



February 25, 2011

Despite a \$25.6 billion deficit, the legislature introduced 2,438 bills by the February 18<sup>th</sup> introduction deadline. Many of these are spot bills that make minor grammatical changes and provide legislative vehicles for ideas that have not been fleshed out or even identified in some cases. An example of some of the bills that CFBF will be working on includes:

**AB 66 (Wesley Chesbro, D-Arcata) would repeal the sunset date for the .15% increase in the vehicle license fee.** Currently the fee increase goes to fund a number of public safety programs including the rural crime prevention programs in the Central Valley and Central Coast. CFBF is supporting this bill.

**AB 88 (Jared Huffman, D-San Rafael)** would require the labeling of genetically engineered salmon in California.

**AB 152 (Felipe Fuentes, D-Sylmar)** would provide a tax credit of up to 10% of the cost of agricultural products donated to food banks.

**AB 168 (Jeff Gorell, R-Camarillo; Cathleen Galgiani, D-Tracy; and Jim Nielsen, R-Gerber) and AB 192 (Dan Logue, R-Linda)** would provide \$500 million to fund the public safety programs currently funded by the 15% increase in the vehicle license fee.

**AB 234 (Bob Wieckowski, D-Fremont)** declares the intent of the legislature to ensure that all Californians have access to fresh produce and healthy food.

**AB 246 (Bob Wieckowski, D-Fremont)** would authorize a regional water board to delegate judicial enforcement authority to the Attorney General, a district attorney, or a city attorney.

**AB 337 (Bill Monning, D-Carmel)** would allow the Ocean Protection Council to adopt a sustainable seafood program, which it currently has the authority to do, without following the Administrative Procedures Act. This means that no public participation would be required in the development of the program.

**AB 349 (Wesley Chesbro, D-Arcata)** extends the exemption due to expire January 1, 2012 for interstate livestock trucks picking up or delivering livestock on Highway 101 through Del Norte, Humboldt and Mendocino counties. AB 349 is sponsored by the California Cattlemen's Association.

**AB 359 (Jared Huffman, D-San Rafael)** would require local agencies to identify groundwater recharge areas and provide protections for those areas.

**AB 523 (David Valadao, R-Hanford)** declares the intent of the legislature to eliminate all subsidies in California for ethanol.

**AB 576 (Roger Dickinson, D-Sacramento)** would require the Delta Stewardship Council to adopt a fee on water supply contractors of the State Water Project and the federal Central Valley Project to fund a portion of the planning and administrative costs of the council.

**AB 606 (Mike Gatto, D-Silver Lake)** would require public access for recreation, including hunting and fishing, on land subject to a wildlife conservation easement funded by the Wildlife Conservation Board, on land subject to a fish and wildlife habitat contract, or on a qualified mitigation bank site whenever the department finds that the contracts will assist in meeting the department's duty to preserve, protect, and restore fish and wildlife.

**AB 691 (Henry Perea, D- Fresno)** Declares the intention to require the California Department of Food and Agriculture to develop a one-stop permit assistance pilot program that would allow farmers and agribusiness owners to obtain all necessary city, county, and state regulatory permits in one location. It includes a process to facilitate the automation and streamlining of state regulatory permitting processes and to provide public information on state internet sites.

**AB 727 (Holly Mitchell, D-Los Angeles)** would require the Department of General Services in consultation with the Department of Public Health to develop nutrition standards for food purchases by state departments and would require the DGS create prescribed guidelines for purchasing from local vendors, farms, and manufacturers when feasible.

**AB 914 (Toni Atkins, D-San Diego)** would require the California Cut Flower Commission to annually specify the types, varieties, and market prices of cut flowers assessed by the Commission.

**AB 1005 (Roger Dickinson, D-Sacramento)** would require review of Timber Harvest Plans by the Department of Fish and Game, Regional Water Quality Control Boards, California Geological Survey, and the California Coastal Commission. The bill also requires that if the Director of Forestry and Fire Protection does not agree with the mitigation proposed by the reviewing agencies that the THP be reviewed by the Secretary of the Natural Resources Agency. The bill would require fees to pay for the additional review.

**AB 1077 (Wilmer Amina Carter, D-Rialto)** would prohibit development incompatible with historic and recreational significance to Colonel Allensworth State Historic Park within 2 ½ miles of the park boundary.

**AB 1176 (Das Williams, D- Santa Barbara)** a California Rural Legal Assistance sponsored bill that establishes expedited deadlines and additional consultation requirements as part of the pesticide evaluation and registration process for the Department of Pesticide Regulation.

