonvehicular access along the top of a levee or along prescribed trails or paths during daylight hours if the levee 1) is adjacent to navigable waters, 2) has been constructed or is maintained with state funds, and 3) is within city boundaries.
Makes this prohibition applicable only if a public entity with jurisdiction of the area and with park and recreation authority agrees to 1) maintain the public peace, 2) control litter, 3) clearly post the boundaries of public use, 4) reimburse adjacent residents and levee maintenance entities for any damages incurred due to public access, 5) indemnify and hold harmless adjacent residents and levee maintenance entities from and against all liability because of public access, except as to that portion caused by gross negligence or intentional misconduct, and 6) obtain a grant of easement, right-of-way, or other right of entry in real property for public access, except in those cases where public access is already provided for.

Prohibits public access during periods of flooding or during reasonable periods of levee repair and maintenance. Authorizes a public entity having jurisdiction over levees described above to restrict nonvehicular access along the top of that levee only if there is a demonstrable threat to public safety or to the security of the levee. Defines "nonvehicular access" to mean access by pedestrians and persons operating bicycles.

Makes the bill's provisions inapplicable to 1) levees constructed and maintained with funds consisting solely of property taxes, assessments, fees, or charges, 2) levees where specific agreements between public entities for public access already exist, 3) portions of levees where a pedestrian or bicycle trail is located on the water side of the levee crown, 4) a levee blocked by a structure, other than a fence, that was permitted before February 14, 1992, and 5) levees located within the boundaries of any deepwater commercial port, as specified. (Status: Died in Assembly Ways & Means Committee)

FUNDING PROGRAMS

AB 12X (Costa) - Drought Relief - fish and wildlife

Appropriates $15.277 million from the General Fund to the Department of Fish and Game for projects and programs necessary to minimize the effects of the current drought on fish and wildlife resources. (Status: Signed by the Governor October 5, 1991, Chapter 11, First Extraordinary Session)

AB 15X (Kelley) - State Drought Emergency Reclamation Assistance Act

Appropriates $10 million from the General Fund to the State Water Resources Control Board for loans and grants to entities serving up to 100,000 domestic connections to fund eligible water reclamation projects which will relieve emergency drought situations. Limits funding to projects which will be completed by June 30, 1992. (Status: Died on Assembly Floor)

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AB 24 (Filante) - State general obligation bonds, water

Places before the voters on the 1992 statewide ballot a total of $570 million in state general obligation bonds for the following purposes:

**Water Recycling Bond Law of 1992**, which authorizes $150 million to be continuously appropriated to the State Water Resources Control Board (SWRCB) for loans to local water entities to aid in the design and construction of water recycling projects.

**Water Resources Bond Law of 1992**, to be administered by the Department of Water Resources, which authorizes $147.5 million to be deposited in the Flood Control Account for flood control subventions; and $5 million to the Urban Creeks Account for grants to public agencies and nonprofit organizations for acquisition or restoration of urban streams, creeks, and riparian areas; and $47.5 million to the Safe Drinking Water Account for loans and grants for safe drinking water projects.

**Clean Water Bond Law of 1992**, to be administered by the SWRCB, which authorizes $144 million to be be deposited into the State Revolving Fund Loan Account for loans to municipalities to aid in construction or implementation of eligible projects, including agricultural drainage and nonpoint source projects; $21 million to the Clean Water Construction Grant Account for grants to the Cities of Los Angeles and San Diego to supplement federal construction grants awarded; $20 million to the Small Communities Assistance Account for grants to small financially-distressed communities to construct wastewater treatment works to eliminate water pollution and public health hazards; $15 million to the International Water Pollution Control Account, at least $7.5 million to correct conditions of pollution in the New River, the Alama River, and the Salton Sea, and the balance to correct conditions of pollution with sewage flows originating in Tijuana, Mexico; and $20 million to the Groundwater Treatment Account for loans to public agencies to aid in the construction of groundwater treatment facilities. (Status: Died in Senate Appropriations Committee)

AB 72 (Cortese) - California Heritage Lands Bond Act of 1992

Enacts the California Heritage Lands Bond Act of 1992, which upon voter approval, authorizes the sale of State General Obligation bonds totaling $808 million to finance projects of acquisition, development, rehabilitation, or restoration of property for wildlife, park, beach, recreation, or historic purposes or for coastal, riparian, lakeshed, or forest resource protection purposes. (Status: Died in Senate Natural Resources Committee)

AB 1641 (Sher) - California Fish, Wildlife and Endangered Species Habitat Conservation and Enhancement Bond Act of 1991
Provides for a $450 million state general obligation bond act for acquisition, enhancement, restoration, preservation of fish and wildlife habitat and for the establishment of wetlands. (Status: Died in Senate Natural Resources Committee)

AB 2112 (Polanco) - Desalination, safe drinking water, and drought relief bonds

Places before the voters on the June, 1992, statewide ballot a total of $1 billion in state general obligation bonds for the following purposes: 1) Desalination Bond Act of 1992, which authorizes a total of $800 million for state and local projects to desalinate ocean or brackish underground water or saline agricultural drainage water. 2) California Safe Drinking Water and Drought Relief Bond Law of 1992, which authorizes $150 million for loans and grants to public agencies and water suppliers to design and construct projects needed to meet safe drinking water standards and $50 million for loans to public agencies and water suppliers to design and construct facilities to alleviate the effects of drought, with priority for projects needed for public health and safety reasons (both programs to be administered by the Department of Water Resources). (Status: Died in Senate Agriculture and Water Resources Committee)

