

Legislative Report

2013



Marina Recreation Association



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In my newsletter article from May, I stated “every year is a different story in Sacramento.” Now that 2013 is winding down and I have time to reflect on the year, that statement is even truer than I expected. On the legislative front, we supported more bills than we opposed; something that is very rare. In the state budget, we did not see any significant challenges; also a rarity. 2013 also saw the finality of the merger of Boating and Waterways into the Department of Parks and Recreation. And, in the final days of the Legislative Session, we saw a last-minute “gut and amend” of legislation that “could” lead to a million dollar hit to the Harbors and Watercraft Revolving Fund (HWRF).

The following is a summary of our activity this year:

DBW / DPR Merger

The most significant and potentially impactful issue this year was the culmination of the merger of the Department of Boating and Waterways (DBW) into the Department of Parks and Recreation (DPR). Last year, the Legislature passed “Government Reorganization Plan 2” (GPR 2). That measure included the provisions for merging DBW into DPR. We were able to secure a series of amendments that strengthened the Boating and Waterways Commission to ensure ongoing protection for the boating community, which I outlined in last year’s annual report.

That plan called for the merger to be completed by July 1, 2013. Once the GRP 2 was passed, we began our communication with Parks to initiate our relationship. We had several meetings with leadership to ensure our interests were considered in their decision making process.

I am pleased to report that DPR listened carefully to our perspective and made some changes based on the input from some of our members, such as keeping the loan and grant programs with boating and not moving them over to an existing park’s division, as originally proposed. They did merge some of the boating functions with current DPR operations to create efficiencies, but all of these changes seemed appropriate after we reviewed the proposed changes. They will also be including a more accurate accounting of the HWRF in the State Budget document, and will be making more information regarding the HWRF available online so stakeholders such as ourselves can track expenditures. Throughout that process we developed a good working relationship with DPR leadership and are confident we will be able to continue to work with them going into the future.

Report to the Department of Parks and Recreation

Each spring, we have a meeting of our joint “Marine Legislative Committee.” This is a loose affiliation of all the boating and marine clients of The Apex Group. At that meeting, we discuss newly introduced legislation and set priorities for the year. This year, we were fortunate

enough to have the new director of DPR, Major General Anthony Jackson and his key staff attend. At that meeting, we discussed our priorities for the new Division of Boating and Waterways. To confirm those priorities we sent General Jackson a memorandum outlining those priorities. Below is a summary of our comments and the specific request we made to the new Director to help the full membership better understand the priorities of the joint boating community.

Transfer from Motor Vehicle Fuel Account to the Department of Parks and Recreation

Our highest priority issue is the transfer each year of nearly \$27 million from the Motor Vehicle Fuel Account to the State Parks and Recreation Fund of monies that would otherwise be transferred to the Harbors and Watercraft Revolving Fund (HWRF) for boating programs. These are boater dollars, derived from the “road tax” paid by boaters. We have long viewed this as an inappropriate taking from the boaters for non-boating purposes.

The justification for this transfer has ostensibly been to pay for boating-related activities in the state park system. However, some of our members have visited the park units that receive this funding and have found little or no boating activity. We informed DPR that boaters’ dollars should not be seen as a means to establish fiscal stability for other departmental priorities.

Request: We suggested DPR develop a plan that would eventually see these monies returned to boating programs.

Repayment of Outstanding Loans from the HWRF to the General Fund

Over the last several years, approximately \$51 million has been borrowed from the HWRF and transferred to the State General Fund.

Request: Realizing DPR is in a position to make recommendations on state budget funding recommendations, we suggested they work to seek repayment of these loans, particularly since repayment would bring money to DPR now that DBW is part of the Department.

Funding “Mix” of Loans to Grants

Historically, the funding levels for loan programs exceeded the boating facility grants each year. However, in recent years, the priority has shifted toward increased funding to the grant program. Marina loans are a vital component for ensuring the continued health of our State’s boating infrastructure. Quality marinas bring vibrant economic activity, jobs, continued recreational opportunities, and environmental protection. Furthermore, these loans are paid back, with interest, providing additional resources for boating programs.

Request: We requested that the funding “mix” be restored to the more traditional percentage of loans to grants.

