



2018 Legislative Outcomes

2018 was a productive legislative year for Audubon California's priorities and marked an increase in our presence and effectiveness in the California Capitol. Audubon sponsored and drafted legislation to protect migratory birds, successfully pushed budget increases for the Department of Fish and Wildlife and Greenhouse Gas Reduction fund investments, and was instrumental in the positive outcomes for key legislation affecting climate policy, water, and forest management to reduce fire risks in California.

In addition to the challenges and opportunities presented by a new governor in 2019, Audubon anticipates a focus on water policy, including clean drinking water and, perhaps, pushback on the implementation of the Sustainable Groundwater Management Act. We also anticipate additional attention on climate adaptation now that major climate mitigation legislation such as SB 100 has been passed. Desert conservation – especially of desert aquifers – rose to prominence late in this session and is likely to reemerge next year. Lastly, Audubon has committed to working on legislation for a new governance structure for the long-term management of the Salton Sea.

Below are some of our key contributions in Audubon priorities of **Migratory Birds, Coastal Resources, Parks and Open Space, Climate & Energy, and Forest Health and Fire Response.**

MIGRATORY BIRDS

AB 2627, authored by Assemblymember Ash Kalra, was sponsored, drafted, and negotiated by Audubon California staff. The bill proposed a self-certification system to incentivize companies whose activities kill (or "take") migratory birds to implement best management practices to avoid or reduce take. In practice, the bill would have mirrored how the federal Migratory Bird Treaty Act was administered by the US Fish and Wildlife Service prior to the Trump Administration's reinterpretation of the act in late 2017. The bill met with fierce opposition from the timber and large-scale solar industries, but productive conversations were held with all stakeholders. Ultimately, Audubon and the author elected to hold the bill in the Senate Appropriations Committee because we received signals that the Department of Fish and Wildlife and the Governor's office would oppose the bill. **However, Audubon was successful in raising the profile of migratory birds in the Capitol and prioritizing migratory bird protection for DFW and the California Attorney General's Office, setting us up for future policy, budget, and legal actions.** On September 5, the California AG announced it was

joining National Audubon's lawsuit to challenge the Trump Administration's effort to undermine the MBTA.



Audubon was a key supporter and provided expert testimony to help pass **AB 2348** (Aguilar-Curry), which creates the *California Winter Rice Habitat Incentive Program* and provides \$5 million in initial funding. The bill allows for the creation of contracts for waterfowl conservation and habitat purposes on private lands. Winter-flooded rice provides two-thirds the diet for migratory waterfowl and is essential for shorebirds' survival along the Pacific Flyway. With changing agricultural practices and reduced federal funding, state-based incentive programs like this are essential.

Audubon also supported **AB 2697** (Gallagher), a strong bipartisan bill to establish the *Nesting Bird Habitat Incentive Program* to provide payments and other incentives for landowners to cultivate or retain upland cover crops and other vegetation to promote nesting for birds.

CLIMATE AND ENERGY

SB 100 (De Leon) passed during the last week of the session and **sets California on a path to achieve 100% zero-carbon electrical generation by 2045**. The bill identifies a mix of renewable and other "zero-carbon" electrical generation sources. Audubon California arranged visits with key members of the Assembly to produce votes to support the bill.

Audubon California worked hard and succeeded in helping defeat **AB 2787** (Quirk), which would have facilitated the development of the Eagle Crest pump-storage project in the California desert. The project would pump groundwater from the desert aquifer under Joshua Tree National Monument, which experts and park managers say would result in overdraft and disruption of the delicate desert ecosystem.

Audubon supported **AB 893** (E. Garcia) to support geothermal energy development around the Salton Sea. The bill included additional carve-outs for solar and wind energy generation. AB 893 ultimately did not pass this season, but Assemblymember Garcia's office appreciated Audubon's support and collaboration. It is likely a similar bill will be introduced in 2019.

Audubon supported the ultimately unsuccessful **SB 64** (Wieckowski), which would have required the California Air Resources Board to work with the U.S. EPA to obtain and publicly post continuous emissions monitoring data for certain fossil-fueled electrical generation facilities. The oil industry, faced with losses on other bills, doubled-down on opposing this bill.

COASTAL RESOURCES

Audubon was key in helping to pass **SB 834** (Jackson), which prohibits the State Lands Commission or local trustee, from entering into new leases that facilitate oil and gas-related infrastructure in federal waters. The bill was a direct response to the Trump Administration's policy of re-opening federal waters off the California coast to oil drilling.

Audubon also supported **AJR 47 (Bloom)**, which affirms the Legislature's support for science-based action to conserve, protect, restore, and effectively manage California's coastal and ocean ecosystems, as well as low-income and at-risk communities.



PARKS AND OPEN SPACE

Audubon was proud to work in coalition to help pass a package of bills to expand access to state parks and outdoor education. AB 2614 and AB 2615 (Carillo) will develop programs for community access, transportation, and engagement at parks and other natural and cultural resources, with a focus on low-income communities. **AB 2534** (Limón) establishes the Outdoor Equity Grants Program to increase the ability of underserved populations to participate in outdoor environmental education experiences at state parks and other public lands. **AB 2054** (Gonzalez-Fletcher) prohibits for-profit entities from reserving and then reselling overnight accommodations at state parks, preventing a growing problem that was impeding affordable access to state parks.

FOREST HEALTH AND FIRE RESPONSE

The last weeks of the session were dominated with efforts to pass forest-management legislation to address wildfire hazards in California. Audubon engaged with a coalition to set forth a series of principles that promoted safety for people and property while preventing over-reach by the timber industry that would unnecessarily harm trees and bird habitats. The coalition was successful in protecting older trees by reducing the proposed diameter for allowed cutting (from 36- to 32-inches) and requiring that at least the six largest trees per acre be left uncut.

Audubon was ultimately neutral on **AB 425** (Caballero), which expands the Forest Fire Prevention Pilot Project exemption to allow for additional forest thinning and road building if particular conditions are met. Audubon was also neutral on **SB 901** (Dodd), which provided \$200 million a year for five years (totaling \$1 billion) from cap-and-trade revenues to support regional response and readiness for wildfires. The bill also allows for the cutting of trees up to 32 inches in diameter during thinning, provided that the six largest trees in an acre are preserved.



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