SB 402 (McCorquodale) - Parks: local assistance

Appropriates $25.438 million to restore State Park Capital Outlay projects deferred by the 1991 budget conference committee. Appropriates $13.150 million from various resource related funding sources to fund approximately 100 local assistance park, wildlife enhancement and related recreation projects. Conforms the penalties for misdemeanor offenses committed within the state park system boundaries with those committed elsewhere in the state. (Status: Vetoed by the Governor October 14, 1991)

SB 959 (Presley) - Safe Drinking Water, Fish, and Wildlife Act of 1992

Requires urban retail water suppliers which annually deliver or receive 500 acre-feet or more of water to pay an unspecified annual water charge which would increase annually through 1997. Authorizes suppliers to assess a charge on retail customers, except low-income ratepayers. Expresses legislative intent that monthly water charges to the average household be no greater than a specified amount, increased annually through 1997. Transfers $75 million to the Safe Drinking Water Loan Account; authorizes the transfer of an additional $5 million per year to the Safe Drinking Water Grant Account. Allocates two-thirds of the remaining money to the Groundwater Cleanup Account, for loans and grants for capital outlay projects for groundwater cleanup, to be administered by the Secretary of Cal-EPA. Allocates one-third of the remaining money to the Fish and Wildlife Resource Account; authorizes the use of money in the account to restore or manage fish and
water-dependent wildlife resources. Conditions the operations of
this bill on the approval by the voters of Senate Constitutional
Amendment 29 (Presley). (Status: Died in Assembly Water, Parks
and Wildlife Committee)

SB 1032 (McCorquodale) - Fuel Conservation Program

Authorizes the use of Petroleum Violation Escrow Account funds, $3
million upon appropriation, to implement a revolving loan fund
program for low interest loans to low-income fishing fleet
operators for fuel conservation. (Status: Signed by the Governor
October 13, 1991, Chapter 967)

FISH AND WILDLIFE GENERAL

AB 203 (Farr) - Marine Mammal and Bird Rescue Station

Establishes the location of the first marine mammal and bird rescue
station as required under the state's oil spill response program.
 Appropriates $500,000 from federal Section 8(g) monies to fund the
station over a three-year period. (Status: Signed by the Governor
October 6, 1991, Chapter 614)

AB 722 (Kelley) - Fish and Game Fine Monies: Counties Portion

Authorizes counties to enter into agreements for the expenditure of
fine monies on joint project; provides that administrative charges
may not exceed $3,000 annually; broadens the scope of use of the
monies to include nature studies and contributions to the CALTIP
Program. (Status: Signed by the Governor October 7, 1992, Chapter
561).

AB 739 (Isenberg) - Sherman Island - Leases

Extends leases on Sherman Island to private individuals for private
residential use. (Status: Signed by the Governor August 5, 1991,
Chapter 323)

AB 1361 (Cortese) - Fish and Game Commission Authority

Authorizes the Fish and Game Commission to supersede statute by
regulation under the following conditions (1) the regulations are
necessary to protect fish, wildlife, and other natural resources
under the Commission's jurisdiction; or (2) the Commission
determines that an emergency exists. (Status: Signed by the
Governor October 9, 1991, Chapter 709)

AB 1363 (Cortese) - Preservation of Agricultural Lands

Provides for the Department of Fish and Game, acting through the
Wildlife Conservation Board, to implement a program to encourage
preservation of fish and wildlife habitat on private lands through
AB 1364 (Cortese) - Minimum Streamflow Protection

Prohibits, in a dry or critically dry year, the transfer of water which would individually or cumulatively cause the flow in any stream, river, or watercourse to drop below the flow needed to protect biologically sustainable populations of fish and wildlife. (Status: Died in Assembly Ways and Means Committee)

AB 1386 (Cortese) - Civil Penalties

Authorizes city and county District Attorneys to impose civil penalties, not to exceed $25,000 for each violation, for illegal alteration of a streambed or for pollution of waters of the state. Allocates revenues from these penalties, 50% to the county treasurer in which the penalty was assessed for deposit in the county fish and wildlife propagation fund and 50% to the Department of Fish and Game for legal and law enforcement expenditures. (Status: Signed by the Governor October 11, 1991, Chapter 844)

AB 1557 (Wyman) - Endangered Species Regulation

Requires the Fish and Game Commission, when adopting regulations or taking any action under the California Endangered Species Act to determine whether that action may result in a taking of private property under the federal and state constitution. Defines taking as any interference in a project in which a substantial investment has been made. (Status: Died in Assembly Water, Parks and Wildlife Committee)

AB 1835 (Chandler) - Tuna Labeling - Dolphin Safe

Makes it unlawful for any person to sell tuna in California that is not labeled "dolphin safe" or that does not contain a term or symbol stating that the tuna was harvested in a manner not harmful to dolphins. (Status: Died on Senate Floor)

AB 2172 (Kelley) - Natural Community Conservation Plans

Authorizes the Department of Fish and Game to enter into agreements with any person for the purpose of preparing and implementing a natural community conservation plan. Natural Community Conservation Plans are designed to provide for comprehensive management and conservation of multiple species, including, but not limited to, threatened and endangered species. (Status: Signed by the Governor October 9, 1991, Chapter 765)

AB 2450 (Baker) - Endangered Species: Recovery Plans

Requires a management and recovery plan, acceptable to the Fish and Game Commission, be included with any petition for listing of an
endangered species when the petition is reported by the Department of Fish and Game to the commission for acceptance or rejection. (Status: Died in Assembly Water, Parks and Wildlife Committee)

AB 2654 (Tanner) - Alteration of Streambed, Bank or Channel

Clarifies existing law by stating that any public agency or private individual whose proposed activity results in the disposal or deposition of debris, waste, or other material containing crumbled, flaked or ground pavement or any material which contains asphalt, is required to enter into a streambed alteration agreement with the Department of Fish and Game prior to beginning any activity. (Status: Signed by the Governor September 12, 1992, Chapter 646)

