

**CALENDAR ITEM  
INFORMATIONAL**

**62**

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 ) Statewide  
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10/13/16  
S. Pemberton  
M. Moser

**LEGISLATIVE REPORT PROVIDING INFORMATION AND A STATUS UPDATE  
CONCERNING STATE LEGISLATION RELEVANT TO THE  
CALIFORNIA STATE LANDS COMMISSION**

**INTRODUCTION:**

The purpose of this staff report is to update the Commission on state legislation relevant to the Commission's authority and jurisdiction.

**SUMMARY:**

The second half of the 2015-16 state legislative session adjourned on August 31, 2016 and October 1 was the deadline for the governor to act on legislation. This informational item updates the Commission on the outcome of legislation the Commission sponsored or supported and summarizes legislation the Commission staff monitored.

The Commission sponsored two bills involving granted Public Trust lands. The first sponsored bill was SB 1172 (Hancock) that repeals and grants anew Public Trust lands to the city of Albany with updated terms and conditions that align with the City's waterfront planning efforts. The second sponsored bill was SB 1473 (Senate Natural Resources and Water Committee) that repeals an obsolete grant to Los Angeles County that was never effectuated. The governor signed both bills into law.

The Commission supported SB 900 (Jackson) that would have established and funded a coastal hazard removal and legacy oil and gas well remediation program. Senator Jackson introduced this bill because of concerns about the ongoing presence of oil in the area of the Pacific Ocean near the shore off Santa Barbara and Ventura counties, and in response to beach closures and health warnings at Summerland Beach in Santa Barbara County due to oil on the beach. The bill was intended to provide modest yet reliable funding for the Commission to monitor and begin the process of properly abandoning legacy wells in the coastal zone that may be leaking oil and where no responsible party can be found. The bill was also intended to provide a framework for the state to

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remove legacy oil and gas development infrastructure that are coastal hazards and endanger wildlife and the public, as well as impede access to the beach.

The governor vetoed SB 900. His veto message directs the Department of Conservation to work with the Commission to develop an inventory of legacy oil and gas wells and other hazards along the California coastline to determine oil seepage locations, rates and environmental impacts. The governor stated that having this information will better inform what remedial actions might be warranted for the short and long-term and appropriate ways of funding the needed actions. While staff is disappointed that the governor vetoed this important legislation, staff is committed to inventorying legacy oil and gas wells and other hazards along the California coastline to understand the scope of the problem. As is the Commission's practice, staff will work with the Department of Conservation to ensure the inventory is as comprehensive and accurate as possible. The Commission continues to believe that this is incredibly important work to improve the health and safety of the communities in these areas and to protect the marine environment.

Commission staff also worked with Assemblymember Chiu, the Port of San Francisco, and the San Francisco Bay Conservation and Development Commission on AB 2797, which involves the San Francisco Giants Mission Rock development project near AT&T Ballpark. AB 2797 authorizes the Port of San Francisco to loan Public Trust revenues to the city of San Francisco to fund infrastructure associated with the development, if the Commission approves the loan. The bill expands the boundaries of Seawall Lot 337 (the development site) if approved by the Commission, allows non-trust lease terms at the site to start when an occupancy certificate is issued, extends the final termination dates of non-trust leases from 2094 to 2105, and makes an amalgam of findings, declarations and definitional changes. The governor signed AB 2797 into law.

Commission staff also worked with Senator Hertzberg, the California Department of Fish and Wildlife, the California Natural Resources Agency and California Coastal Commission on SB 233; a bill that would have changed the program under which an offshore oil platform owner or operator may request to partially remove a platform, leaving behind the underwater structure as an artificial reef for marine habitat. SB 233, which was held in the Assembly Appropriations Committee, would have established the Commission as lead agency for the California Environmental Quality Act review for platforms in state waters, and ensured that partially removed platforms in state waters operate under a lease authorized by the Commission.

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Finally, the governor signed SB 859 (Senate Budget Committee) into law on September 14. SB 859 amends Public Resources Code section 6009.1 regarding the duties and responsibilities of grantees of Public Trust lands. SB 859 adds a new finding that a trustee of Public Trust lands may bring any action related to its granted lands, including an action to abate a public nuisance, as a representative of trust beneficiaries.

### **LEGISLATION:**

#### Idle or Orphan Oil and Gas Wells and Coastal Hazards

AB 2729 (Williams) increases idle oil and gas well fees paid into the newly created Hazardous and Idle-Deserted Abatement Fund and the Hazardous and Idle-Deserted Well Abatement Fund. The Department of Oil, Gas, and Geothermal Resources manages these funds. The bill expands the definition of long-term idle wells and makes many other changes to encourage operators to properly plug and abandon idle wells, and to reduce the number of idle and orphan wells. The governor signed AB 2729 into law.

