



AB-1511 Coastal resources: Santa Monica Bay Restoration Commission. (2019-2020)

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AMENDED IN ASSEMBLY MARCH 26, 2019

CALIFORNIA LEGISLATURE— 2019–2020 REGULAR SESSION

ASSEMBLY BILL

No. 1511

Introduced by Assembly Member Bloom

February 22, 2019

An act to amend ~~Section 33200.1 of the Public Resources Code, relating to the Santa Monica Mountains Conservancy. Sections 30988, 30988.2, and 30988.3 of the Public Resources Code, relating to coastal resources.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 1511, as amended, Bloom. *Coastal resources: Santa Monica ~~Mountains Conservancy. Bay Restoration Commission.~~*

~~Existing law establishes the Santa Monica Mountains Conservancy and prescribes the membership and functions and duties of the conservancy. Existing law requires that 3 Members of the Senate, appointed by the Senate Committee on Rules, and 3 Members of the Assembly, appointed by the Speaker of the Assembly, meet with the conservancy on a regular basis and participate in its activities, to the extent that such participation is not incompatible with their respective positions as Members of the Legislature.~~

~~This bill would make a nonsubstantive change in that provision requiring those legislators to meet with the conservancy.~~

Existing law establishes the Santa Monica Bay Restoration Commission and prescribes the duties of the commission relating to the restoration and enhancement of Santa Monica Bay and its watershed. Existing law requires the State Water Resources Control Board to provide administrative services to the commission, and requires the Secretary for Environmental Protection, the Secretary of the Natural Resources Agency, and the Chair of the Bay Watershed Council of the commission to enter into a memorandum of understanding that ensures the coordination of state programs affecting Santa Monica Bay, and that delineates the authority of the commission, and its governance structure with respect to the implementation of those state programs.

This bill would instead require the State Coastal Conservancy to provide those administrative services to the commission, and to enter into that memorandum of understanding with the Secretary for Environmental Protection, the Secretary of the Natural Resources Agency, and the commission.

Existing law requires the commission to prioritize in its educational, monitoring, and bond proceeds expenditure decisions, proposals, or projects designed to achieve specified bay restoration objectives, as described.

This bill would instead specify that the purpose of the commission is to promote, support, and achieve the restoration and enhancement of Santa Monica Bay and its watershed, and would prescribe specified restoration and enhancement goals for the bay and its watershed, as provided.

Vote: majority Appropriation: no Fiscal Committee: ~~no~~yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. *Section 30988 of the Public Resources Code is amended to read:*

30988. (a) The Legislature finds and declares ~~that Santa~~ *all of the following:*

(1) *Santa* Monica Bay is a public trust for present and future generations of Californians, and an invaluable element in the ecosystem of southern California.

~~(b)~~

(2) The biological health and recreational resources of Santa Monica Bay are threatened by the historical accumulation of DDT, PCBs and other toxic pollutants, pathogens, nutrients, stormwater and urban runoff, nonpoint pollutant sources, oil spills, and industrial discharges, increasing with population pressures in the region.

~~(c)~~

(3) Santa Monica Bay's Palos Verdes Shelf has been identified as a federal Superfund site, and designated under the United States Environmental Protection Agency's National Estuary Program. Since 1988, the United States Environmental Protection Agency has designated the former Santa Monica Bay Restoration Project as an agency to plan for the Santa Monica Bay's restoration, and to oversee implementation of the Santa Monica Bay Restoration Plan. The State of California has expended millions of dollars for the administration of the Santa Monica Bay Restoration Project, and the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Act of 2000 (the Villaraigosa-Keeley Act; Chapter 1.692 (commencing with Section 5096.300) of Division 5 of the Public Resources Code) earmarks up to twenty-five million dollars (\$25,000,000) for Santa Monica Bay restoration projects, as identified by the former Santa Monica Bay Restoration Project.