Abandoned Watercraft Abatement Fund / Vessel Turn-in Program Funding

The Abandoned Watercraft Abatement Fund and Vessel Turn-In Program have proven to be very successful. These programs are critical to mitigating the environmental consequences of abandoned vessels and the hazards to navigation that are commensurate with such abandoned vessels. Although very successful, the funding for each program continues to be at minimal levels.

Request: We requested that the funding for these programs be substantially increased.

Yacht Broker Licensing Program Staffing

There are approximately 500 licensed yacht brokers and salespersons in the State of California. However, licensing and enforcement of brokers is managed by only one person. It is critical that applications and renewal for licensing are processed in a timely manner, and that a vigorous enforcement regime is in place to protect consumers.

Request: Increase staffing levels assigned to these functions.

Audit of HWRP

We were pleased to hear at our meeting with DPR leadership that they have ordered an audit of the HWRP. While we are not aware of any inappropriate activity in this regard, an audit to develop a “baseline” understanding of all programs is welcome.

Request: Expedite the completion of this audit.

Transparency of HWRP Expenditures

Currently, all expenditures from the HWRP are detailed in the budget, and we appreciate the creation of the new HWRP-specific “Statement of Revenue and Expenditure” in the state budget. However, we believe with some boating functions now nested with Parks operations, greater transparency is needed other than the annual budget.

Request: When creating such integrated operations, we urged Parks to make the tracking of funds more “user friendly” so stakeholders can keep the Department accountable.

Specifically, we requested that program expenditures be posted online.

Electronic Yacht Broker Transactions

Currently, all communication with yacht brokers is handled via United States Postal Services. This is expensive and time consuming.

Request: Develop an online registration and renewal system.

Invasive Species Control and Eradication Program

For several years, there have been ongoing challenges with the effectiveness of the invasive aquatic species program. Often the spraying gets started late and is insufficient to control the problem. We have surmised that much of the problem is poor coordination with the federal government.

Request: This year, AB 763 (Buchanan) was signed into law, which we supported, that would improve coordination with the federal government. We requested that Parks make a particular effort to coordinate with the relevant federal agencies and maximize the opportunity to engage in aquatic invasive species weed control in the Delta.

Priority Legislation

Each year we track dozens of bills. Out of this larger group of measures, a few rise to become a priority, requiring our active involvement. Below is a summary of our priority bills for the year:

AB 8 (Perea): Renews a fee on initial vessel registration, along with many other fees on other industries, to pay for clean air programs at the California Air Resources Board. We opposed this bill because we cannot identify any benefit to the boating community.

Outcome: Signed by the Governor

AB 203 (Stone): Increases the authority of the California Coastal Commission to restrict “Coastal Development Permits.” Although there are many interests opposed to this bill, we were able to secure an amendment that exempts harbors, ports and marinas from the provisions of the bill. That amendment removed our opposition.

Outcome: Due to the strong opposition from other interests, this stalled in the process

AB 425 (Atkins): Requires the California Department of Pesticide Regulation to complete its evaluation of copper-based antifouling hull paint. This bill is the culmination of years of work by us and many others to deal with the problem of copper in the water. This issue began years ago with the copper loading problem in San Diego Bay. In previous years there have been bills that would have resulted in the banning of copper paint and even an initiative by the State Water Resources Control Board to place severe restrictions and obligations on marina operators, essentially making the marina operators “marina cops” to monitor and report on water quality.

After much resistance to these other approaches and discussion among the stakeholders, these other plans were abandoned and this new approach was selected. This bill will take a scientific look at the paint and require a reformulation that reduces the amount of copper released into the water, but still provides the needed protections for vessel hulls. We took a neutral position on this bill as we did not object to its provision, but we were not necessarily supportive of more studies.

Outcome: Signed by the Governor

AB 727 (Stone): This bill will streamline the permitting process for certain dredging projects. Under existing law, a State Lands Commission lease is required to dredge on state lands. Such leases are common as many marinas are situated on state lands. This bill allows for that lease requirement to be waived under certain circumstances. We supported this bill.
Outcome: Signed by the Governor

AB 763 (Buchanan): This bill expands the authority of DBW to address invasive species in the Delta, and mandates better communication with the federal government, which has a central role to play when it comes to control and eradication. We were supportive of this bill.
Outcome: Signed by the Governor

AB 865 (Eggman): The yacht and ship broker program at DBW is severely underfunded. Enforcement is always a challenge due to a shortage of staff and applications and renewals for yacht brokers and sales people can be slow to process. This bill increases the fee authority that DBW can charge applicants to help pay for these needs. We supported this bill because it will ensure improved processing times and a vigorous enforcement regime to get at the “bad actors.”
Outcome: Signed by the Governor