SB 900 (Jackson) would have required the Commission, if the Legislature appropriated funding, to administer a coastal hazard remediation program. The program would have required the Commission to inventory legacy oil and gas wells and other coastal hazards along the coastline. The program would also have required the Commission to survey, study, and monitor natural oil seeps in state waters, and begin the process of remediating improperly abandoned oil and gas wells that are a high risk for leaking oil. The bill would have allowed the Commission to work with the Department of Conservation's Division of Oil, Gas, and Geothermal Resources to abandon legacy wells that are hazardous to public health, safety, and the environment. The Commission voted to support this bill on February 9, 2016, and it was sponsored by State Controller Betty Yee. The governor vetoed SB 900.

AB 2756 (Thurmond and Williams) strengthens the Division of Oil, Gas, and Geothermal Resources enforcement, investigation, and shut-in authority for oil and gas well regulatory violations, and revise the Division's civil penalty structure for violations and procedures for appeals of its orders, among other changes related to its enforcement actions. The governor signed AB 2756 into law.

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### Diablo Canyon Nuclear Power Plant

SB 968 (Monning) requires the California Public Utilities Commission to procure an assessment of the adverse and beneficial economic impacts to San Luis Obispo County and the surrounding regions if the power plant were to close before the operating licenses expire or if Pacific Gas and Electric (PG&E) decides not to pursue licensing renewal. A portion of the facilities at the power plant, including the cooling water discharge channel and water intake structure and breakwaters, are located on state-owned sovereign land under the Commission's jurisdiction. In 1969 and 1970, the Commission authorized two 49-year leases to PG&E for the plant's water intake structures, discharge channel, and breakwaters. In June 2016, PG&E, Friends of the Earth, Natural Resources Defense Council, Environment California, International Brotherhood of Electrical Workers Local 1245, Coalition of California Utility Employees, and Alliance for Nuclear Responsibility announced a joint agreement to retire both nuclear reactors at Diablo Canyon and replace the nuclear power generated there with a green-house gas-free portfolio of replacement resources and energy efficiency.

On June 28, 2016, the Commission authorized a new lease to PG&E for the continued use and maintenance of the existing cooling water discharge channel, water intake structure, breakwaters, boat dock, storage facility, office facilities, intake electrical room, intake maintenance shop, equipment storage pad, and spare tri-bar storage associated with the power plant. The new lease terminates on August 26, 2025, which corresponds with the termination of PG&E's operating license with the Nuclear Regulatory Commission. The governor signed SB 968 into law.

### Salton Sea

SB 1416 (Stone) allows individuals to donate excess tax liability to the Revive the Salton Sea Fund that the bill creates. The bill requires the Franchise Tax Board to revise its tax return form to include a space for this new designation. Revenue contributed to the fund, upon legislative appropriation, would reimburse costs to the nonprofit corporation Revive the Salton Sea for funding restoration and maintenance at the Salton Sea, and to raise public awareness about the Salton Sea. The Commission administers certain state fee-owned lands and mineral interests, including four active geothermal leases, in portions of the Salton Sea and the surrounding area. The governor signed SB 1416 into law.

## CALENDAR ITEM NO. 62 (CONT'D)

### Ports, Harbors, and Freight Movement

Senator Hancock authored a package of legislation this year to constrain coal exports in California and at a terminal in Oakland. Only SB 1279 advanced to the Governor. This bill bans the California Transportation Commission from allocating state funds for new coal-related projects. The governor signed SB 1279 into law.

SB 1338 (Lara) would have provided a partial sales and use tax exemption for zero and near zero-emission equipment at California ports. The bill defined zero-emission or near-zero-emission equipment as equipment, off-road vehicles, and related technologies used within the boundaries of a California public seaport that reduce or eliminate greenhouse gas emissions and improve air quality as identified by the California Air Resources Board in consultation with the State Energy Resources Conservation and Development Commission. The bill stalled in the Assembly Revenue and Taxation Committee.

AB 2170 (Frazier) would have allocated federal funds through the California Transportation Commission to improve trade corridors in the state. The governor vetoed AB 2170. His veto message lamented the bill lacked key amendments agreed to by the author to ensure urgent state priorities are addressed, including improvements to California's border with Mexico and important rail safety projects. The veto message directed the Transportation Agency to work with the Transportation Commission and the author to ensure these funds are allocated to high-priority trade projects as soon as practicable.

### Sea-level Rise and Climate Change

The governor signed two significant climate change bills into law this year. The first bill, SB 32 (Pavley), requires the state to reduce greenhouse gas emissions at least 40 percent below 1990 levels by 2030. The second bill, AB 197 (Garcia), creates the Joint Legislative Committee on Climate Change Policies, requires the Air Resources Board to prioritize direct emission reductions and consider social costs when adopting regulations to reduce greenhouse gas emissions beyond the 2020 statewide limit, requires the Air Resources Board to prepare reports on greenhouse gas emission sources and other pollutants, establishes 6-year terms for voting members of the Air Resources Board, and adds two legislators as non-voting members of the Board.

