

DEPARTMENT OF BOATING AND WATERWAYS

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To: Boating and Waterways Commission Members

From: Department of Boating and Waterways, Legislative Unit

Subject: LEGISLATIVE REPORT, May 26, 2010

This report was prepared on May 11, 2010.

ASSEMBLY BILLS

AB 1585 (Committee on Accountability and Administrative Review) State government: reporting requirements: required repealer. This bill would enact new and clarify existing requirements for submitting reports to the Legislature. This bill would also change how the Legislative Counsel Bureau manages a listing of required reports and would eliminate some reports that are considered to be obsolete. This bill would require that any bill containing a new legislative report requirement for a state agency contain language for repeal of the requirement no later than four years after the requirement goes into effect.

Specifically, two reports on the list for elimination are related to boating. The first is a report on how the Department of Parks and Recreation (DPR) uses the Motor Vehicle Fuel Account (MVFA) monies—that would otherwise be transferred to the Harbors and Watercraft Revolving Fund (HWRP)—at state parks units that have boating-related activities. This report was authorized by the Budget Act of 2007 and was due to the Legislature on January 1, 2008. The second report of importance to DBW is a report on the State's quagga mussel response, its future plans and cost estimates to implement such plans. This report was authorized by the Budget Act of 2007 and was due to the Legislature on January 1, 2008.

Sponsor: Author

Status: Chaptered 2/26/2010

Department Position: No approved position

AB 1797 (Berryhill, Bill) State Water Resources Development System: Delta Corridors Plan. This bill would require the Department of Water Resources (DWR) to undertake an expedited evaluation and feasibility study with regard to the implementation of a specified Delta Corridors Plan as part of the State Water Resources Development System. The bill would require DWR to consult with the Department of Fish and Game to study specified impacts and benefits of the Delta Corridors Plan and to include in the study an assessment of the incorporation of the Two-Gates Fish Demonstration Project managed by the United States Bureau of Reclamation into the Delta Corridors Plan. DWR would be required to prepare and submit to the Legislature, on or before January 1, 2012, a report that includes its feasibility findings. If DWR determines the implementation of the plan is feasible, it would be required to include recommendations with regard to specific facilities to be constructed, and to identify potential funding sources, for the purposes of implementing the plan.

Sponsor: Author

Status: Amended 4/7/2010, In Assembly Appropriations Committee 4/28/2010

Department Position: No approved position

AB 1818 (Blumenfeld) Santa Monica Mountains Conservancy: Los Angeles River Watershed Program. This bill would establish the Upper Los Angeles River and Watershed Protection Program. The program would be administered by the Santa Monica Mountains Conservancy to address the resource protection, public recreation, water conservation, and water quality goals of the Upper Los Angeles River watershed in a coordinated, comprehensive, and effective way.

Sponsor: Mountains and Recreation Conservation Authority (MRCA)

Status: Amended 4/19/2010, In Assembly Appropriations Committee 5/5/2010

Department position: No approved position

AB 1929 (Hall) Invasive aquatic species: mussels. This bill would provide that an operator of water delivery and storage facilities, who has prepared, initiated, and is in compliance with a plan to control and eradicate dreissenid mussels in accordance with existing law, would not be subject to any civil or criminal liability for the introduction of dreissenid mussel species as a result of operations of those facilities. The bill would provide that neither the Department of Fish and Game's (DFG) enforcement activities, nor the prohibition on a person possessing, importing, shipping, or transporting dreissenid mussels in the state would apply to an operator who has prepared, initiated, and is in compliance with a plan to control and eradicate dreissenid mussels, unless DFG had required the operator to update its plan and the operator failed to do so.

Sponsor: Association of California Water Agencies

Status: Introduced 2/17/2010, In Senate Natural Resources & Water Committee 5/6/2010

Department Position: No approved position

AJR 35 (Fuller) Two-Gates Fish Protection Demonstration Project. This measure would request the United States Department of the Interior (DOI) to reconsider its decision to abandon implementation of the Two-Gates Fish Protection Demonstration Project (Project) and to restart the series of meetings designed to result in completion of the necessary environmental review and engineering design to construct the Project in 2010, and would respectfully request Senators Dianne Feinstein and Barbara Boxer, Speaker of the House of Representatives Nancy Pelosi, and all other members of the California congressional delegation to request the DOI to restart its involvement in the Project with the goal of completing the necessary environmental review and engineering design to construct the Project in 2010.

Sponsor: Author

Status: Introduced 2/19/2010, In Assembly Water, Parks & Wildlife Committee 3/4/2010

Department Position: No approved position

AJR 38 (Caballero) Public resources: Two-Gates Fish Protection Demonstration Project.

This measure would request the United States Department of the Interior to complete its study of the Two-Gates Fish Protection Demonstration Project in the Sacramento-San Joaquin Delta .

Sponsor: Author

Status: Amended 4/22/2010, In Assembly Water, Parks & Wildlife Committee 4/26/2010

Department Position: No approved position

SENATE BILLS

SB 21 (Simitian) Fishing Gear. This bill would require the Department of Fish and Game (DFG), by January 1, 2012, to include on all fishing licenses and in all appropriate official brochures any toll-free telephone numbers and any Web site addresses available that maintain a reporting system for lost fishing gear.

Sponsor: Author

Status: Amended 1/25/2010, in Assembly Water, Parks & Wildlife Committee 2/11/2010

Department Position: No approved position

SB 808 (Wolk) Delta levee maintenance. This bill would extend from July 1, 2010 to July 1, 2016 the period during which a local agency may request up to 75% reimbursement or advance funds for delta levee maintenance costs in excess of \$1,000 per mile of levee

Sponsor: Author

Status: Amended 1/25/2010, in Assembly Appropriations Committee 4/27/2010

Department Position: No approved position

FEDERAL BILLS

H.R. 2548 (Pingree) Keep America's Waterfronts Working Act of 2009.

This bill would amend the Coastal Zone Management Act of 1972 to create a grant program for coastal states to implement working waterfronts. This bill is intended to protect and preserve and expand coastal access for water-dependent activities such as commercial and recreational fishing, aquaculture, boatbuilding and more. This bill includes an authorization for appropriations of \$25 million in 2010, \$50 million in 2011 and \$75 million in 2012 and 2013.

Sponsor: Author

Status: Subcommittee hearings held 10/20/2009

Department Position: No approved position