~~(d)~~

(b) It is the intent of the Legislature that the Santa Monica Bay Restoration Commission be a nonregulatory, locally based state government entity that will monitor, assess, coordinate, and advise all state programs, and oversee funding that affects the beneficial uses, restoration, and enhancement of Santa Monica Bay and its watershed.

(c) The Legislature further finds and declares that the Santa Monica Bay Restoration Commission, following extensive research and coordination, has adopted and subsequently updated the Santa Monica Bay Restoration Plan, which identifies the goals and objectives for restoring and enhancing Santa Monica Bay and its watershed. As the Santa Monica Bay Restoration Commission moves forward with a focus on implementation of the Santa Monica Bay Restoration Plan, the State Coastal Conservancy, which has supported implementation of the plan through grants and other actions, is the appropriate state agency to oversee the actions of the Santa Monica Bay Restoration Commission.

SEC. 2. *Section 30988.2 of the Public Resources Code is amended to read:*

30988.2. (a) The Santa Monica Bay Restoration Project is hereby renamed the Santa Monica Bay Restoration Commission. The commission shall independently execute the duties described in this section, and the State ~~Water Resources Control Board~~ *Coastal Conservancy* shall provide administrative services to the commission. Any reference in any statute to the Santa Monica Bay Restoration Project shall be deemed to be a reference to the Santa Monica Bay Restoration Commission.

(b) ~~(1)~~The Secretary for Environmental Protection, the Secretary of the *Natural* Resources Agency, *the State Coastal Conservancy*, and the ~~Chair of the Bay Watershed Council of the~~ Santa Monica Bay Restoration Commission shall enter into a memorandum of understanding that ensures the coordination of state programs

affecting Santa Monica Bay, and that delineates the authority of that commission, and its governance structure with respect to the implementation of those state programs. The commission membership shall be prescribed in the memorandum of understanding, and shall include federal, state, and local public agency officials and employees, and representatives of other stakeholder interests.

(c) The ~~commission~~ *Santa Monica Bay Restoration Commission* may do all of the following:

(1) Request and receive federal, state, local, and private funds from any source, and expend those moneys for the restoration and enhancement of Santa Monica Bay and its watershed.

(2) Award and administer grants for the restoration and enhancement of Santa Monica Bay and its watershed.

(3) Enter into contracts and joint powers authority agreements, as necessary, to carry out the purposes of the commission.

(4) Monitor, assess, and coordinate activities among federal, state, and local agencies and, where appropriate, private firms, to restore and enhance Santa Monica Bay and its watershed.

(d) (1) The Santa Monica Bay Restoration Account is hereby created in the State Treasury, and moneys in the account may be expended, upon appropriation by the Legislature, to support the activities of the Santa Monica Bay Restoration Commission.

(2) The balance of any funds previously appropriated by the Legislature, ~~prior to~~ *before* January 1, 2003, from the General Fund or from bond proceeds to support the activities of the former Santa Monica Bay Restoration Project shall be transferred into the account.

(3) (A) Funds transferred to the account that are derived from an appropriation from the General Fund are available for expenditure only for the duration originally authorized and only for a purpose authorized by this division as it read on December 31, 2002.

(B) Funds transferred to the account that are derived from an appropriation of bond proceeds are available for expenditure only for the duration originally authorized and may be expended for any purpose authorized by this division on and after January 1, 2003.

SEC. 3. *Section 30988.3 of the Public Resources Code is amended to read:*

30988.3. The *purpose of the* Santa Monica Bay Restoration Commission ~~shall prioritize in its educational, monitoring, and bond proceeds expenditure decisions, proposals, or projects designed to achieve bay restoration objectives including, but not limited to, all of the following:~~ *is to promote, support, and achieve the restoration and enhancement of Santa Monica Bay and its watershed. The restoration and enhancement goals for Santa Monica Bay and its watershed shall include, but are not limited to, all of the following:*

~~(a) The reduction or elimination of stormwater, urban runoff, and point and nonpoint source pollution.~~