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An additional noteworthy bill is SB 1161 (Allen) that would have extended the statute of limitations under the Unfair Competition Law for public deception about climate science. The author stated that recent research shows nearly two-thirds of all industrial carbon dioxide and methane released into the atmosphere since the industrial revolution can be traced to 90 entities. The top five companies on the list—Chevron, ExxonMobil, British Petroleum, Shell, and ConocoPhillips—are purportedly responsible for one-eighth of all emissions. A coalition of industry groups opposed this bill and a coalition of environmental groups supported this bill. The bill was placed on the Senate Inactive File.

### California Coastal Commission

Several bills were introduced this year addressing the California Coastal Commission. The Chair of the State Lands Commission is an ex officio, non-voting member of the Coastal Commission. SB 1190 (Jackson) would have banned interested parties from conducting ex parte communications with commissioners for adjudicative and enforcement matters, and banned a commissioner from voting on a project or otherwise participate in the proceeding for which an ex parte communication had occurred. A violation of this ban would have disqualified the person from serving as a commissioner. The bill would also have banned a commissioner from attempting to influence a staff analysis or recommendation prior to its publication. SB 1190 failed passage on the Assembly Floor on a 15-48 vote.

AB 2002 (Stone, Atkins and Levine) would have required a person who lobbies the Coastal Commission to register as a lobbyist and disclose his or her clients and expenditures consistent with the Political Reform Act of 1974 requirements. AB 2002 failed passage on the Senate Floor on a 22-13 vote.

AB 2616 (Burke), specifies that one of the members the Governor appoints to the Coastal Commission work directly with those communities most burdened by and vulnerable to high levels of pollution and environmental justice issues. The bill also allows the Coastal Commission to consider environmental justice concerns in its actions. The governor signed AB 2616 into law.

### Additional Legislation

AB 2139 (Williams) authorizes the Ocean Protection Council to develop an ocean acidification and hypoxia science task force to ensure that decision making is supported by the best available science. The bill requires the Council, subject to

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available funding, to take certain action to address and adapt to ocean acidification. The governor signed AB 2139 into law.

SB 1333 (Block) would have banned smoking and cigarette waste disposal on state coastal beaches and at state parks and established fines of up to \$250 for violations. The governor vetoed SB 1333, stating that a complete prohibition in all parks and beaches is too broad. The governor wrote that a more measured — and less punitive — approach might be warranted.

SB 1363 (Monning) requires, if funding is available, the Ocean Protection Council to establish and administer the Ocean Acidification and Hypoxia Reduction program and requires the Council to collaborate with relevant entities on this endeavor. The governor signed SB 1363 into law.

**EXHIBIT:**

- A. Legislative Report

# Exhibit A - 2016 Legislative Summary

[AB 2002](#) ([Stone, Mark D](#)) **Political Reform Act of 1974: California Coastal Commission: communications.**  
**Introduced:** 2/16/2016  
**Last Amend:** 4/12/2016  
**Location:** 8/31/2016 – Senate – **DEAD**  
**Summary:** Would require a California Coastal Commission member to fully disclose in writing 24 hours before a commission hearing any ex parte communication conducted within 7 days of the commission hearing relating to a matter that will be discussed at the hearing, and would prohibit a commission member or an interested person from conducting such an ex parte communication within 24 hours before the commission hearing. This bill contains other related provisions and other existing laws.

[AB 2139](#) ([Williams D](#)) **Ocean Protection Council: ocean acidification and hypoxia.**  
**Introduced:** 2/17/2016  
**Last Amend:** 8/15/2016  
**Location:** 9/15/2016 – Assembly – Chaptered – [Chapter 352, Statutes of 2016](#)  
**Summary:** Current law establishes the Ocean Protection Council in state government and prescribes the membership, functions, and duties of the council with regard to the protection and conservation of ocean and coastal resources. This bill would, subject to the availability of funding, authorize the council to develop an ocean acidification and hypoxia science task force to ensure that council decision-making is supported by the best available science, and require the council to take specified actions to address ocean acidification and hypoxia, beginning January 1, 2018, and annually thereafter, at its first meeting of the year, adopt recommendations for further actions that may be taken to address ocean acidification and hypoxia.