AB 3010 (Costa) - Department of Fish and Game: Filing Fees

Deletes the requirement for the annual fee adjustment and exempts from those fees projects found by the lead or certified regulatory agency to be de minimis in their effects on the environment. Requires the Department to review the filing fees recommend adjustments to the Legislature. (Status: Signed by the Governor September 19, 1992, Chapter 761)

AB 3145 (Campbell) - Endangered Species Tax Check-Off

Specifies that the administrative overhead assessment on the Endangered Species Tax Check-Off monies is not to exceed 15% of the total revenue in the account. (Status: Signed by the Governor September 12, 1992, Chapter 658)

AB 3196 (Hauser) - Department of Fish and Game: Legal Office

Requires the Department of Fish and Game to establish the Office of Legal Counsel within the Department. Authorizes the Department, after notifying the Attorney General, to represent the Department in litigation by its own legal counsel or by legal counsel employed outside state service. (Status: Died in Senate Natural Resources and Wildlife)

AB 3207 (Campbell) - Aquatic Nuisance Species

Requires the Department of Fish and Game to adopt specified guidelines as the policy of California in order to prevent the introduction and spread of aquatic nuisance species, as defined, into any river, estuary, bay, or coastal area through the exchange of ballast water of vessels prior to entering those waters. (Status: Signed by the Governor September 21, 1992, Chapter 840)

AB 3291 (Cortese) - Fish and Game Code Violations: Fines

Restores to the counties their 50% portion of fish and game fine monies and restores to the counties their 50% portion of criminal
fines assessed under a violation of the Hazardous Waste Control Act. (Status: Died on Senate Floor)

AB 3668 (Harvey) - Endangered Species: Listing

Would delay state listing of a California native species as endangered or threatened for an additional 36 months if the same species was denied such listing by the United States Secretary of the Interior under the authority of the Federal Endangered Species Act. (Status: Died in Assembly Water, Parks & Wildlife Committee)

ACR 35 (Wyman) - Status of Mohave Ground Squirrel

Requests the Department of Fish and Game to seek funding to conduct a review and evaluation to determine the status of the Mohave Ground Squirrel. (Status: Died in Assembly Water, Parks and Wildlife Committee)

AJR 76 (Hayden) - United Nations Conference on the Environment

Requests the President of the United States to join his counterparts in Brazil to craft an international protocol on global climate change that would result in an agreement to reduce this nation's emissions of CO2 and other greenhouse gases by 20 percent by the year 2000. (Status: Died in Assembly Rules Committee)

AJR 80 (Jones) - Endangered Species Listing

Requests Congress during the reauthorization of the Federal Endangered Species Act to amend the act to 1) review the adequacy of the act achieving its objectives; 2) achieve protection of ecosystems and the species; 3) identify, consider, and mitigate foreseeable economic impacts of listing decisions; 4) determine whether a listing would constitute a "taking" under the constitutional meaning; 5) expedite the designation of critical habitat; 6) improve the public commenting process; 7) to provide guidance to the courts in interpreting the prohibition on takings of listed species; 8) include any multi-species planning programs adopted by states. (Status: Died in Assembly Water, Parks and Wildlife Committee)

SB 301 (Ayala) - Appropriation of Water for Fish and Wildlife

Authorizes a water right holder, whether based on appropriative, riparian, or other water rights, to petition the board for purposes of preserving or enhancing wetlands habitat, fish and wildlife resources, or recreation. (Status: Signed by the Governor October 7, 1991, Chapter 663)

SB 403 (Greene) - Endangered Species Listing Notification

Requires the Fish and Game Commission to publish a notice in the California Regulatory Notice Register 1) upon receipt of a petition for listing; 2) when the department begins its 12-month evaluation
process; and 3) when the commission publishes its list of endangered species.  (Status: Signed by the Governor October 13, 1991, Chapter 974)

SB 1081 (Hart) - Unlawful Discharges into Waters of the State

Adds to the current requirement that any individual who is responsible for polluting waters of the state with materials which threaten fish and wildlife is responsible for the cost of clean-up and the cost of the actual damage to fish and wildlife. Creates an additional fine of 1) not more than $10 for each gallon or pound of material discharged; 2) an amount equal to all actual damages to fish, plant, bird, or animal life and habitat; and 3) an amount equal to the reasonable costs incurred by the state or local agency.  (Status: Signed by the Governor October 14, 1991, Chapter 1193)

SB 1248 (McCorquodale) - Natural Community Conservation Planning

Establishes, until January 1, 1995, a one-time pilot program for the protection and management of the coastal sage scrub habitat within the counties of Los Angeles, Orange, Riverside, San Bernardino, and San Diego.  (Status: Died in Assembly Water, Parks and Wildlife Committee)

COMMERCIAL FISHING

AB 1 (Allen) - Use of Gill and Trammel Nets

Codifies Article XB of the California Constitution (Proposition 132, 1990 Ballot) which phased out the use of gill and trammel nets within state waters from Pt. Arguello south to the Mexican border. Made modifications in the transfer of herring permits and further clarified the conditions for compensation of permittees who retired their gill and trammel net permits.  (Status: Signed by the Governor June 18, 1992, Chapter 94)

AB 51 (Felando) - California Marine Fisheries Advisory Panel

Creates and establishes a California Marine Fisheries Advisory Panel within the Department of Fish and Game for the purpose of preparing fishery management plans for California species.  (Status: Died in Senate Natural Resources Committee)

AB 63 (Felando) - Commercial Fees

Changes the fish business license year from the fiscal year to the calendar year. Extends the fish business and commercial fish licensing and fee structure to December 31, 1992, at which time the fees would revert to the previous level.  (Status: Signed by the Governor June 30, 1991, Chapter 80)
AB 528 (Felando) - Commercial Fishing: Use of Aircraft

Prohibits a person from using an aircraft to take fish unless the person holds a commercial fishing license. In addition, persons who operate aircraft in connection with a commercial fishing vessel are required to file a registration statement with the Department of Fish and Game. (Status: Signed by the Governor October 7, 1992, Chapter 558).