AB 979 (Weber): This bill mandates certain training for peace officers that serve in a maritime capacity. Law enforcement on the water is much different than on land, which is why this bill is so important. It had broad support from all the boating associations. We supported this bill.
Outcome: Signed by the Governor

SB 11 (Pavley): It is not uncommon for an issue to be introduced with the same language in both houses of the Legislature with the goal of increasing its chances of passage. This is such a “companion” bill to AB 8, which is discussed above. We opposed this bill.
Outcome: This bill stalled as AB 8 became the primary “vehicle” to implement this policy

SB 122 (Lieu): This bill removes the “sunset” date (a sunset date is a date in law when a program ends) for the “Vessel Turn-In Program (VTIP).” The VTIP was created by legislation we sponsored in 2009 that allows a vessel owner to “turn in” a dilapidated vessel for destruction. The goal of the program is to prevent abandonment of these vessels as the cost of recovery and destruction is much more than if a vessel can simply be turned over and destroyed. We supported this bill.
Outcome: Signed by the Governor

SB 427 (Monning): This bill was very problematic as originally drafted. It would have radically expanded the circumstances in which a life jacket must be worn. Originally, anyone

under 13 would have had to wear a life jacket when on a vessel that was “moored” or “at anchor” rather than just underway as is current law. We expressed our concern about these changes and all the onerous provisions were removed. It now simply makes some minor changes to the definition of “vessel” to comport with the federal definition. Because the author accepted our amendments, we took a “neutral” position on this bill.

Outcome: Signed by the Governor

SB 436 (Jackson): This bill was “gutted” of its contents and amended with language that could lead to a raid on the HWRF. There is an erosion problem in the City of Port Hueneme. This bill was crafted to take \$1 million for an existing statewide park bond, but just in case there were elements that did not fit into the criteria for the park bond, they included language that would allow them to go after the HWRF.

This bill was amended with the offending language and move through both houses of the Legislature all in the final few day of the Legislative Session! These last minute “gut and amend” bills are very hard to fight because the lateness of the amendments and the speed with which it must necessarily move through the process. It was amended to remove some dangerous language that would have given open-ended access to the HWRF to other cities looking for money. With that amendment, the bill was then clearly limited to the City of Port Hueneme. We opposed this bill and, although we did what we could, it reached the Governor’s desk where he signed it into law.

Outcome: Signed by the Governor

Next Year

2014 will be the beginning of a new era for the boating community and its relationship with the State of California, primarily due to placement of boating programs within the Department of Parks and Recreation. We are off to a very good start as we have begun our relationship with Parks in a very positive manner. However, there will be instances when their priorities are different than those of the boating community. When we reach those circumstances, it remains to be seen how well we are able to work out our differences.

It also remains to be seen how boating programs will be treated by DPR. I have speculated in the past that it is very possible the boating programs will be “adopted into the family” and protected, much like their other programs. Whereas in the past they were in another program that could be seen as a target, now, hopefully, the impulse will be to expand and grow the programs as part of their larger departmental agenda....only time will tell.

The following is a summary of the bills we tracked this year and their final disposition. The first section is “chaptered” bills, which are bills that were signed into law. The second section is “two-year” bills, which are bills that stalled in the process, but could be considered next year, which is the second year of the two-year legislative session.

CHAPTERED BILLS

[AB 8](#) ([Perea D](#)) Alternative fuel and vehicle technologies: funding programs.

Location: 9/28/2013-A. CHAPTERED

Summary:

Would provide that the State Air Resources Board has no authority to enforce any element of its existing clean fuels outlet regulation or other regulation that requires or has the effect of requiring any supplier, as defined, to construct, operate, or provide funding for the construction or operation of any publicly available hydrogen-fueling station. The bill would require the state board to aggregate and make available to the public, no later than June 30, 2014, and every year thereafter, the number of hydrogen-fueled vehicles that motor vehicle manufacturers project to be sold or leased over the next 3 years, as reported to the state board, and the number of hydrogen-fueled vehicles registered with the Department of Motor Vehicles through April 30. The bill would require the commission to allocate \$20 million annually, as specified, until there are at least 100 publicly available hydrogen-fueling stations in California.

