



# Resources and Transportation Conference Committee on AB 74

Senator Holly J. Mitchell, Chair and Assemblymember Philip Y. Ting, Vice Chair

Members: Senator Richard D. Roth, Senator Jim Nielsen, Senator John M.W. Moorlach, Senator Nancy Skinner,  
Assemblymember Kevin McCarty, Assemblymember Jay Obernolte, Assemblymember Chad Mayes, and Assemblymember Shirley N. Weber

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**0540 California Natural Resources Agency**

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<b>Issue</b>	<b>Description</b>
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**Issue 1: Marine Mammal Center**

**Governor** had no proposal.

**Senate** had no proposal.

**Assembly** approved \$2 million General Fund one-time for the Marine Mammal Center to conduct rescue and rehabilitation activities.

**Conference issue** is \$2 million General Fund one-time for the Marine Mammal Center as added by the Assembly.

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<b>Issue</b>	<b>Description</b>
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**Issue 2: Conservation Genomics**

**Governor** had no proposal.

**Senate** had no proposal.

**Assembly** approved \$10 million one-time General Fund for Conservation Genomics, as local assistance for a statewide public research collaboration, including UCLA. The intent is to enable natural resource managers to assess current land holdings based on the latest science in light of current and future climate scenarios, and to help make scientifically informed and ecologically sound decisions on habitat conservation in the face of climate change.

**Conference issue** is \$10 million General Fund one-time for Conservation Genomics added by the Assembly.

- 0540 California Natural Resources Agency (CNRA)**
- 3600 Department of Fish and Wildlife (DFW)**
- 3760 State Coastal Conservancy (SCC)**
- 3790 Department of Parks and Recreation (Parks)**
- 3860 Department of Water Resources (DWR)**

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<b>Issue</b>	<b>Description</b>
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**Issue 3: Proposition 68 Implementation**

**Governor** proposed \$1 billion and 15.5 new positions across multiple departments to continue development and implementation of Proposition 68 bond programs. Among the provisions, this proposal includes \$70 million for Voluntary Settlement Agreement (VSA) projects.

**Senate** approved the Governor’s proposal and added: 1) budget bill language (BBL) regarding the appropriation of \$70 million Proposition 68 funds for implementation of VSAs between water users in the Sacramento and San Joaquin Rivers and tributaries to develop and improve habitat, river flows, water quality, and to support the viability of native fish species, 2) \$15 million Proposition 68 one-time for Tijuana River border pollution control, 3) \$31.4 million for Alameda Creek restoration; and, 4) \$3.5 million Proposition 68 one-time for the Arroyo Seco Water Reuse and Natural Stream Restoration project.

**Assembly** approved the Governor’s proposal and added: 1) similar BBL for VSA projects as the Senate, 2) \$6 million Proposition 68 one-time for habitat restoration and protection grants, and, 3) placeholder trailer bill language (TBL) for Tijuana River pollution control to address water quality coming across the border.

**Conference issues** are: 1) differences in the VSA-related BBLs added by the Senate and Assembly, 2) funding added by the Senate for Tijuana River pollution control, Alameda Creek restoration, and Arroyo Seco water reuse and restoration, 3) proposals added by the Assembly for habitat restoration and protection grants and placeholder TBL regarding Tijuana River pollution control.

**0555 California Environmental Protection Agency (CalEPA)**  
**3900 Air Resources Board (ARB)**  
**3960 Department of Toxic Substances Control (DTSC)**

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Issue	Description
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**Issue 4: Various Technical Adjustments**

**Governor** proposed various technical adjustments, reappropriations, and baseline appropriation adjustments to continue implementation of previously authorized programs. Within the CalEPA budget change proposal for “Various Technical Adjustments,” the Governor’s budget proposes \$4.2 million Greenhouse Gas Reduction Fund to support 22 existing positions and three new Human Resources positions to continue the implementation of AB 617 (C. Garcia), Chapter 136, Statutes of 2017, for ARB. The Governor’s proposal also requested \$749,000 General Fund to fund costs related to illegal drug lab cleanup in California for DTSC, which is a funding shift from the Drug Lab Cleanup Account to the General Fund.