[AB 2305](#) ([Bloom D](#)) **Protection of orcas: unlawful activities.**  
**Introduced:** 2/18/2016  
**Last Amend:** 4/14/2016  
**Location:** 5/27/2016 – Assembly – **DEAD**  
**Summary:** Would make it unlawful to hold in captivity an orca, whether wild-caught or captive-bred, for any purpose, including for display, performance, or entertainment purposes; to breed or impregnate an orca held in captivity; to export, collect, or import the semen, other gametes, or embryos of an orca held in captivity for the purpose of artificial insemination; or to export, transport, move, or sell an orca located in the state to another state or country, except as provided. This bill contains other related provisions and other existing laws.

[AB 2616](#) ([Burke D](#)) **California Coastal Commission: environmental justice.**  
**Introduced:** 2/19/2016  
**Last Amend:** 8/16/2016  
**Location:** 9/24/2016 – Assembly – Chaptered – [Chapter 578, Statutes of 2016](#)  
**Summary:** Current law, the California Coastal Act of 1976, establishes the California Coastal Commission and prescribes the membership and functions and duties of the commission. Current law provides that the commission consists of 15 members. This bill would require one of the members appointed by the Governor to reside in, and work directly with, communities in the state that are disproportionately burdened by, and vulnerable to, high levels of pollution and issues of environmental justice. The bill would require that the Governor appoint a member who meets these qualifications to a vacant position from the appointments available no later than the fourth appointment available after January 1, 2017.

[AB 2713](#) ([Chiu D](#)) **Land use: local ordinances: energy systems.**  
**Introduced:** 2/19/2016  
**Last Amend:** 4/27/2016  
**Location:** 5/27/2016 – Assembly – **DEAD**  
**Summary:** Would, on or before September 30, 2017, for a city, county, or city and county with a population of 200,000 or more residents, or January 31, 2018, for a city, county, or city and county with a population of less than 200,000 residents, require the city, county, or city and county to make all documentation and forms



## Exhibit A - 2016 Legislative Summary

associated with the permitting of advanced energy storage available on a publicly accessible Internet Web site.

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## [SB 1082](#) ([McGuire D](#)) Regional park and open-space districts: general manager: powers.

**Introduced:** 2/17/2016

**Last Amend:** 3/28/2016

**Location:** 7/1/2016 – Senate – Chaptered – [Chapter 52, Statutes of 2016](#)

**Summary:** Current law grants that authority to the general managers of the East Bay Regional Park District and the Midpeninsula Regional Open Space District with respect to the payment of amounts not exceeding \$50,000. Would also grant that authority with respect to the payment of amounts not exceeding \$50,000 to the general manager of the Sonoma County Agricultural Preservation and Open Space District. This bill contains other related provisions.

## [SB 1190](#) ([Jackson D](#)) California Coastal Commission: ex parte communications: staff communications.

**Introduced:** 2/18/2016

**Last Amend:** 8/29/2016

**Location:** 8/31/2016 – Senate – **DEAD**

**Summary:** Would require the California Coastal Commission, commencing on or before July 1, 2017, to also provide public access to all commission meeting via telephone and video conferencing. The bill would require the commission to include in the executive summary section of a staff report references to any materials submitted for the public record that are determined not to relate to a matter within the commission's jurisdiction. This bill contains other related provisions and other existing laws.

## [SB 1473](#) (Committee on Natural Resources and Water) Natural resources.

**Introduced:** 2/29/2016

**Last Amend:** 8/11/2016

**Location:** 9/23/2016 – Senate – Chaptered – [Chapter 546, Statutes of 2016](#)

**Summary:** The California Constitution provides for the delegation to the Fish and Game Commission of powers relating to the protection and propagation of fish and game. Current statutory law delegates to the commission the power to regulate the taking or possession of birds, mammals, fish, amphibians, and reptiles. Current law establishes procedures that are specific to regulations adopted by the commission pursuant to this authority. This bill would clarify that those procedures apply generally to any commission regulation that governs the take or possession of any bird, mammal, fish, amphibian, or reptile.

## Granted Lands

## [SB 859](#) (Committee on Budget and Fiscal Review) Public resources: greenhouse gas emissions and biomass.

**Introduced:** 1/7/2016

**Last Amend:** 8/31/2016

**Location:** 9/14/2016 – Senate – Chaptered – [Chapter 368, Statutes of 2016](#)

**Summary:** The Cannella Environmental Farming Act of 1995 requires the Secretary of Food and Agriculture to convene a 5-member Scientific Advisory Panel on Environmental Farming, as prescribed, for the purpose of providing advice and assistance to federal, state, and local government agencies on issues relating to air, water, and wildlife habitat, as specified. Current law authorizes the panel to establish ad hoc committees to assist the panel in performing its functions. This bill would increase the number of members on the panel from 5 to 9 members and would require that the secretary appoint 5 instead of 3 of these members, the Secretary for Environmental Protection appoint 2 instead of one of these members, and the Secretary of the Natural Resources Agency appoint 2 instead of one of these members.