AB 642 (Hauser) - Sea Urchin Program

Extends the Sea Urchin Program for an additional four years; places an additional one-half cent ($0.05) on each pound of sea urchin landed, beginning on January 1, 1992 to March 1, 1994 for additional research enhancement programs. (Status: Signed by the Governor October 12, 1991, Chapter 873)

AB 960 (Alpert) - Ocean Resources Enhancement and Hatchery Program

Extends the program and the requisite fees until January 1, 2003; limits the purpose of the program to applied research by removing basic research from the program purposes; changes the composition of the Advisory Committee by adding one commercial fishing industry representative and two ocean sportfishermen. (Status: Signed by the Governor September 26, 1992, Chapter 987)

AB 1376 (Hauser) - Commercial Salmon Fishing: Refund of Fees

Requires the Department of Fish and Game to refund fees paid during 1991 for commercial salmon fishing permits if the affected permittee did not fish during the 1991 commercial salmon season. The refund is limited to those permittees who landed salmon commercially in the Klamath Management Zone. (Status: Signed by the Governor October 4, 1991, Chapter 485)

AB 2261 (Felando) - Marine Aquarium: Establishment of Permit

Requires persons engaging in the business of receiving marine organisms from marine aquaria collectors to obtain a marine aquaria receiver's license from the Department of Fish and Game for a fee of not less than $500 or more than $1,000 annually. (Status: Signed by the Governor September 16, 1992, Chapter 742)

AB 3197 (Hauser) - Sportfishing: Abalone

Prohibits the possession of abalone a vessel during the months of January, February and August; liberalizes the transfer of abalone diving permits and increases the fee for an abalone diving permit to $330 and creates an abalone crewmember diving permit for a fee of $33. (Status: Signed by the Governor September 29, 1992, Chapter 1216)
SB 615 (Mello) - Experimental Gear Permits

Prohibits the Fish and Game Commission from issuing experimental gear permits for more than a four-year period. Provides for a one-year phase out of experimental gear permits issued by the Fish and Game Commission for near shore trawl nets. Repeals the Alternative Gear Low Interest Loan Program and the requirement to have at-sea observers on vessels operating with an experimental gear permit. (Status: Signed by the Governor October 7, 1991, Chapter 677)

SB 1032 (McCorquodale) - Fuel Conservation Program

Authorizes the use of Petroleum Violation Escrow Account funds, $3 million upon appropriation, to implement a revolving loan fund program for low interest loans to low-income fishing fleet operators for fuel conservation. (Status: Signed by the Governor October 13, 1991, Chapter 967)

SB 1565 (-----) - Resources: Commercial Fishing Fees

Changes fees and taxes for the issuance or transfer of those licenses, permits, tags, and other entitlements effective on specified dates, by increasing some and decreasing other. Requires a commercial fishing license for each commercial salmon vessel operator. Establishes a fee for that operator's license. Requires commercial passenger vessels (party boats) to check for valid sportfishing licenses prior to the individual boarding the vessel for sportfishing. (Status: Signed by the Governor on September 14, 1992, Chapter 701)

SB 2050 (McCorquodale) - Commercial Fishing Fees

Changes fees and taxes for the issuance or transfer of those licenses, permits, tags, and other entitlements effective on specified dates, by increasing some and decreasing other. Requires a commercial fishing license for each commercial salmon vessel operator. Establishes a fee for that operator's license. Requires commercial passenger vessels (party boats) to check for valid sportfishing licenses prior to the individual boarding the vessel for sportfishing. The contents of SB 2050 were amended into SB 1565 (Watson). (Status: Died on Assembly Floor)

SJR 38 (Mello) - Commercial Drift Gill Net: Dolphins

Memorializes the President and Congress to enact legislation (1) prohibiting the importation of tuna caught by nations which do not have 100 percent certified observer coverage on fishing vessels capable of using large-scale purse-seines; (2) requiring the U.S. Secretary of State to enter into negotiations towards a multinational agreement to govern the worldwide fishing of tuna with specified provisions; and (3) appropriating $5 million for research on alternative fishing technologies to make tuna fishing dolphin safe. (Status: Chaptered by Secretary of State July 23, 1992, Resolution Chapter 86)
SPORTFISHING

AB 1339 (Cannella) - Free Sportfishing Day

Reinstates California's Free Sportfishing Day Program as set by the Director of the Department of Fish and Game. (Status: Signed by the Governor June 5, 1991, Chapter 47)

AB 2016 (Costa) - Striped Bass - Poaching

Appropriates $470,000 from the Striped Bass Account within the Fish and Game Preservation Fund to the Department of Fish and Game for six wardens and a patrol boat to patrol for striped bass poachers. (Status: Died in Senate Natural Resources and Wildlife Committee)

AB 2187 (Tanner) - Steelhead Trout Catch Report Card

Establishes a steelhead trout catch report card and requires possession of the card for the legal taking of steelhead trout. Establishes the price of the card at $3 per card. Requires funds generated from the sale of the card to be designated for projects which benefit the steelhead trout resource. (Status: Signed by the Governor October 14, 1991, Chapter 1037)