**Senate** rejected the 22 positions for AB 617 implementation at ARB and approved the rest of the Governor’s proposal.

**Assembly** approved the Governor’s proposal, except for the length of the 22 positions for AB 617 implementation at ARB and the Illegal Drug Lab Cleanup Program fund shift for DTSC. The Assembly approved the requested 22 positions on a 2-year limited-term basis at ARB and rejected DTSC’s cost shift.

**Conference issues** are: 1) 22 ARB positions for AB 617 implementation proposed by the Governor, which were rejected by the Senate and approved for a 2-year limited-term by the Assembly, and 2) the Illegal Drug Lab Cleanup Program fund shift for DTSC proposed by the Governor, which was approved by the Senate and rejected by the Assembly.



**3480 Department of Conservation (DOC)**  
**3600 Department of Fish and Wildlife (DFW)**  
**3960 Department of Toxic Substances Control (DTSC)**

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Issue	Description
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**Issue 5: Reappropriations**

**Governor** had no proposal.

**Senate** had no proposal.

**Assembly** approved the following:

- 1) Reappropriation of the remaining balance of approximately \$130,000 for DOC to provide local assistance grants to Resources Conservation Districts for capacity building. The original appropriation was made in the 2016 Budget Act in the amount of \$2.5 million General Fund for this purpose.
- 2) Reappropriation of \$5 million General Fund for the Winter Rice Habitat Incentive Program and included budget bill language to extend the encumbrance period to three years. The original appropriation was made in the 2018 Budget Act.
- 3) Reappropriation of \$2 million General Fund for DTSC to provide a local assistance grant to convert the Laguna Nueva School site into a park. The reappropriation would enable the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy to purchase land owned by Montebello Unified School District in the City of Commerce for the purposes of creating a new public park. The original appropriation was made in the 2017 Budget Act.

**Conference issues** are three reappropriations as added by the Assembly.

## 3540 Department Forestry and Fire Protection (CalFire)

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Issue	Description
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### Issue 6: Enhanced Fire Protection

**Governor** proposed \$95.1 million (\$94.5 million General Fund, \$2.1 million in Reimbursements, \$296,000 Greenhouse Gas Reduction Fund), and an offsetting reduction of \$1.8 million Collins-Dugan Reimbursement Account), including \$1.3 million for the California Conservation Corps and 228 positions starting in 2019-20 to implement various proposals. These proposals include \$40.3 million for 13 additional fire engines, \$15.1 million for increased staffing, and \$13.1 million for C-130 air tankers and related capital outlay. In the May Revision, the Governor also proposed \$4.6 million in 2019-20, \$4.6 million in 2020-21, and \$2.2 million in 2021-22 to fund an Exclusive Use C-130 Contract-Training Platform to support CalFire's Large Air Tanker C-130 Program.

**Senate** approved the Governor's proposals, and added budget bill language (BBL) requiring CalFire to report on outcomes of the Health and Wellness Program by December 31, 2020.

**Assembly** rejected the \$13.1 million for C-130 air tankers and related capital outlay, and approved the rest of the January 10 budget change proposal. The Assembly rejected the May Revision proposal for the C-130 training platform. Lastly, the Assembly adopted BBL to: 1) require CalFire to prioritize placement of engines and staff to maximize additional defensible space inspections and assist in achieving CalFire's defensible space inspection goals, 2) require CalFire to ensure that at least 13 positions funded by this appropriation will be filled by individuals who are required to enroll in the State Fire Marshall's Burn Boss Certification Program.

**Conference issues** funding and positions to begin implementation of the C-130 program, related capital outlay, and the training platform to enable CalFire to operate the seven C-130 large air tankers that will be transferred from the federal government, which were rejected by the Assembly, BBL added by the Assembly for prioritization of resources and staff and Burn Boss certification for at least 13 positions, and BBL added by the Senate requiring CalFire to report on outcomes of the Health and Wellness Program by December 31, 2020.

