

**CALENDAR ITEM
INFORMATIONAL**

65

A Statewide

02/07/17

S. Pemberton

S Statewide

M. Moser

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

INTRODUCTION:

The purpose of this staff report is to update the Commission about proposed state and federal legislation relevant to the Commission's authority and jurisdiction. The exhibit to this staff report identifies and summarizes proposed state and federal legislation that impacts the Commission or that staff believes is of interest to the Commission.

STATE LEGISLATION:

SB 42 (Hill): Martins Beach

This bill would allocate an unspecified amount of General Fund money to the Commission so it can use eminent domain to restore public access to Martins Beach in San Mateo County. Existing law requires the Commission to negotiate with the Martins Beach property owner to acquire a right-of-way or easement to create public access to Martins Beach. The Commission was unable to obtain an agreement with the owner that would provide access to the beach.

SB 44 (Jackson): Coastal hazard and legacy oil and gas well removal and remediation

This bill would create a legacy oil and gas well and coastal hazard removal and remediation program in statute and provide funding to the Commission to administer it. The bill would transfer up to \$2,000,000 from the General Fund to the Commission for the program. The bill would provide critical funding for staff to examine legacy oil and gas wells and related infrastructure along the California coastline to begin determining how to remove coastal hazards and how to identify exact locations of potentially leaking wells and prioritize remediating leaking legacy oil and gas wells. The funding would also enable the Commission to propose ways to determine the extent and rate of natural oil seeps, including commissioning studies to better understand seep origins and locations. The bill would require the Commission to report annually to the Legislature about its work and progress fulfilling the requirements in the bill. Item 67 on the Commission's

CALENDAR ITEM NO. 65 (CONT'D)

February 7 meeting agenda provides additional details on this bill and recommends the Commission support SB 44 (Jackson).

FEDERAL LEGISLATION:

Over the past years, the Commission has opposed proposed federal legislation that would create a national ballast water discharge standard and preempt California's authority to regulate incidental vessel discharges, including ballast water. The previous iterations of the legislation, known as the Vessel Incidental Discharge Act, would have established a single federal ballast water management standard, specifying standards the Coast Guard issued in 2012 as the baseline. These standards would have superseded existing state standards and superseded the U.S. Environmental Protection Agency's ballast water management requirements under the Clean Water Act.

S. 168 was introduced in the Senate on January 17, 2017. On January 24, 2017, the Senate Committee on Commerce, Science, and Transportation approved the bill. S. 168 is unlikely to proceed as a stand-alone bill; its provisions will most likely be attached as an amendment to a broader bill that may or may not be related to the subject matter. A potential vector is the Coast Guard Reauthorization Act. Item 66 on the Commission's February 7 meeting agenda provides additional details and analysis on S. 168 and recommends the Commission oppose it.

CONCLUSION:

Commission staff will continue to carefully monitor these bills and update the Commission at subsequent meetings or as requested. This action is consistent with Strategy 3.1 of the Commission's strategic plan to foster, improve and enhance relationships to engage the Legislature, public, local, state and federal agencies, grantees, lessees, potential applicants, non-governmental organizations and the regulated community.

Below are important deadlines for bills moving through the California Legislature:

February 17, 2017 – Last day for bills to be introduced

April 6, 2017 – Spring Recess begins upon adjournment

April 28, 2017 – Last day for policy committees to hear and report fiscal bills introduced in their house for referral to fiscal committees

CALENDAR ITEM NO. 65 (CONT'D)

May 12, 2017 – Last day for policy committees to hear and report to the floor nonfiscal bills

May 30 through June 2, 2017 – Floor session only

June 15, 2017 – Budget Bill must be passed by midnight

July 14, 2017 – Last day for policy committees to hear and report fiscal bills for referral to fiscal committees

July 21, 2017 – Last day for policy committees to hear and report bills. Summer recess begins upon adjournment, provide the Budget Bill is passed

August 21, 2017 – Legislature reconvenes from summer recess

September 8, 2017 – Last day to amend bills on the Floor

September 15, 2017 – Last day for any bill to be passed. Interim recess begins on adjournment

EXHIBIT:

- A. Legislative Report

Exhibit A - 2017 Legislative Summary
1/25/2017 11:38 AM

Sea Level Rise / Climate Change

[AB 184](#) ([Berman D](#)) **Sea level rise planning: database.**

Introduced: 1/19/2017

Location: 1/19/2017-A. PRINT

Summary:

Current law requires that various public agencies and private entities provide to the Natural Resources Agency, on a biannual basis, sea level rise planning information, as defined, that is under the control or jurisdiction of the public agencies or private entities, and requires the agency to determine the information necessary for inclusion in the database, as prescribed. Existing law repeals these provisions on January 1, 2018. This bill would eliminate the January 1, 2018, repeal date of those provisions.

Sovereign / School Lands

[SB 42](#) ([Hill D](#)) **Public lands: Martins Beach: property acquisition.**

Introduced: 12/5/2016

Location: 1/12/2017-S. N.R. & W.

Summary:

Current law authorizes the State Lands Commission, if it is unable to reach an agreement to acquire the right-of-way or easement for the creation of that public access route or the owners do not voluntarily provide access by January 1, 2016, to acquire a right-of-way or easement for the creation of that public access route at Martins Beach, in accordance with specified procedures. This bill would appropriate an unspecified amount from the General Fund to the commission to be expended for the acquisition of that right-of-way or easement, and any related administrative costs, and would require that any unexpended moneys not used for the acquisition revert to the General Fund.

[SB 44](#) ([Jackson D](#)) **State lands: coastal hazard and legacy oil and gas well removal and remediation program.**

Introduced: 12/5/2016

Location: 1/12/2017-S. N.R. & W.

Summary:

Would, upon appropriation of moneys by the Legislature, require the State Lands Commission to, within 2 years, administer a coastal hazard and legacy oil and gas well removal and remediation program, as specified. 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. The bill would require the commission to annually report to the Legislature the activities and accomplishments of the program.

[SB 73](#) ([Hueso D](#)) **Official state ship of discovery.**

Introduced: 1/10/2017

Location: 1/19/2017-S. G.O.

Summary:

Current law establishes the state flag and the state's emblems, including, among other things, "the Californian" as the official state tall ship. This bill would establish the "San Salvador" as the official state ship of discovery.