AB 3648 (Hauser) - Sportfishing License Fee: Reduction

Authorizes the Department, until December 1, 1995, and beginning with the 1994 license year, to issue annual sportfishing licenses during the period from December 1, 1993 to January 15, 1995, a discounted license for 80% of its face value. Requires the Department to publicize the availability of the discounted license beginning on January 1, 1993, and requires the Department to report to the Legislature on or before December 1, 1994. (Status: Died in Senate Natural Resources Committee)

SPORT HUNTING

AB 977 (Mountjoy) - Bighorn Sheep

Expands the hunting program on Nelson Bighorn Sheep from San Bernardino County to statewide. Increases the number of tags which may be sold at auction from one to three, confines the sale of the auctioned tags to within California. (Status: Signed by the Governor September 8, 1991, Chapter 371)

AB 1389 (Cortese) - Antelope - Auctioning of Tags

Authorizes the Fish and Game Commission to direct the department to auction off not less than one antelope tag or up to one percent of antelope tags issued by the Department. (Status: Signed by the Governor October 9, 1991, Chapter 710)
AB 2604 (Cortese) - Auctioning of License Tags

Requires, until January 1, 1996, that, if more than one license tag to take antelope, elk, or Nelson bighorn rams is sold at auction or otherwise by a nonprofit organization the selection of one of the sellers shall be determined by drawing. (Status: Signed by the Governor September 28, 1992, Chapter 1094)

SB 452 (McCorquodale) - Increase in State Duck Stamp/Creation of Upland Game Stamp

Increases the state Duck Stamp from $7.50 to $10.00 annually; authorizes the Department of Fish and Game to permit individual artists to sell a limited number of prints of duck stamps related to artwork or posters. Creates a Governor's Edition of the Duck Stamp to be sold through a bidding process.

Creates an Upland Game Stamp and sets the fee at $5.00 annually; specifies that revenues from the sale of the stamp shall be expended solely for programs, projects, and land acquisition to benefit upland game bird species, and for related hunting opportunities and public outreach. (Status: Signed by the Governor August 19, 1992, Chapter 452)

SB 819 (Mello) - Wild Pig Tag/Management Program

Creates a wild pig tag and requires the possession of the tag for for sport hunting of wild pigs. Establishes the fee for the tags at $1.50 per tag to be sold in a package of five tags (resident hunters) and $10 for a package of five tags for nonresident hunters. Requires the department to prepare management plans for wild pigs which will allow for management by units throughout the state. The requirement to have a wild pig tag in possession prior to hunting becomes effective July 1, 1992. (Status: Signed by the Governor October 13, 1991, Chapter 998)

SB 844 (McCorquodale) - Increase in Duck Stamp/Creation of Upland Game Stamp

The contents of SB 844 were amended into SB 452 (McCorquodale); SB 844 was used as budget trailer legislation relating to local government. See SB 452 under this section. (Status: Signed by the Governor September 14, 1992, Chapter 700)

SB 1332 (Hill) - Sport Hunting: Protected Animals

Makes it unlawful for any person to transport, import, export, propagate, purchase, sell, or transfer any live mammal listed in specified categories for the purposes of maiming, injuring, or killing the mammal for gain, amusement, or sport, except as authorized by the Fish and Game Code or regulations adopted under the Code. Provides for a civil penalty of not less than $500 or more than $10,000 for each violation of this bill. (Status: Signed by the Governor September 22, 1992, Chapter 888)
SB 1964 (Thompson) - Private Lands Management Program

Provides for the licensing by the Department of Fish and Game, after approval by the Fish and Game Commission, of wildlife habitat enhancement and management of private property by willing landowners. Extends the term of the license from three to five years. (Status: Signed by the Governor September 21, 1992, Chapter 818)

FISH AND WILDLIFE HABITAT

AB 1365 (Baker) - Wetlands - Mitigation Banks

Creates the Wetlands Mitigation Bank Act of 1992. Authorizes, until January 1, 2010, the Department of Fish and Game to qualify wetland mitigation bank sites in inland areas to provide incentives and financial assistance to create wetlands in areas where wetlands are filled, or where there are discharges into wetlands, under specified federal permits. Authorizes the Department to credit wetlands created in a bank site for wetlands lost in a qualifying urban area. (Status: Vetoed by Governor September 30, 1992)

AB 1641 (Sher) - California Fish, Wildlife and Endangered Species Habitat Conservation and Enhancement Bond Act of 1991

Provides for a $450 million general obligation bond act for acquisition, enhancement, restoration, preservation of fish and wildlife habitat and for the establishment of wetlands. (Status: Died in Senate Natural Resources Committee)

AB 1655 (Jones) - Wetland Acquisition: Operation and Maintenance Costs

Requires, prior to the acquisition of any wetlands under any provision of law, that estimates be made of the annual costs of operating and maintaining the wetland and requires that any costs identified with the wetlands be provided. (Status: Died in Assembly Water, Parks and Wildlife Committee)

AB 1811 (Isenberg/Baker) - Survey of State-owned Wetlands

Requires the Department of Fish and Game to conduct a survey of state-owned wetlands and non-wetlands suitable for restoration of more than 100 acres in the Sacramento and San Joaquin Valleys and report its findings to the Legislature and Governor by January 1, 1994. (Status: Signed by the Governor October 11, 1991, Chapter 851)
AJR 59 (Lempert) - Protection of Wetlands

Memorializes the President of the United States to continue the use of the wetlands definition currently used by the federal government in California and not adopt the proposed new federal manual definition. (Status: Chaptered by the Secretary of State July 1, 1992, Resolution Chapter 56)