## 3540 Department Forestry and Fire Protection (CalFire)

Issue	Description
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### Issue 7: Professional Standards Program Continuation

**Governor** proposed \$4 million ongoing (\$2.5 million General Fund, \$178,000 Greenhouse Gas Reduction Fund (GGRF), and \$1.3 million in reimbursement authority), and 14 positions to continue the Professional Standards Program.

**Senate** approved \$4 million ongoing (\$2.7 General Fund and \$1.3 million reimbursement authority), and 14 positions to continue the Professional Standards Program.

**Assembly** approved the Governor's proposal.

**Conference issues** is \$178,000 GGRF funding ongoing for the Professional Standards Program as rejected by the Senate. The Senate approved an additional \$178,000 General Fund ongoing for the same purpose.

**3540 Department Forestry and Fire Protection (CalFire)**

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<b>Issue</b>	<b>Description</b>
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**Issue 8: Wildfire Legislative Package Adjustment**

**Governor** proposed in a Spring Finance Letter an additional \$816,000 GGRF and two positions starting in 2019-20, to meet the statutory requirements set forth by SB 901 (Dodd), Chapter 626, Statutes of 2018, related to the review of Utility Wildfire Mitigation Plans (WMPs). The funding and positions would be in addition to of the \$200 million GGRF proposed in the 2019-20 budget for forest health and fire prevention activities consistent with SB 901.

**Senate** approved the Governor’s proposal.

**Assembly** approved the Governor’s proposal for a two-year limited-term.

**Conference issue** is whether the funding and positions should be ongoing or for a two-year limited-term.

## 3540 Department Forestry and Fire Protection (CalFire)

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Issue	Description
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### Issue 9: Office of the State Fire Marshal (OSFM): Fire and Life Safety

**Governor** proposed the following: 1) \$1.6 million (\$31,000 General Fund, \$133,000 Special Fund, and \$1.5 million reimbursements) in 2019-20, \$1.5 million (\$31,000 General Fund, \$133,000 Special Fund, and \$1.4 million in reimbursements) ongoing and eight positions to support the OSFM's Fire and Life Safety Division's increased workload. 2) \$500,000 one-time General Fund in 2019-20 for an analysis of the Division's fee structure and a contract with the California Attorney General's office to analyze and provide clarity for specific statutory issues that relate to and impact the OSFM's jurisdiction. 3) trailer bill language (TBL) to help define and clarify the Division's mission and responsibilities. 4) Various technical changes for resources included in the 2018-19 budget.

**Senate** rejected the Governor's proposal.

**Assembly** approved the Governor's proposal.

**Conference issue** is the funding, positions, and TBL for the Fire and Life Safety Division in OSFM rejected by the Senate and approved by the Assembly.

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<b>Issue</b>	<b>Description</b>
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**Issue 10: California Biodiversity Initiative**

**Governor** proposed \$4.2 million General Fund one-time, \$3.9 million General Fund in 2020-21 and ongoing and eight positions in CDFA to initiate the planning and coordination of the workload associated with the California Biodiversity Initiative, including: 1) establishing the California Biodiversity Initiative Working Group, 2) accelerating and streamlining prevention, detection, and management of invasive species and pests, 3) expanding seed banking and collection (germplasm bank); and 4) establish a soil carbon map of California.

**Senate** rejected the germplasm component of the Governor’s proposal and approved the rest. In lieu of the germplasm bank, the Senate approved \$800,000 to DFW as follows: 1) \$600,000 Environmental License Plate Fund (\$200,000 per year for three years) for collection of rare plants through contracts or grants with the California Plant Rescue Program (Program), and 2) \$200,000 General Fund ongoing for an environmental scientist position to oversee the contracts/grants with the Program, provide input and scientific expertise to the Program, and monitor and update the status of native plants, including California Endangered Species Act (CESA)-listed and other sensitive plant species.

**Assembly** approved the Governor’s proposal.

**Conference issues** are CDFA’s germplasm bank as proposed by the Governor; and \$800,000 funding and a position for DFW added by the Senate.

## 3640 Wildlife Conservation Board (WCB)

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Issue	Description
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### Issue 11: Habitat Conservation Fund Sunset Extension (TBL)

**Governor** had no proposal.

**Senate** had no proposal.

**Assembly** approved trailer bill language (TBL) to extend the sunset of the Habitat Conservation Fund (HCF) by 10 years, to January 1, 2030.