~~(b) The reduction or prevention of the threat of oil and sewage spills and leaks.~~

~~(c) The reduction and prevention of beach erosion.~~

~~(d) The reduction and prevention of public health threats from pollution.~~

~~(e) The prevention and restoration of, and protection against, loss of wetlands, coastal and riparian habitats, and Santa Monica Bay's natural and living resources.~~

~~(f) Effective enforcement of appropriate environmental laws.~~

~~(g) Public education and warnings of any dangers of consuming contaminated seafood.~~

~~(h) Increased public education concerning the Santa Monica Bay in collaboration with universities and grades K-12 schools.~~

~~(i) Assuring that ocean resources are accessible to all Californians regardless of socioeconomic status, and are preserved and enhanced for future generations.~~

(a) The protection, enhancement, and improvement of ecosystems of the Santa Monica Bay and its watershed.

(b) The improvement of water supply.

(c) The improvement of water quality.

(d) The enhancement of socio-economic benefits to the public.

(e) The enhancement of public engagement and education.

(f) The mitigation of negative impacts and increase resiliency relating to climate change.

(g) The improvement of monitoring and the ability to assess the effectiveness of actions relating to the restoration and enhancement of Santa Monica Bay and its watershed.

~~SECTION 1. Section 33200.1 of the Public Resources Code is amended to read:~~

~~33200.1. Three Members of the Senate, appointed by the Senate Committee on Rules, and three Members of the Assembly, appointed by the Speaker of the Assembly, shall meet with the conservancy on a regular basis and participate in its activities, to the extent that participation is not incompatible with their respective positions as Members of the Legislature.~~

AB 1511 (Bloom)

Santa Monica Bay Restoration Commission

PROBLEM

This measure would update statutes governing the Santa Monica Bay Restoration Commission and replace the State Water Resources Control Board with the state Coastal Conservancy as the administrative oversight agency for the Commission.

EXISTING LAW

Current law (Division 7 commencing with 13000 of the Water Code) establishes the State Water Resources Control Board (SWRCB) that provides administrative services to the Santa Monica Bay Restoration Commission. The SWRCB is a water quality control agency primarily focused on improving water quality and protecting the beneficial uses of the waters of the state.

Current law (Division 21 commencing with Section 31000 of the Public Resources Code), establishes the State Coastal Conservancy to protect and improve natural lands and waterways, to help people enjoy the outdoors, and to sustain local economies along California's coast. The Conservancy is a non-regulatory agency that supports projects to protect coastal resources and increase opportunities for the public to enjoy the coast.

BACKGROUND

The Santa Monica Bay Restoration Commission, following extensive research and coordination, adopted and updated the Santa Monica Bay Restoration Plan in October 2018 now identified as the Comprehensive Conservation and Management Plan. This plan identifies the goals and objectives for restoring and enhancing the Bay and its watershed.

As the Santa Monica Bay Restoration Commission moves forward with a focus on implementation of the Comprehensive Conservation and Management Plan, the State Coastal Conservancy, which has supported implementation of the Bay Restoration

Plan through grants and other actions, is the appropriate state agency to administer the affairs of the Santa Monica Bay Restoration Commission.

SOLUTION

AB 1511 requires the Secretary for Environmental Protection, the Secretary of the Natural Resources Agency, the State Coastal Conservancy, and the Chair of the Bay Watershed Council of the Santa Monica Bay Restoration Commission to enter into a memorandum of understanding (MOU) that ensures greater coordination of state programs affecting Santa Monica Bay, and that delineates the authority of that commission, and its governance structure with respect to the implementation of those state programs.

The bill further provides that the commission membership shall be prescribed in the memorandum of understanding, and shall include federal, state, and local public agency officials and employees, and representatives of other stakeholder interests.

Finally, the bill updates and specifies the purposes of the Santa Monica Bay Restoration Commission.