SB 463 (McCorquodale) - Wetlands Mitigation Banking

Creates the Sacramento-San Joaquin Valley Wetlands Mitigation Bank Act of 1992. Authorizes, until January 1, 2010, the Department of Fish and Game, to qualify mitigation bank sites, in the Sacramento-San Joaquin Valley, to provide incentives and financial assistance to create wetlands in areas where wetland are filled, or where there are discharges into wetlands, under specified federal permits. (Status: Vetoed by the Governor September 30, 1992)

SB 906 (Hill) - California Riparian Habitat Conservation Program

Creates the Riparian Habitat Conservation Program within the Wildlife Conservation Board for the purpose of protecting, preserving and restoring riparian habitat, and expands the Board’s general authority to accomplish the goal. (Status: Signed by the Governor October 9, 1991, Chapter 762)

PARKS AND RECREATION

AB 72 (Cortese) - California Heritage Lands Bond Act of 1992

Enacts the California Heritage Lands Bond Act of 1992, which upon voter approval, authorizes the sale of State General Obligation bonds totaling $808 million to finance projects of acquisition, development, rehabilitation, or restoration of property for wildlife, park, beach, recreation, or historic purposes or for coastal, riparian, lakeshed, or forest resource protection purposes. (Status: Died in Senate Natural Resources Committee)

AB 448 (Hannigan) - State park fees: Prisoners of War

Requires the issuance of a pass for the use of units of the state park system, upon payment of that fee, to veterans who were held as prisoners of war. (Status: Signed by the Governor July 22, 1991, Chapter 166)

AB 754 (Bates) - East Bay Shoreline

Authorizes the East Bay Regional Park District to act as an agent for the state for the acquisition, planning and development of a state park located on the east shore of the San Francisco Bay. (Status: Signed by the Governor September 30, 1992, Chapter 1254)
AB 822 (Elder) - Parks and recreation

Authorizes the Department of Parks and Recreation to enter into a 20-year $8,540,000 lease for 3 parcels at Otay Mesa for use as an off-highway vehicle park. Appropriates monies from the Off-Highway Vehicle Fund for the Quail Canyon Development Project and the proposed Hume Canyon Off-Highway Vehicle Park. Allows the City of Los Angeles to convert a park site developed with state park bond funds while providing additional recreational opportunities at another nearby site. (Status: Vetoed by the Governor October 14, 1991)

AB 1374 (Hauser) - Coastal resources: state park fees

Makes the establishment or adjustment of fees for the use of any state park system area within the coastal zone subject to the jurisdiction of the California Coastal Commission. (Status: Died in Assembly Water, Parks and Wildlife Committee)

AB 2272 (Gotch) - Parking fees: Old Town San Diego State Park

Prohibits the Department of Parks and Recreation from charging a fee for parking at Old Town San Diego State Historic Park. (Status: Vetoed by the Governor August 25, 1992)

AB 2502 (Cortese) - State park fees

Requires the Department of Parks and Recreation to submit any new fee schedules, 30 days prior to revising any existing fee or imposing any new fees, to the fiscal and appropriate policy committees in each house of the Legislature. (Status: Vetoed by the Governor July 20, 1992)

AB 2922 (Hauser) - State heritage network: license plates

Creates the State Heritage Network Plan and Grants Program within the Department of Parks and Recreation to enhance the protection, preservation, and interpretation of, and access to, natural, agricultural, and historical resources within heritage corridors and as a component of any state byways system. The program is to be funded by the sale of official heritage automobile license plates and decals. (Status: Signed by the Governor September 30, 1992, Chapter 1318)

AB 3475 (Costa) - Concession contracts and operating agreements

Increases from $250,000 to $500,000 the threshold amount of proposed concession contracts and operating agreements requiring approval by the Legislature and the Park and Recreation Commission. Expands the conditions under which the Director of the Department of Parks and Recreation may negotiate a concession contract to include: a) whenever the concessionaire has been severely impacted through no fault of the concessionaire by an unanticipated
calamity, park closure, major construction or other harmful event, and b) whenever the administrative costs for the bid process exceed the projected annual net revenue to the state and public notice has not produced more than one responsible bidder. (Status: Signed by the Governor September 29, 1992, Chapter 1057)

AB 3647 (Hauser) - Coastal state parks

Requires that after May 1, 1991 any filing fee increases or new filing fees imposed by the California Coastal Fee Commission be available to the Department of Parks and Recreation, upon appropriation by the Legislature, for operating and maintaining undeveloped and minimally developed coastal state parks. (Status: Died in Assembly Ways and Means Committee)

AB 3669 (Hansen) - State park highways funding

Requires that the Governor submit in the annual Budget bill an amount not to exceed $3.4 million to be appropriated by the Legislature from the Highway Users Tax Account in the Transportation Tax Fund to the State Parks and Recreation Fund. (Status: Signed by the Governor September 11, 1992, Chapter 1121)

SB 387 (McCorquodale) - California Heritage Lands Bond Act

Enacts the California Heritage Lands Bond Act of 1992, which upon voter approval, authorizes the sale of State General Obligation bonds totaling $305 million to finance projects of acquisition, development, rehabilitation, and restoration of property for park, beach, recreation, coastal, and historic purposes. (Status: Died in Senate Natural Resources and Wildlife Committee)

SB 402 (McCorquodale) - Parks: local assistance

Appropriates $25.438 million to restore State Park Capital Outlay projects deferred by the 1991 budget conference committee. Appropriates $13.150 million from various resource related funding sources to fund approximately 100 local assistance park, wildlife enhancement and related recreation projects. Conforms the penalties for misdemeanor offenses committed within the state park system boundaries with those committed elsewhere in the state. (Status: Vetoed by the Governor October 14, 1991)