## [AB 1780](#) ([Medina D](#)) Greenhouse Gas Reduction Fund: trade corridors.

**Introduced:** 2/7/2016

**Last Amend:** 3/28/2016

**Location:** 5/27/2016 – Assembly – **DEAD**

**Summary:** Would, beginning in the 2016-17 fiscal year, continuously appropriate 20% of the annual proceeds of the Greenhouse Gas Reduction Fund to the California Transportation Commission to be allocated to

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reduce greenhouse gas emissions in trade corridors consistent with specified guidelines, thereby making an appropriation.

**[AB 2170](#) ([Frazier D](#)) Trade Corridors Improvement Fund: federal funds.**

**Introduced:** 2/18/2016

**Last Amend:** 8/17/2016

**Location:** 9/28/2016 – Assembly – **VETOED**

**Summary:** The Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006 (Proposition 1B) created the Trade Corridors Improvement Fund and provided for allocation by the California Transportation Commission of \$2 billion in bond funds for infrastructure improvements on highway and rail corridors that have a high volume of freight movement, and specified categories of projects eligible to receive these funds. Current law continues the Trade Corridors Improvement Fund in existence in order to receive revenues from sources other than the bond act for these purposes. This bill would require revenues apportioned to the state from the National Highway Freight Program established by the federal Fixing America's Surface Transportation Act to be allocated for trade corridor improvement projects approved pursuant to these provisions.

**[AB 2731](#) ([O'Donnell D](#)) Vehicles: Terminal Island Freeway: special permits.**

**Introduced:** 2/19/2016

**Last Amend:** 8/19/2016

**Location:** 8/31/2016 – Assembly – **DEAD**

**Summary:** Current law authorizes the Department of Transportation, upon adoption of an ordinance or resolution by the City of Carson, the City of Long Beach, and the City of Los Angeles, to issue a special permit to the operator of a vehicle, combination of vehicles, or mobile equipment, permitting the operation and movement of the vehicle, combination, or equipment, and its load, on specified routes in those cities if the vehicle, combination, or equipment meets specified criteria. Those criteria include that the vehicle, combination of vehicles, or mobile equipment is used to transport intermodal cargo containers that are moving in international commerce, and that the maximum gross weight of the vehicles and loads not exceed 95,000 pounds gross vehicle weight. This bill would require the City of Carson, the City of Long Beach, and the City of Los Angeles to use and enforce the axle and gross vehicle weight limits used by the Department of Transportation for a permitted vehicle, combination of vehicles, or mobile equipment operating or moving on the above-described routes by individual, and not combined, axle group calculations.

**[AB 2797](#) ([Chiu D](#)) City and County of San Francisco: Mission Bay South Project: redevelopment plan**

**Introduced:** 2/19/2016

**Last Amend:** 8/19/2016

**Location:** 9/23/2016 – Assembly – Chaptered – [Chapter 529, Statutes of 2016](#)

**Summary:** Current law declares that, until January 1, 2094, certain parcels of real property denominated as the designated seawall lots are free from the use requirements of the public trust, the Burton Act trust, and the Burton Act transfer agreement, and authorizes the San Francisco Port Commission to lease all or a portion of the designated seawall lots for nontrust uses if specified conditions are met, including that the lease shall terminate no later than January 1, 2094. This bill would revise those conditions to specify that the term of a nontrust lease shall not exceed 75 years from the initial occupancy date of the improvements developed on the leased site or development parcel, and in no event shall the term of a nontrust lease extend beyond December 31, 2105.

**[AB 2841](#) ([Allen, Travis R](#)) State infrastructure financing for seaports.**

**Introduced:** 2/19/2016

**Last Amend:** 4/6/2016

**Location:** 5/27/2016 – Assembly – **DEAD**

**Summary:** Would require the Infrastructure and Economic Development Bank, after consulting with appropriate state and local agencies, to establish criteria, priorities, and guidelines for the selection of infrastructure development and equipment purchase projects submitted by harbor agencies for assistance from the bank. The bill would require the harbor agency to adopt a resolution that includes specified information, including, among others, the state fiscal and economic impacts estimated to result from the

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proposed infrastructure development or equipment purchase project.

### [SB 1172](#)

**(Hancock D) Tidelands and submerged lands: City of Albany.**

**Introduced:** 2/18/2016

**Last Amend:** 8/9/2016

**Location:** 9/24/2016 – Senate – Chaptered – [Chapter 590, Statutes of 2016](#)

**Summary:** Current law grants in trust to the City of Albany certain designated tidelands and submerged lands, both filled and unfilled, for specified uses. This bill would delete specified provisions and instead require that, on and after January 1, 2022, the use of those trust lands conform to an approved trust lands use plan and all leases or agreements proposed or entered into by the City of Albany, as trustee of those lands, also be consistent with the public trust doctrine and conform to the plan.