Position: Oppose

[AB 425](#) ([Atkins D](#)) Pesticides: copper-based antifouling paint.

Location: 10/5/2013-A. CHAPTERED

Summary:

Would require the Department of Pesticide Regulation, no later than February 1, 2014, to determine a leach rate for copper-based antifouling paint used on recreational vessels and to make recommendations for appropriate mitigation measures that may be implemented to protect aquatic environments from the effects of exposure to that paint if it is registered as a pesticide.

Position: Watch A

[AB 594](#) ([Committee on Water, Parks and Wildlife](#)) State parks: operating agreements

Location: 9/28/2013-A. CHAPTERED

Summary:

Would state that it is the intent of the Legislature that the Department of Parks and Recreation consistently operate the state park system, as specified. This bill would state that it is the intent of the Legislature, if budget reductions necessitate changes to the continued operation of state park units, that the department achieve any required budget reductions by implementing efficiencies and increasing revenue collection or reducing services and that full park closures only be considered as a last option, as provided. This bill contains other related provisions and other existing laws.

Position: Watch

[AB 606](#) ([Williams D](#)) Hueneme Beach shoreline protection.

Location: 9/28/2013-A. CHAPTERED

Summary:

Would appropriate \$1,000,000 from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund to the State Coastal Conservancy for a grant to the City of Port Hueneme. The bill would require funding to be allocated for emergency measures along Hueneme Beach in the City of Port Hueneme to prevent severe infrastructure damage to streets and property caused by beach erosion and flooding, thereby making an appropriation.

Position: Watch A

[AB 628](#) ([Gorell R](#)) Energy management plans for harbor and port districts.

Location: 10/11/2013-A. CHAPTERED

Summary:

Would authorize the Humboldt Bay Harbor, Recreation, and Conservation District and

specified harbor and port districts, as defined, jointly with an electrical corporation, gas corporation, community choice aggregator established on or before July 1, 2013, or publicly owned electric or gas utility serving the district to prepare one or more energy management plans to reduce air emissions and promote economic development through the addition of new businesses and the retention of existing businesses in the district. The bill would require, if a district prepares an energy management plan pursuant to these provisions, that the plan include specified provisions.

Position: Watch

AB 691 (Muratsuchi D) State lands: granted trust lands: sea level rise.

Location: 10/5/2013-A. CHAPTERED

Summary:

Would provide that addressing the impacts of sea level rise for all of its legislatively granted public trust lands shall be among the management priorities of a local trustee, as defined. The bill would require a local trustee whose gross public trust revenues average over \$250,000 annually between January 1, 2009, and January 1, 2014, to prepare and submit to the State Lands Commission, no later than July 1, 2019, except as provided, an assessment of how it proposes to address sea level rise. The bill would permit, but not require, a local trustee whose gross public trust revenues are \$250,000 or less to prepare and submit to the commission an assessment.

Position: Watch

AB 727 (Stone D) Public trust lands: dredging: notice and leases.

Location: 8/13/2013-A. CHAPTERED

Summary:

Would require that a local trustee of tide and submerged lands or an applicant for dredging on granted tide and submerged lands that intends to commence dredging on granted public trust lands, upon which any right to minerals on those lands is reserved by the state, to notify the commission, in writing, no later than 120 days prior to the time dredging is commenced, and would require that the written notice contain specified information. This bill contains other related provisions.

Position: Support

AB 763 (Buchanan D) Aquatic invasive plants: control and eradication.

Location: 9/23/2013-A. CHAPTERED

Summary:

Would designate the Division of Boating and Waterways as the lead agency of the state for the purpose of cooperating with other state, local, and federal agencies in identifying, detecting, controlling, and administering programs to manage invasive aquatic plants, as defined, in the Sacramento-San Joaquin Delta, its tributaries, and the Suisun Marsh. This bill contains other related provisions.

Position: Support

AB 865 (Eggman D) Yacht and Ship Brokers Act: licensing.

Location: 9/30/2013-A. CHAPTERED

Summary:

Would require the Division of Boating and Waterways to post the directory of licensed brokers and salespersons on its Internet Web site. The bill would require the division to adopt regulations setting forth the fees to be charged and collected under the Yacht and Ship Brokers Act for, among other things, exams, licensing, renewals, and other services provided by the division under the act, and would require the fees to be sufficient to reimburse the division for the reasonable costs of implementing the act. The bill would require that those fees be charged and collected under the act until such time that the division adopts those regulations.