SB 1305 (Rosenthal) - State beaches: commercial development

Prohibits the Department of Parks and Recreation or any operating entity from entering into a concession contract or other agreement that would result in the construction of a luxury motel or hotel at any beach property. (Status: Vetoed by the Governor September 17, 1992)
SB 1424 (McCorquodale) - State park system fees

Makes any person 62 years of age or older eligible to purchase a senior citizens day use pass or a limited boat day use senior citizens pass for an annual fee of $30. (Status: Died in Assembly Ways and Means Committee)

SB 1507 (Mello) - Coastal resources

Appropriates $100,000 from the Public Resources Account in the Cigarette and Tobacco Products Surtax Fund to the Department of Parks and Recreation for a $50,000 local assistance grant to the City of Greenfield and a $50,000 local assistance grant to the Soledad-Mission Recreation District for development of local parks. Also authorizes appropriate state agencies to undertake projects to restore closed military bases in coastal areas for public recreation and resource protection enhancement. (Status: Vetoed by the Governor September 29, 1992)

SB 1776 (Leslie) - Empire Mine State Historical Park

Appropriates $84,000 from the State Parks and Recreation Fund to the Empire Mine Association to be expended for improvement of public safety at the park, abatement of water pollution in a nearby creek, construction of park improvements, purchase of artifacts for the park and reimbursement to the association for its costs of conducting an interpretative program at the park. (Similar provisions were contained in AB 1310 and AB 3212 by Assemblyman Chandler. Both these measure died in Assembly) (Status: Signed by the Governor September 17, 1992, Chapter 732)

SB 2059 (Beverly) - Department of Parks and Recreation funding

Transfers $2,500,000 from the Public Resources Account in the Cigarette and Tobacco Products Surtax Fund to the State Parks and Recreation Fund to pay for 1991 budget expenditures. (Status: Signed by the Governor September 29, 1992, Chapter 1034)

OFF-HIGHWAY VEHICLES

AB 252 (Allen) - Off-highway vehicles: local assistance

Increases the amount of revenues from the Off-Highway Vehicle Fund which may be used for local assistance grants and cooperating agreements with the federal government. (Status: Signed by the Governor September 26, 1991, Chapter 445)

AB 253 (Allen) - Off-highway vehicles: funds

Transfers from the General Fund the the Off-Highway Vehicle Fund $3 million annually beginning July 1, 1992, and ending July 1, 1998. The amount transferred on July 1, 1998 would be $3.5 million. (Status: Died in Assembly Transportation Committee)
AB 454 (Bentley) - Off-highway vehicles: Otay Mesa

Appropriates $8,768,000 from the Off-Highway Vehicle Fund for the 20-year lease, development, operation and maintenance of land at Otay Mesa in San Diego County for use as a state vehicular recreation area. (Status: Died in Assembly Ways and Means Committee)

AB 822 (Elder) - Parks and recreation

Authorizes the Department of Parks and Recreation to enter into a 20-year $8,540,000 lease for 3 parcels at Otay Mesa for use as an off-highway vehicle park. Appropriates monies from the Off-Highway Vehicle Fund for the Quail Canyon Development Project and the proposed Hume Canyon Off-Highway Vehicle Park. Allows the City of Los Angeles to convert a park site developed with state park bond funds while providing additional recreational opportunities at another nearby site. (Status: Vetoed by the Governor October 14, 1991)

AB 940 (Katz) - Off-highway vehicles: Hume Canyon

Reappropriates any unexpended funds granted to the County of Los Angeles for master plan and environmental impact report at Whitney Canyon Off-Highway Vehicle Park and allocates those funds to Hume Canyon Off-Highway Vehicle Park. (Status: Signed by the Governor September 17, 1992, Chapter 738)

SB 1282 (McCormadale) - Recreational trails

Creates the Recreational Trails Fund and requires money in the fund to be available, upon appropriation by the Legislature, for competitive grants to local and federal agencies to acquire and develop recreational trails. Requires that 70 percent of the money received by the state be available only for nonmotorized recreational trails with at least one-half of that amount available only for local assistance grants for acquisition and development of new nonmotorized trails and reconstruction or relocation of existing nonmotorized trails. Extends the sunset date on the $6 and $1 special fees charged off-highway vehicles. (Status: Signed by the Governor September 28, 1992, Chapter 964)

BOATING, HARBORS AND NAVIGATION

AB 764 (Seastrand) - Harbors and navigation

Exempts vessels that engage in direct law enforcement activities from a 5-mile per hour speed limit and from locally imposed speed regulations and makes other technical changes to the Harbors and Navigation Code. (Status: Signed by the Governor July 22, 1991, Chapter 126)
AB 3771 (Lempert) - Department of Boating and Waterways

Requires the Department of Boating and Waterways (DBW), in cooperation with the Department of Parks and Recreation (DPR), to conduct a study on whether the functions of DBW should be transferred to DPR in order to consolidate the function of the two departments. Requires the two departments to report to the legislative fiscal committees during hearings on the 1993-94 Budget the findings and conclusions of this study, including the effects of the consolidation, and an estimate of the cost savings anticipated to result from the consolidation. (Status: Vetoed by the Governor September 29, 1992)

SB 264 (Mello) - Small craft harbors

Links the funding of specified small craft harbor projects to the passage of a bond act at the June 2, 1992 primary election. Requires first priority be given to Sonoma County for a small craft harbor loan for a sportfishing facility in Bodega Bay. (Status: Vetoed by the Governor July 22, 1991)