**Conference issue** TBL to extend the sunset of the HCF, as added by the Assembly.

# 3900 Air Resources Board (ARB)

Issue	Description
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## Issue 12: Cap-and-Trade Expenditure Plan

**Governor** proposed \$1.25 billion Cap-and-Trade expenditure plan.

**Senate** did not approve the Governor’s proposal and instead adopted a \$1.5 billion expenditure plan and provisional language regarding wildlife-urban interface and other fire prevention activities.

**Assembly** did not approve the Governor’s proposal and instead adopted a \$1.4 billion expenditure plan, placeholder provisional language and placeholder trailer bill language (TBL).

**2019-20 Cap-and-Trade Expenditure Plans**  
(in Millions)

CATEGORY	GOVERNOR	SENATE	ASSEMBLY
Low Carbon Transportation	447	547	660
Air Toxic and Criteria Pollutants	230	70	275
Forests	200	268	200
Integrated Climate Action and Resilience	151	289	185
Agriculture	153	185	45
Waste Diversion and Recycling	25	75	25
Climate and Energy Research and Technical Assistance	12	27	10
Workforce Training*	35	-	-
<b>TOTAL</b>	<b>\$1,253</b>	<b>\$1,461</b>	<b>\$1,400</b>

\* Assembly plan provides \$27 million (Alternative and Renewable Fuel and Vehicle Technology Fund) for workforce training at the Energy Commission.

**Conference issues** are the differing expenditure plans as proposed by the Governor, Senate, and Assembly, provisional language added by the Senate, and placeholder provisional language and placeholder TBL added by the Assembly.



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Issue	Description
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**Issue 13: Safe and Affordable Drinking Water**

**Governor** proposed \$4.9 million General Fund one-time and 30 positions to implement a new Safe and Affordable Drinking Water (SADW) Program and accompanying fund, as established in trailer bill language (TBL). The TBL also included four new charges, as follows: a safe drinking water fee for confined animal facilities, excluding dairies (estimated to generate up to \$500,000), a fertilizer safe drinking water fee (\$17-\$20 million), a dairy safe drinking water fee (\$5 million), and an SADW fee for community water systems (\$104 million).

**Senate** rejected the Governor’s proposal and instead approved continuous appropriation of \$150 million General Fund to the SADW Fund, provided that the amount appropriated shall be reduced by an amount equivalent to any new charges enacted to fund the SADW Fund, and specifying that these provisions become operative only if SB 200 (Monning) of the 2019-2020 Regular Session is enacted and takes effect.

**Assembly** deferred action on creation of SADW by referring the issue to the legislative policy committees, set aside \$4.9 million pending future agreement on establishment of a SADW Program, and added \$13 million General Fund one-time to address emergency needs: 1) \$1 million General Fund for interim water storage tanks, hauled water, and permanent well replacements/repair, 2) \$2 million General Fund to cover planning costs for recovery from 2017 and 2018 wildfires, and 3) \$10 million General Fund for SWRCB to provide emergency funding to water and wastewater service providers serving disadvantaged communities.

**Conference issues** are the differing approaches to funding and creating a program to address safe and affordable drinking water problems. The Governor proposes four water charges and TBL to establish a program. The Senate proposes a \$150 million General Fund continuous appropriation and attaches the proposed funding to enactment of SB 200 (Monning). The Assembly deferred action to the legislative process.

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<b>Issue</b>	<b>Description</b>
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**Issue 14: Adjustment to Payment Terms for Federal Agencies**

**Governor** had no proposal.

**Senate** had no proposal.

**Assembly** approved trailer bill language (TBL) to address an issue with advanced payments. The proposed language is as follows:

Health & Safety Code § 25205.7(a)(2) ***Except for federal agencies***, an agreement required pursuant to paragraph (1) shall provide for at least 25 percent of the reimbursement to be made in advance of the processing of the application or the response to the request. The 25-percent advance payment shall be based upon the department’s total estimated costs of processing the application or response to the request.