Position: Support

[AB 979](#) (Weber D) Peace officers: Maritime Peace Officer Standards Training Act of 2013.

Location: 10/7/2013-A. CHAPTERED

Summary:

Would require each peace officer who is assigned in a jurisdiction that includes navigable waters, who serves as a crew member on a waterborne law enforcement vessel, and who meets other specified criteria to complete a course in basic maritime operations for law enforcement officers. The bill would require the course of instruction to include, among other things, boat handling, navigation rules, and comprehensive training regarding maritime boardings, arrest procedures, and counterterrorism practices and procedures.

Position: Support

[AB 1273](#) (Ting D) Tidelands and submerged lands: City and County of San Francisco

Location: 9/27/2013-A. CHAPTERED

Summary:

Would revise authorization for the conveyance of lands for use for a cruise ship terminal development to instead authorize the State Lands Commission to approve a mixed-use development on the San Francisco waterfront at Piers 30-32, which would include a multipurpose venue for events and public assembly, if the State Lands Commission finds, at a properly noticed public meeting, that specified conditions are met. The bill would authorize the State Lands Commission to convey to the City and County of San Francisco all of the rights, title, and interest held by the state in trust to specified lands along the waterfront, but would prescribe terms and conditions for the use of those lands in connection with a multipurpose venue, as described.

Position: Watch

[SB 14](#) (Gaines R) Bear Lake Reservoir: recreational use.

Location: 8/27/2013-S. CHAPTERED

Summary:

Current law, with certain exceptions, prohibits recreational use in which there is bodily contact with water in a reservoir in which water is stored for domestic use, and establishes water standards for those exempted reservoirs. This bill would, in addition, exempt from this prohibition recreational activity in which there is bodily contact with water by any participant in the Bear Lake Reservoir, and would establish standards in this regard, including water treatment, monitoring, and reporting requirements. This bill contains other related provisions and other existing laws.

Position: Support

[SB 122](#) (Lieu D) Vessels: abandonment: abatement.

Location: 9/6/2013-S. CHAPTERED

Summary:

Existing law makes it an infraction punishable by a maximum \$3,000 fine, and until January 1, 2014, a minimum \$1,000 fine for a person to abandon a vessel upon a public waterway or public or private property without the express or implied consent of the owner or person in lawful possession or control of the property, except for the urgent and immediate concern for the safety of those aboard the vessel. This bill would delete the January 1, 2014, repeal date of certain above-described provisions and delete alternative provisions that were to become operative on January 1, 2014, which would have reduced the minimum fine to \$500 and eliminated the exception for a surrendered vessel.

Position: Support

[SB 279](#) (Hancock D) San Francisco Bay Restoration Authority.

Location: 10/3/2013-S. CHAPTERED

Summary:

Would specify that a measure proposed by the San Francisco Bay Restoration Authority must be submitted to the voters of the authority in accordance with the provisions of the Elections Code applicable to districts, as specified. This bill would

require the authority to file with the board of supervisors of each affected county a resolution requesting consolidation. This bill would require the legal counsel for the authority to prepare, subject to review and revision by a specified county counsel, an impartial analysis of the measure. This bill contains other related provisions and other existing laws.

Position: Watch

SB 427 (Monning D) Vessels: equipment requirements: personal flotation devices.

Location: 9/6/2013-S. CHAPTERED

Summary:

Would define vessel to mean every description of a watercraft or other artificial contrivance used or capable of being used as a means of transportation on water, except as specified. This bill contains other related provisions and other existing laws.

Position: Watch A

SB 436 (Jackson D) Port Hueneme Beach shoreline protection.

Location: 9/28/2013-S. CHAPTERED

Summary:

Would appropriate \$1,000,000 from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund to the State Coastal Conservancy for a grant to the City of Port Hueneme. The bill would require funding be allocated for emergency measures along Hueneme Beach in the City of Port Hueneme to prevent severe infrastructure damage to streets and property caused by beach erosion and flooding, thereby making an appropriation.

Position: Oppose

SB 457 (Monning D) Vessels: collisions and accidents.

Location: 8/27/2013-S. CHAPTERED

Summary:

Would require that any public agency that is under contract with the Department of Boating and Waterways to receive law enforcement grant funds from the department, pursuant to regulations adopted by the department, complete and submit to the department a report for any boating accident to which it responds or for which it receives a report. The bill would make any public agency that fails to comply with that reporting requirement ineligible to receive any future law enforcement grant funds from the department for up to 5 fiscal years following the date of the failure to submit an accident report, except upon a showing of good cause by that public agency.