SUPPORT

The Bay Foundation (Sponsor)

CONTACT

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April 10, 2019

Ms. Fran Diamond
Chair, Santa Monica Bay Restoration Commission
320 West 4th Street, Suite 200
Los Angeles, CA 90013

RE: Santa Monica Bay Restoration Commission Administrative Oversight

To the members of the Santa Monica Bay Restoration Commission:

I invite you to support AB 1511, a bill I introduced this year to update the statutes governing the Santa Monica Bay Restoration Commission. The measure moves the commission's administrative oversight from the State Water Resources Control Board to the Coastal Conservancy, which will better facilitate the commission's goals and objectives.

The Santa Monica Bay Restoration Commission updated and adopted the Santa Monica Bay Restoration Plan (now identified as the Comprehensive Conservation and Management Plan) in October 2018. This plan identifies the goals and objectives for restoring and enhancing the Bay and its watershed. Implementation of the plan would be best served by having the State Coastal Conservancy, which has provided grant funding and support for the plan in the past, overseeing the Santa Monica Bay Restoration Commission.

AB 1511, in addition to moving the commission's oversight, requires the Secretary for Environmental Protection, the Secretary of the Natural Resources Agency, the State Coastal Conservancy, and the Chair of the Bay Watershed Council of the Santa Monica Bay Restoration Commission to enter into a memorandum of understanding that ensures greater coordination of state programs affecting the Santa Monica Bay, and that delineates the authority of the commission and its governance structure. The bill also updates and specifies the purposes of the Santa Monica Bay Restoration Commission.

I believe this measure will improve coordination between the many entities working to enhance the Bay and help the commission achieve its goals. I hope you will join me in supporting AB 1511.

Sincerely,

A handwritten signature in black ink, appearing to read 'Richard Bloom'.

RICHARD BLOOM
Assemblymember, 50th District

cc: The Honorable Henry Stern
The Honorable Ben Allen
The Honorable Autumn Burke
The Honorable Al Muratsuchi
Jared Blumenfeld, Secretary, California Environmental Protection Agency
Chuck Bonham, Director, California Department of Fish & Wildlife
Mike Bonin, Councilmember, Los Angeles City Council District 11
William Brand, Mayor, City of Redondo Beach
Charlie Caspary, Division 1 Director, Secretary, Las Virgines Municipal Water District
Wade Crowfoot, Secretary, Natural Resources Agency
Joe Edmiston, Executive Director, Santa Monica Mountains Conservancy
Eric Garcetti, Mayor, City of Los Angeles
Gloria Gray, Member, West Basin Municipal Water District
Robert Godfrey, Secretary, Marina Del Rey Anglers
Grace Hyde, Chief Engineer and General Manager, Sanitation Districts of Los Angeles County
Gary Jones, Direcotr, Los Angeles County Department of Beaches and Harbors
Misti Kerns, President and Chief Executive Officer, Santa Monica Travel and Tourism
Sheila Kuehl, Los Angeles County Supervisor, 3rd District
Shelley Luce, President and Chief Executive Officer, Heal The Bay
Lisa Mangat, Director, California Department of Parks and Recreation
Kevin McKeown, Councilmember, City of Santa Monica
Dan Murphy, Captain, Life Guard Division, Los Angeles County Fire Department
Ann Notthoff, member, California State Coastal Conservancy
Mark Pestrella, Director, County of Los Angeles Department of Public Works
Bruce Reznik, Executive Director, Los Angeles Waterkeeper
Jefferson Wagner, Mayor, City of Malibu
Rod Spackman, Manager, Policy, Government & Public Affairs, Chevron
Clark Stevens, Executive Officer, Resource Conservation District of the Santa Monica Mountains
Roberto Uranga, Commissioner, California Coastal Commission
Enrique Zaldivar, Director, City of Los Angeles Bureau of Sanitization
John Mirisch, Mayor, City of Beverly Hills
Louis Gail, Supervisor, Watersheds Section, US Environmental Protection Agency
Bryant Chesney, National Oceanic and Atmospheric Administration-National Marine Fisheries Service, Southwest Division