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### [SB 1277](#)

**(Hancock D) California Environmental Quality Act: supplemental environmental impact report: City of Oakland: coal shipment.**

**Introduced:** 2/19/2016

**Last Amend:** 4/4/2016

**Location:** 8/12/2016 – Assembly – **DEAD**

**Summary:** Would require a public agency, with discretionary approval over a project necessary for, and directly related to, the use of a certain port facility in the City of Oakland for the shipment of coal, to prepare or cause to be prepared a supplemental EIR to consider and mitigate the environmental impacts of coal shipment through the facility. This bill contains other related provisions and other existing laws.

### [SB 1278](#)

**(Hancock D) California Environmental Quality Act: Port of Oakland: coal shipment.**

**Introduced:** 2/19/2016

**Last Amend:** 3/30/2016

**Location:** 4/22/2016 – Senate – **DEAD**

**Summary:** Would require every public agency with discretionary approval of any portion of a project relating to the shipment of coal through the Port of Oakland to prepare or cause to prepare an EIR.

### [SB 1279](#)

**(Hancock D) California Transportation Commission: funding prohibition: coal shipment.**

**Introduced:** 2/19/2016

**Last Amend:** 8/4/2016

**Location:** 8/26/2016 – Senate – Chaptered – [Chapter 215, Statutes of 2016](#)

**Summary:** Current law creates the California Transportation Commission, with various duties and responsibilities relative to the programming and allocation of funds for transportation capital projects. This bill would, prohibit the commission from programming or allocating any state funds for new bulk terminal projects. The bill would require terminal project grantees to annually report to the commission that the project is not being used to handle, store, or transport coal in bulk.

### [SB 1280](#)

**(Hancock D) California Environmental Quality Act: coal shipments: mitigation.**

**Introduced:** 2/19/2016

**Last Amend:** 3/30/2016

**Location:** 4/22/2016 – Senate – **DEAD**

**Summary:** Would prohibit a lead agency from adopting a negative declaration or a mitigated negative declaration or certifying an EIR for a project affecting the shipment of commodity through a port facility that is receiving state funds from the Trade Corridors Improvement Fund unless the lead agency either prohibits coal shipment through the port facility or requires full and complete mitigation of the emissions of greenhouse gases resulting from the combustion of coal shipped through the port facility, as determined by the State Air Resources Board.

### [SB 1338](#)

**(Lara D) Sales and use taxes: exemption: zero-emission and near-zero-emission equipment.**

**Introduced:** 2/19/2016

**Last Amend:** 5/4/2016

**Location:** 8/31/2016 – Assembly – **DEAD**

**Summary:** Would, except as specified, prohibit the California Transportation Commission from programming or allocating any state funds for any newly proposed project that proposes to allow or facilitate the handling, storage, or transportation of coal in bulk at a port facility that is located at, or adjacent to, a disadvantaged community. The bill would require a grantee of funds subject to the above prohibition to annually report to the commission that the project is not being used to handle, store, or transport coal in bulk.

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## Marine Environmental Protection

### [SB 1083](#) ([Allen D](#)) California oil spill contingency plan.

**Introduced:** 2/17/2016

**Last Amend:** 4/28/2016

**Location:** 5/27/2016 – Senate – **DEAD**

**Summary:** Current law directs the Governor to require the administrator for oil spill response to amend, not in conflict with the National Contingency Plan, the California oil spill contingency plan to provide for the best achievable protection of waters of the state and to include specified elements. This bill would require a communications element to be developed by the administrator and included in the California oil spill contingency plan.

## Mineral Resources

### [AB 2729](#) ([Williams D](#)) Oil and gas: operations.

**Introduced:** 2/19/2016

**Last Amend:** 8/1/2016

**Location:** 9//2016 – Assembly – Chaptered – [Chapter 272, Statutes of 2016](#)

**Summary:** Current law provides that an active observation well is not an idle well. This bill would limit the definition of "active observation well," and would expand the definitions of "idle well" and "long-term idle well" by no longer excluding active observation wells from their definitions. The bill would provide that the abandoned underground personal property, including a well, of an operator becomes the property of the mineral interest owner when the operator loses the right to remove the personal property under common law or under a lease or any other agreement that initially gave the operator the right to drill, operate, maintain, or control the well.

## Sea-Level Rise / Climate Change

### [AB 2413](#) ([Thurmond D](#)) Sea level rise preparation.

**Introduced:** 2/19/2016

**Location:** 4/22/2016 – Assembly – **DEAD**

**Summary:** Current law, until January 1, 2018, requires the Natural Resources Agency to create, biannually update, and post on an Internet Web site a Planning for Sea Level Rise Database and requires specified entities to provide to the agency certain sea level rise planning information for inclusion in the database. This bill would require the agency, on or before January 1, 2019, to complete a study outlining the potential impact of sea level rise on low-income and at-risk communities and public projects and infrastructure. The bill would require the agency, based on the study, to make recommendations on preparing for sea level rise.