**Conference issue** is the proposed TBL added by the Assembly.

## 3970 Department Resources Recycling and Recovery (CalRecycle)

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Issue	Description
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### Issue 15: Temporary Assistance for Certified Recycling Centers

**Governor** had no proposal.

**Senate** had no proposal.

**Assembly** approved trailer bill language (TBL) to authorize CalRecycle to expend up to \$5 million from the Penalty Account in order to provide temporary assistance to certified recycling centers. Specifically, the language authorizes CalRecycle to pay a monthly supplemental payment of one thousand dollars per month to each low-volume recycler from July 1, 2019 through June 30, 2020.

**Conference issue** is the proposed TBL added by the Assembly.

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<b>Issue</b>	<b>Description</b>
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**Issue 16: Healthy Stores Refrigeration Grant Program**

**Governor** had no proposal.

**Senate** had no proposal.

**Assembly** adopted placeholder trailer bill language (TBL) to address geographic restrictions of the definition of “food desert,” as defined by the Healthy Stores Refrigeration Grant Program. The intent is to ensure that program funds can be encumbered pursuant to the purpose of the program.

**Conference issue** is placeholder TBL to change the definition of “food desert,” as added by the Assembly.

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<b>Issue</b>	<b>Description</b>
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**Issue 17: Wildfires and Climate Change**

**Governor** proposed 34 positions and \$6.6 million ongoing for the Public Utilities Commission (PUC) to implement SB 901 (Dodd), Chapter 626, Statutes of 2018 and \$2.5 million ongoing for 14 positions for the Public Advocates Office (PAO) to implement the bill. The Governor also proposed 16 positions and \$41.0 million (\$38.0 million in one-time contract authority) in 2019-20, \$3.0 million in 2020-21 and 2020-22, and \$2.9 million on-going to support permanent staff to begin the implementation of a five-part action plan aimed at preventing and responding to catastrophic wildfires as laid out in the Wildfires and Climate Change: California's Energy Future Report released on April 12, 2019..

**Senate** approved the requested funds and positions for 2019-20 and 2020-21. Approved Provisional Language requiring the PUC to report by March 1, 2020, and annually thereafter, on the details of any contracts entered into for wildfire enhanced safety protocols or wildfire policy development, as well as on the status and scope of any MOU with CalFire, the status of the list of qualified independent evaluators of utility Wildfire Mitigation Plans, and any lessons learned to date from the implementation of these resources.

**Assembly** approved 38 positions for two years, 27 positions ongoing, and related funding. Approved trailer bill language to establish a structure that supports the state's role in reviewing wildfire mitigation plans, evaluating compliance with the plans, and managing wildfire risks.

**Conference issue** is the 27 ongoing positions, related funding, and the trailer bill language.

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<b>Issue</b>	<b>Description</b>
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**Issue 18: Foothill Boulevard Link Bikeway and Pedestrian Greenbelt**

**Governor** took no action.

**Senate** approved \$390,000 in State Highway Account Funds for the design and construction of bicycle, pedestrian, and landscape improvements along Foothill Boulevard in Los Angeles County.

**Assembly** took no action.

**Conference issue** is the \$390,000 provided for the Foothill Boulevard Bikeway and Pedestrian Greenbelt.

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<b>Issue</b>	<b>Description</b>
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**Issue 19: Burbank to Anaheim Metrolink Corridor**

**Governor** took no action.

**Senate** approved \$80 million in Public Transportation Account funds for capital improvements along the Burbank-Anaheim Metrolink Corridor.

**Assembly** took no action.

**Conference issue** is the \$80 million provided for the Burbank to Anaheim Metrolink corridor.

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<b>Issue</b>	<b>Description</b>
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**Issue 20: Palo Alto Grade Separation Project**

**Governor** took no action.

**Senate** approved \$1 million in State Highway Account funds for environmental review of grade separation projects for three at-grade Caltrain crossings.