SB 1201 (Bergeson) - Vessel sanitation devices

Makes it a misdemeanor for any person to disconnect, bypass or operate a marine sanitation device so as to discharge sewage into the waters of this state. Also makes it an infraction for a first offense or a misdemeanor for a second or subsequent offense to cause such discharges into "no-discharge areas." (Status: Signed by the Governor October 7, 1991, Chapter 548)

HISTORICAL RESOURCES

AB 2881 (Frazee) - California Register

Establishes the California Register of Historical Resources, prescribes the criteria for inclusion of resources in the Register, and requires the Historic Resources Commission to oversee the administration by the State Office of Historic Preservation of the Register. Requires the following to be included in the Register: a) Property on or determined eligible for the National Register of Historic Places, b) State Historical Landmarks beginning with 770 and, c) Points of Historical Interest. Prohibits the categorical exemption of a project that may cause a substantial adverse change in the significance of an historical resource. (Status: Signed by the Governor September 29, 1992, Chapter 1075)

AB 3755 (Chandler) - Historic Resources Preservation

Creates the California Heritage Fund in the State Treasury. Money in the fund would be available for the management, acquisition, preservation, rehabilitation, restoration and adaptive reuse of historic properties. (Status: Died in Senate Natural Resources Committee)
SB 1499 (McCorquodale) - Archaeological sites: rock art

Includes "rock art" as a historical or prehistorical feature of an archaeological site that must be protected and makes it unlawful to deface or destroy any "rock art". (Status: Signed by the Governor July 14, 1992, Chapter 192)

MISCELLANEOUS

AB 12 (Katz) - Native Americans: Remains

Makes legislative findings regarding the need to return skeletal remains and associated grave artifacts to the Native American community for the purposes of re-internment. Declares it the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Status: Signed by the Governor September 9, 1991, Chapter 370)

AB 350 (Costa) - California River Greenways Plans*

Establishes the California River Greenways Board within the Resources Agency, to develop program standards and make grants to assist local communities in providing public recreational amenities, flood control, fisheries enhancements, riparian protection, commercial and recreational navigation, and other multiple-use benefits. Bill would not become operative unless the voters approve at the November 1992 general election a bond measure which provides funding for local river greenways programs. (Status: Vetoed by the Governor September 22, 1992)

AB 1579 (Brown) - California Academy of Sciences

Appropriates $2,000,000 from the Public Resources Account to the State Controller for allocation to the Academy of Sciences for capital improvements, including the construction of new and restoration of existing, scientific exhibits and educational facilities. Require the Academy to provide a matching sum obtained through gifts and donations of non-state money. (Status: Died on the Assembly Inactive File)

AB 1927 (Hughes) - California Museum of Science and Industry

Appropriates $39,950,000 from the Earthquake Safety and public Building Rehabilitation Fund to the California Museum of Science and Industry for preliminary plans, working drawings and construction to correct all seismic and other fire and safety problems identified with the Museum's Armory and Ahmanson Buildings. (Status: Signed by the Governor September 21, 1992, Chapter 757)
AB 2452 (Costa) - San Joaquin River Conservancy

Creates the San Joaquin River Conservancy to acquire and manage public lands within the San Joaquin River Parkway. Authorizes the Conservancy to employ and train rangers with peace officer authority; to adopt and enforce regulations governing use of parkway lands and activities; to manage, operate and maintain parkway facilities; to employ staff and recruit volunteers; to acquire property from willing sellers within the parkway boundaries; and to administer funds generated for the parkway including charging fees for parkway use. (Status: Signed by the Governor September 29, 1992, Chapter 1012)

SB 1532 (Keene) - Public access along top of levees

Prohibits any person or entity from restricting nonvehicular access along the top of a levee or along prescribed trails or paths during daylight hours if the levee 1) is adjacent to navigable waters, 2) has been constructed or is maintained with state funds, and 3) is within city boundaries.

Makes this prohibition applicable only if a public entity with jurisdiction of the area and with park and recreation authority agrees to 1) maintain the public peace, 2) control litter, 3) clearly post the boundaries of public use, 4) reimburse adjacent residents and levee maintenance entities for any damages incurred due to public access, 5) indemnify and hold harmless adjacent residents and levee maintenance entities from and against all liability because of public access, except as to that portion caused by gross negligence or intentional misconduct, and 6) obtain a grant of easement, right-of-way, or other right of entry in real property for public access, except in those cases where public access is already provided for.

Prohibits public access during periods of flooding or during reasonable periods of levee repair and maintenance. Authorizes a public entity having jurisdiction over levees described above to restrict nonvehicular access along the top of that levee only if there is a demonstrable threat to public safety or to the security of the levee. Defines "nonvehicular access" to mean access by pedestrians and persons operating bicycles.

Makes the bill's provisions inapplicable to 1) levees constructed and maintained with funds consisting solely of property taxes, assessments, fees, or charges, 2) levees where specific agreements between public entities for public access already exist, 3) portions of levees where a pedestrian or bicycle trail is located on the water side of the levee crown, 4) a levee blocked by a structure, other than a fence, that was permitted before February 14, 1992, and 5) levees located within the boundaries of any deepwater commercial port, as specified. (Status: Died in Assembly Ways & Means Committee)
SB 20X (Torres) - Los Angeles River Conservancy*

Enacts the Los Angeles River Conservancy Act of 1992 and creates a 33-member (seven voting members) Los River Conservancy responsible for developing a comprehensive and unified river restoration, redevelopment, and transit plan for the river corridor from Long Beach Harbor to Tujunga Wash and along the main stem into the City of Glendale. Sunsets January 1, 1996. (Status: Vetoed by the Governor September 28, 1992)

*Heard in policy committee other than Water, Parks and Wildlife Committee.