### [AB 2702](#) ([Atkins D](#)) Greenhouse gases: study.

**Introduced:** 2/19/2016

**Last Amend:** 3/18/2016

**Location:** 5/27/2016 – Assembly – **DEAD**

**Summary:** Would require the State Air Resources Board to conduct a study that outlines best practices and policies for meeting state goals to reduce greenhouse gas emissions. The bill also would authorize the state board to collaborate with air pollution control and air quality management districts.

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### [AB 2722](#) ([Burke D](#)) **Transformative Climate Communities Program.**

**Introduced:** 2/19/2016

**Last Amend:** 8/31/2016

**Location:** 9/14/2016 – Assembly – Chaptered – [Chapter 371, Statutes of 2016](#)

**Summary:** Would create the Transformative Climate Communities Program, to be administered by the Strategic Growth Council. The bill would require the council to award competitive grants to specified eligible entities for the development and implementation of neighborhood-level transformative climate community plans that include greenhouse gas emissions reduction projects that provide local economic, environmental, and health benefits to disadvantaged communities. The bill would require the council to develop guidelines and selection criteria for the implementation of the program.

### [SB 1294](#) ([Pavley D](#)) **The Community Climate and Drought Resilience Program of 2016.**

**Introduced:** 2/19/2016

**Last Amend:** 4/27/2016

**Location:** 5/27/2016 – Senate – **DEAD**

**Summary:** Would enact the Community Climate and Drought Resilience Program of 2016 and would require CalFire to review the urban forestry program and, if necessary, revise the program to provide funding priority to multibenefit carbon sequestration projects and to establish local or regional targets for urban tree canopy. This bill contains other related provisions and other existing laws.

## Sovereign / School Lands

### [AB 1716](#) ([McCarty D](#)) **Lower American River Conservancy Program.**

**Introduced:** 1/27/2016

**Last Amend:** 8/19/2016

**Location:** 9/16/2016 – Assembly – Chaptered – [Chapter 375, Statutes of 2016](#)

**Summary:** Would require the Wildlife Conservation Board to implement and administer the Lower American River Conservancy Program to receive and expend moneys for the benefit of the Lower American River and related lands by, among other things, providing grants to local public agencies and nonprofit organizations for projects benefiting the Lower American River. The bill would require the board to establish an advisory committee, as specified. The bill would establish the Lower American River Conservancy Program Fund in the State Treasury and would make moneys in the fund available, upon appropriation by the Legislature, for purposes of the program.

### [AB 2534](#) ([Nazarian D](#)) **Santa Monica Mountains Conservancy: working group: Los Angeles River Greenway.**

**Introduced:** 2/19/2016

**Last Amend:** 6/30/2016

**Location:** 8/12/2016 – Senate – **DEAD**

**Summary:** Would require the Santa Monica Mountains Conservancy to establish the Los Angeles River San Fernando Valley Regional Access and Economic Sustainability Working Group to evaluate and make recommendations for conservancy action pertaining to public access and business integration needs, opportunities, and constraints in areas along and in the vicinity of the Los Angeles River in the San Fernando Valley.



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### [AB 2774](#) ([Frazier D](#)) **Classification of state lands.**

**Introduced:** 2/19/2016

**Location:** 5/6/2016 – Assembly – **DEAD**

**Summary:** Current law establishes the State Lands Commission and prescribes the membership, functions, and duties of the commission with regard to the protection, preservation, and management of state lands. Current law authorizes the commission, from time to time, to classify any or all state land for its different possible uses and, when it is deemed advisable, to require any officer, organization, agency, or institution of the state government to make that classification. This bill would make non-substantive changes in those provisions relating to the classification of state lands.

### [SB 900](#) ([Jackson D](#)) **State lands: coastal hazard removal and remediation program.**

**Introduced:** 1/21/2016

**Last Amend:** 8/19/2016

**Location:** 9/23/2016 – Senate – **VETOED**

**Summary:** Current law establishes the State Lands Commission in the Natural Resources Agency and prescribes the functions and duties of the commission. Under current law, the commission has jurisdiction over various state lands, including coastal lands. This bill would, upon appropriation of moneys by the Legislature, require the commission to, within two years; administer a coastal hazard removal and remediation program. The bill would authorize the commission to seek and accept on behalf of the state any gift, bequest, devise, or donation whenever the gift and the terms and conditions thereof will aid in actions undertaken to administer that program.