**AB 1299 (Jared Huffman, D-San Rafael)** would require the development of a fisheries management plan based on the precautionary principle for forage fish species, meaning that the state would protect fish species that “contribute significantly to the diets of fish, birds, mammals, or turtles.”

**AB 1360 (Sandre Swanson, D-Oakland)** is sponsored by the American Federation of State, County, and Municipal Employees and would allow health care districts in medically underserved areas to hire physicians directly as long as certain guidelines are followed. This bill is similar to bills by Assembly Members Swanson and Chesbro, and Senator Ashburn that failed in the legislature last year.

**SB 34 (Joe Simitian, D-Palo Alto)** would develop a fee-based system to pay for costs associated with public benefit water infrastructure projects, including the public share of surface and subsurface water projects and habitat.

**SB 455 (Fran Pavley, D-Agoura Hills)** creates a Watershed Timber Harvest Plan that would allow harvest over a ten year period in return for higher standards of environmental planning and review. The bill also requires mitigation for the conversion of forest lands if the conversion leads to a reduction in carbon stocks or sequestration. Forest land includes all lands that have at least a 10 percent canopy cover of conifer or hardwood species. Oak woodlands are included in this definition. This bill is similar to SB 144 (Fran Pavley D-Agoura Hills) from the last legislative session.

**SB 513 (Anthony Cannella, R-Ceres)** adds fees paid to the California Department of Food and Agriculture for licensed renderers that would sunset July 1, 2015 and extends the sunset for fees paid by vendors at certified farmers markets to 2017.

**SB 549 (Mike Rubio, D-East Bakersfield)** raises the fees for eggs sold in California from \$0.05 per 30 dozen eggs to \$0.15 per 30 dozen to pay for California Department of Food and Agriculture inspections.

**SB 592 (Tom Harman, R-Huntington Beach)** changes the requirements for liens placed on the proceeds of sale of milk by feed or material suppliers.

**SB 625 (Ed Hernandez, D-Los Angeles)** creates the California Nursery Products Commission. Legislation to create this commission passed the legislature and was signed by the governor last year, but the passage of Proposition 26 brought into question its legality, so it is being introduced again this year and needs a 2/3 vote to pass.

**SB 676 (Mark Leno, D-San Francisco)** defines industrial hemp and would legalize the growing of it in California.

**SB 692 (Mimi Walters, R-Laguna Hills)** provides agricultural engineers with the same status that electrical and mechanical engineers now have. If SB 692 becomes law, ag engineers will be able to do their jobs without requiring a Civil engineers final stamp of approval.

**SB 818 (Lois Wolk, D-Davis)** creates new definitions for olive oil, which would allow the manufacture and sale of lower grade oil.

The State Water Resources Control Board Water Quality “Fee Stakeholder Meeting” was held February 25<sup>th</sup> as they do each spring to inform fee payers about the status of the Waste Discharge Permit Fund (WDPF) that houses funds collected for nine different water quality programs. The board does not actually adopt a fee schedule until the fall of each year. The fee schedule the board adopts must match the adopted state budget and the board’s fee authority. They cannot increase or decrease personnel to balance their budget without a legislative directive to do so but instead must match fees with their legislative authorized programs. If the state budget proposes to reduce state general fund augmentation to a program, then the board must match fees to cover that loss of general fund.

The Waste Discharge Permit Fund houses funds for nine programs and those programs are:

1. NPDES (National Pollution Discharge Elimination System)
2. WDR (Waste Discharge Requirements, or General Orders)
3. Land Disposal
4. Storm Water
5. 401 Certification
6. Confined Animal Facilities
7. SWAMP (Surface Water Ambient Monitoring Program)
8. GAMA (Groundwater Ambient Monitoring and Assessment Program)
9. Agricultural Waivers, or Statewide Irrigated Lands Regulatory Program (ILRP)

The proposed 2011-12 state budget calls for \$12.8 million in new water fees. \$1.7 million of this is related to a proposed reduction in general fund augmentation in the Irrigated Lands Regulatory Program (Ag Waivers). The new fees are proposed to address a shift from state general fund dollars to fees for various water quality programs funded through the State Water Resource Control Board's Waste Discharge Permit Fund. Additionally, the state budget proposes statutory changes to authorize the State Water Resources Control Board to assess a fee for basin planning activities. The ILRP portion of the basin planning costs is \$231,000. Combined with the \$1.7 million this would be a **321.6 percent increase** in fees to those in the ILRP in the Central Valley, Central Coast and Los Angeles. These changes are only proposed and cannot be finalized until the state adopts a budget and subsequently the board adopts the fee schedule in September or October.