Position: Watch A

TWO-YEAR BILLS

AB 183 (Dickinson D) Delta Protection Commission

Location: 5/3/2013-A. 2 YEAR

Summary:

Existing law, the Johnston-Baker-Andal-Boatwright Delta Protection Act of 1992, requires the Delta Protection Commission to review and maintain a comprehensive long-term resource management plan for land uses within the primary zone, as defined, of the Delta. This bill would require the executive director to determine a discretionary project located in the primary zone to be consistent with the resource management plan provided that the project satisfies at least 4 of 5 specified criteria.

Position: Watch

[AB 203](#) (Stone D) Coastal resources: coastal development permits: penalties.

Location: 5/31/2013-A. 2 YEAR

Summary:

Would prohibit the California Coastal Commission, with exceptions, from filing as complete, or acting upon, an application for a coastal development permit for a project on property that is subject to an existing violation case for which a violation notification letter has been sent by the commission, or a cease and desist order, restoration order, or notice of violation has been issued or recorded until the violation has been resolved. The bill would authorize the commission to resolve any unresolved dispute between the executive director and an applicant regarding the implementation of the above provision at a noticed hearing.

Position: Watch A

[AB 282](#) (Wieckowski D) Underground storage tanks: petroleum: charges.

Location: 8/12/2013-S. APPR. SUSPENSE FILE

Summary:

Current law, until January 1, 2014, provides for an increase in the fee for storage in an underground tank of \$0.006 per gallon of petroleum. This bill would require payment of the additional \$0.006 per gallon until January 1, 2016. The bill would extend the repeal date of the fund until January 1, 2018, and make conforming changes. This bill would constitute a change in state statute that would result in a taxpayer paying a higher tax within the meaning of Section 3 of Article XIII?A of the California Constitution, and thus would require for passage the approval of 2/3 of the membership of each house of the Legislature.

Position: Watch

[AB 437](#) (Ting D) San Francisco Bay Restoration Authority Act: grant program.

Location: 5/10/2013-A. 2 YEAR

Summary:

Current law authorizes the San Francisco Bay Restoration Authority to raise funds and award grants to public and private entities, including, but not limited to, owners or operators of shoreline parcels in the San Francisco Bay area, excluding the Delta primary zone, for eligible projects in the counties within the authority's jurisdiction. Current law repeals the act on January 1, 2029. This bill would make a technical, nonsubstantive change in those provisions relating to the authority's authorization to raise funds and issue grants to public and private entities.

Position: Watch

[AB 504](#) (Chesbro D) Fish and Game Commission: salmon and groundfish.

Location: 5/3/2013-A. 2 YEAR

Summary:

Current law requires the Fish and Game Commission to hold no fewer than 10 regular meetings per year, if the commission has adequate funding for related travel, including funding for department travel, with no more than 3 regular meetings to be held in Sacramento per year. This bill would reduce the number of regular meetings per year to 8 and would delete the limitation that no more than 3 regular meetings be held in Sacramento per year. The bill would delete the requirement that the broad dissemination of the notices regarding meetings be achieved in a specific manner.

Position: Watch A

[AB 521](#) (Stone D) Recycling: marine plastic pollution.

Location: 5/24/2013-A. 2 YEAR

Summary:

Would require the Department of Resources Recycling and Recovery, by June 1, 2014, in coordination with the Ocean Protection Council and the State Water Resources Control Board, to adopt regulations to implement the bill. The department would be required, by July 1, 2014, in consultation with the council and the state

water board, to adopt a list that specifies those items, or categories of items, that the department finds are the major sources of marine plastic pollution and, therefore, would be a covered item for purposes of the bill, and to revise the list, as specified.

Position: Watch

[AB 600](#) (Bonta D) Intermodal marine terminals.

Location: 7/12/2013-S. 2 YEAR

Summary:

Would recast provisions to prohibit a party signatory to an interchange agreement involving intermodal marine equipment from unilaterally terminating, suspending, or restricting the equipment interchange rights of any other signatory to the same interchange agreement. This bill would modify the circumstances under which an intermodal marine equipment provider or an intermodal marine terminal operator is prohibited from imposing per diem, detention, demurrage charges, or citations for parking violations. This bill contains other related provisions.