### [SB 968](#) ([Monning D](#)) **Diablo Canyon Units 1 and 2 powerplant.**

**Introduced:** 2/8/2016

**Last Amend:** 8/17/2016

**Location:** 9/26/2016 – Senate – Chaptered – [Chapter 674, Statutes of 2016](#)

**Summary:** Would require the Public Utilities Commission to cause an assessment to be completed by no later than July 1, 2018, conducted by an independent 3<sup>rd</sup> party of the adverse and beneficial economic impacts, and net economic effects, that could occur, and of potential ways for the state and local jurisdictions to mitigate the adverse economic impact, if the Diablo Canyon Units 1 and 2 powerplant were to temporarily or permanently shut down before the powerplant's current operating licenses expire or when the Pacific Gas and Electric Company closes the powerplant upon the expiration of its current licenses.

### [SB 1333](#) ([Block D](#)) **State beaches and parks: smoking ban.**

**Introduced:** 2/19/2016

**Last Amend:** 8/19/2016

**Location:** 9/28/2016 – Senate – **VETOED**

**Summary:** Current law makes it an infraction for a person to smoke a cigarette, cigar, or other tobacco-related product within 25 feet of a playground or tot lot sandbox area. This bill would make it an infraction for a person to smoke on a state coastal beach or in a unit of the state park system or to dispose of used cigar or cigarette waste on a state coastal beach or in a unit of the state park system. The bill would establish a state-mandated local program by creating a new crime. This bill contains other related provisions and other current laws.

### [SB 1363](#) ([Monning D](#)) **Ocean Protection Council: Ocean Acidification and Hypoxia Reduction Program.**

**Introduced:** 2/19/2016

**Last Amend:** 8/15/2016

**Location:** 9/29/2016 – Senate – Chaptered – [Chapter 846, Statutes of 2016](#)

**Summary:** Would require the Ocean Protection Council, in consultation with the State Coastal Conservancy and other relevant entities, to establish and administer the Ocean Acidification and Hypoxia Reduction Program for the purposes of achieving specified goals. The bill would authorize moneys in the trust fund to be expended for grants or loans for projects or activities that further public purposes consistent with the Ocean Acidification and Hypoxia Reduction Program.



## Exhibit A - 2016 Legislative Summary

### [SB 1374](#) ([Lara D](#)) **The Lower Los Angeles River Recreation and Park District Act**

**Introduced:** 2/19/2016

**Last Amend:** 8/19/2016

**Location:** 9/22/2016 – Senate – Chaptered – [Chapter 486, Statutes of 2016](#)

**Summary:** Would specifically authorize the establishment of the Lower Los Angeles River Recreation and Park District subject to specified existing laws governing recreation and park districts, including their formation, except as provided. The bill would authorize specified city councils and the Los Angeles County Board of Supervisors to appoint the initial board of directors of the district. The bill would specify that the enumerated powers and duties of the Lower Los Angeles River Recreation Park District provided by existing law are subject to the review and approval of the Los Angeles County Local Agency Formation Commission, upon formation, change of organization, or reorganization under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

### [SB 1386](#) ([Wolk D](#)) **Resource conservation: working and natural lands.**

**Introduced:** 2/19/2016

**Last Amend:** 8/1/2016

**Location:** 9/23/2016 – Senate – Chaptered – [Chapter 545, Statutes of 2016](#)

**Summary:** Would declare it to be the policy of the state that the protection and management of natural and working lands is an important strategy in meeting the state's greenhouse gas reduction goals, and would require all state agencies, departments, boards, and commissions to consider this policy when revising, adopting, or establishing policies, regulations, expenditures, or grant criteria relating to the protection and management of natural and working lands.

### [SB 1396](#) ([Wolk D](#)) **Wildlife Conservation Board: Inner Coast Range Program.**

**Introduced:** 2/19/2016

**Last Amend:** 5/31/2016

**Location:** 7/1/2016 – Assembly – **DEAD**

**Summary:** Would establish the Inner Coast Range Program with specified goal areas and authorization related to the Inner Coast Range Region. This bill would require the Wildlife Conservation Board to establish an advisory board for the program consisting of one representative of each of the counties within the region and would authorize the board to invite certain legislators and representatives of state and federal agencies to participate as members on the advisory board.

### [SB 1416](#) ([Stone R](#)) **Voluntary contribution: Revive the Salton Sea Fund.**

**Introduced:** 2/19/2016

**Last Amend:** 6/15/2016

**Location:** 8/26/2016 – Senate – Chaptered – [Chapter 219, Statutes of 2016](#)

**Summary:** Would allow an individual to designate on his or her tax return that a specified amount in excess of his or her tax liability be transferred to the Revive the Salton Sea Fund, which would be created by this bill. The bill would prohibit a voluntary contribution designation for the Revive the Salton Sea Fund from being added on the tax return until another voluntary contribution designation is removed or a space is available and would require, once the designation is added, specified information to be on the tax form, including the purposes for which the contribution would be used.