**Assembly** took no action.

**Conference issue** is the \$1 million provided for Palo Alto grade separation projects.



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<b>Issue</b>	<b>Description</b>
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**Issue 21: California Short Line Railroad Infrastructure Improvement Act of 2019**

**Governor** took no action.

**Senate** approved \$7.2 million in Trade Corridor Improvement Fund resources for investments in short line railroad infrastructure projects consistent with the 2018 California State Rail Plan, and placeholder trailer bill language to implement the California Short Line Railroad Infrastructure Act of 2019.

**Assembly** took no action.

**Conference issue** is the \$7.2 million and placeholder trailer bill language for the California Short Line Rail Infrastructure Improvement Act.

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<b>Issue</b>	<b>Description</b>
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**Issue 22: SR-156/Castroville Safety Improvements**

**Governor** took no action.

**Senate** approved \$10 million in State Highway Account funds for a right-of-way purchase for additional safety investments along the State Route 156 right-of-way.

**Assembly** took no action.

**Conference issue** is the \$10 million provided for the SR 156 right of way.

## 2720 California Highway Patrol

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Issue	Description
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### Issue 23: Capital Outlay Proposals

**Governor** proposed \$132.7 million in lease-revenue bond financing from the Public Building Construction Fund for Capital Outlay Projects in Hayward, El Centro, and San Bernardino.

**Senate** rejected the lease-revenue bond financing from the Public Building Construction Fund for all three projects. Approved cash funding from the Motor Vehicle Account for Hayward (\$48.7 million) and El Centro (\$41.9 million).

**Assembly** rejected the lease-revenue bond financing from the Public Building Construction Fund for all three projects. Approved cash funding from the Motor Vehicle Account for El Centro (\$41.9 million) and San Bernardino (\$42 million).

**Conference issue** is the cash funding for San Bernardino (\$42 million) and Hayward (\$48.7 million).

## 2720 California Highway Patrol

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**Issue**

**Description**

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### Issue 24: Organized Retail Crime Task Force

**Governor** proposed \$5.8 million General Fund in 2019-20 and 2020-21 to fund 16 positions and associated costs to comply with the requirements of AB 1065 (Jones-Sawyer), Chapter 803, Statutes of 2018. The Administration also proposed trailer bill language to extend the program's sunset date by six months to July 1, 2021.

**Senate** approved four positions and \$705,000 per year for two years for the organized retail crime task force, and approved the requested trailer bill language.

**Assembly** approved the Governor's proposal and trailer bill language.

**Conference issue** is a difference of \$5.1 million in 2019-20 and 2020-21 for the organized retail crime task force.

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<b>Issue</b>	<b>Description</b>
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**Issue 25: DMV Operational Improvements**

**Governor** proposed \$242.1 million in 2019-20, \$199.8 million in 2020-21, \$86.1 million in 2021-22, \$72.4 million in 2022-23, \$45.3 million in 2023-24, and \$34.4 million for 2024-25 and ongoing to address ongoing workload required by the Federal REAL ID Act, as well as other significant organizational improvements at the DMV. Proposed to pass credit card fees on to DMV customers. Proposed provisional language allowing for augmentation of the budget if required.

**Senate** approved \$280 million in 2019-20, and \$260.1 million in 2020-21, for REAL ID workload and DMV operational improvements. Approved \$10 million ongoing and 12 positions for training and IT refresh purposes. Adopted provisional language requiring the DMV to provide monthly reports on office wait times, wait time ranges, window office hours, progress on hiring the provided positions, and any technology outages in field offices. Approved budget bill language allowing for augmentation of the budget if required. Rejected the proposal to pass credit card fees on to DMV customers.

**Assembly** approved \$200 million to fund all existing and recently hired staff, and new hires that are underway and fund all 35 proposals for customer service improvements, operational improvements, and IT improvements. Adopted provisional language requiring the DMV to provide monthly reports on office wait times, wait time ranges, window office hours, progress on hiring the provided positions, and any technology outages in field offices. Rejected the provisional language allowing for augmentation of the budget if required. Approved the proposal to pass credit card fees on to DMV customers.

**Conference issue** is a difference of \$80 million in 2019-20, and \$260.1 million in 2020-21, as well as actions related to the proposal to pass credit card fees on to customers and the provisional language allowing for augmentation of the budget if required.