Position: Watch

[AB 881](#) (Chesbro D) Oil spill prevention and administrative fee.

Location: 9/13/2013-S. 2 YEAR

Summary:

Current law imposes an oil spill prevention and administration fee in an amount determined by the administrator to implement oil spill prevention activities, but not to exceed, until January 1, 2015, \$0.065 per barrel of crude oil or petroleum products, on persons owning crude oil or petroleum products at a marine terminal and thereafter the fee is not to exceed \$0.05 per barrel. This bill would, instead, on and after January 1, 2015, increase the maximum annual assessment to \$0.07 per barrel of crude oil or petroleum products. This bill contains other related provisions and other existing laws.

Position: Watch

[AB 976](#) (Atkins D) California Coastal Act of 1976: enforcement: penalties.

Location: 9/13/2013-A. 2 YEAR

Summary:

Would authorize, until January 1, 2019, the California Coastal Commission to impose upon a person who violates the act an administrative civil penalty by a majority vote of the commissioners, upon consideration of various factors, and in an amount not to exceed 75% of the maximum civil penalty that may be imposed in the superior court, as specified. The bill would require the penalty to be assessed for each day the violation persists, but for no more than 5 years. This bill contains other related provisions.

Position: Watch

[SB 11](#) (Pavley D) Alternative fuel and vehicle technologies: funding programs.

Location: 9/9/2013-A. TRANS.

Summary:

Would require the state board, in consultation with the Bureau of Automotive Repair and no later than June 30, 2015, to update the guidelines for the enhanced fleet modernization program to include specified elements and to study and consider specified elements. The bill, in addition, would establish compensation for replacement vehicles for low-income vehicle owners at not less than \$2,500 and would make this compensation available to an owner in addition to the compensation for a retired vehicle. This bill contains other related provisions and other existing laws.

Position: Oppose

[SB 257](#) (Hancock D) Coastal resources: physical adaptations to climate change.

Location: 5/10/2013-S. 2 YEAR

Summary:

The California Coastal Act of 1976 requires the California Coastal Commission to implement and administer various coastal protection programs in the state, and requires any person undertaking development in the coastal zone to obtain a coastal development permit issued by the commission in accordance with prescribed procedures. This bill would declare the intent of the Legislature to enact subsequent legislation that would address the issue of coastal physical adaptations to climate change.

Position: Watch

[SB 592](#) (Lieu D) Trade promotion of California ports.

Location: 8/21/2013-A. APPR. SUSPENSE FILE

Summary:

Would require the Director of the Governor's Office of Business and Economic Development to provide to the Legislature, not later than December 1, 2014, a strategy for promoting trade for California airports, land ports, and seaports that, at a minimum, includes specified information, objectives, goals, and recommendations. The bill would require that the strategy be submitted to the Chief Clerk of the Assembly and the Secretary of the Senate, with copies provided to the Speaker of the Assembly, the President pro Tempore of the Senate, and the chairs of specified legislative committees.

Position: Watch

[SB 671](#) (Monning D) California Coastal Act of 1976: natural shoreline.

Location: 5/3/2013-S. 2 YEAR

Summary:

Current law allows the construction of revetments, breakwaters, groins, harbor channels, seawalls, cliff retaining walls, and other construction that alters natural shoreline processes when required to serve coastal-dependent uses or to protect existing structures or public beaches in danger from erosion and when designed to eliminate or mitigate adverse impacts on local shoreline sand supply. This bill would additionally allow construction of those structures when designed to account for sea level rise.

Position: Support

[SB 793](#) (Lara D) Air pollution: oceangoing vessels.

Location: 5/24/2013-S. 2 YEAR

Summary:

Would deem an oceangoing vessel, as defined, that meets specified requirements to have met the limitations on hours of operation of auxiliary diesel engines while at berth for that vessel visit. The bill would require an oceangoing vessel that is equipped to receive shore power to conduct the testing and inspection necessary to validate the safety of utilizing the shore power equipment during its current and future visits to that berth upon each initial visit by that vessel to specified marine terminals. The bill would require an oceangoing vessel that exceeds specified hours of service limitations because the testing and safety inspections of the equipment on the vessel that allows the use of electricity from the terminal have not validated the safety of the equipment to be subject to these provisions under specified circumstances.

Position: Watch