

**CALENDAR ITEM
C88**

A Statewide

6/28/10

S Statewide

M. De Bernardo

LEGISLATION

Legislative Update:

The State Lands Commission and its staff have taken positions to support and oppose various legislative items for the 2010 legislative year. At the June 28, 2010 Commission meeting, staff will present a legislative update to the Commission on the status of the following bills and budget proposals:

Bill	Author	Subject	Position
AB 1998	Brownley	Ban on Single-Use Shopping Bags	Commission Supports
AB 2179	Monning	Land Grants	Staff Supports
AB 2503	J. Perez	Rigs to Reefs	No Position
AB 2598	Brownley	Sea Level Action Plan	Commission Supports
AB 2601	Jeffries	Appropriation of T-Ridge Money	Commission Opposes
AB 2664	Chesbro	SLC's Administrative Remedies	Commission Supports
AB 2719	DeVore	Circumvents SLC's Oil Leasing Authority	Commission Opposes
SB 1034	Ducheny	Protects Archeological Resources	Commission Supports
SB 1350	Kehoe	Land Inventory and Codification of Public Trust Law	Commission and Staff Supports
SB 1488	Senate Natural Resources and Water Committee	Pittsburg Grant and Land Bank Fund	Commission Supports
Budget Proposal	Administration	Appropriation of T-Ridge Money ¹	Commission Opposed
Budget Proposal	Administration	DOJ's Legal Services Fund Swap ²	Commission Opposed
S.2724 and H.R.4001	Sen. Reid and Rep. Heller	Lake Tahoe Restoration Act	Commission Supports
H.R. 5088	Rep. Oberstar	Clarifies Clean Water	Commission Supports

¹ On May 3rd, Governor Schwarzenegger withdrew his support for the Tranquillon Ridge project.

² On May 24th and 25th, the Senate and Assembly budget subcommittees on state administration respectively denied the DOJ Legal Services Fund Swap proposal.

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		Act in the Aftermath of the Rapanos case	(10/30/07)
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Legislative Positions:

State Lands Commission staff recommends that the Commission take a position on the following legislative items:

1. **SB 1039 (Ducheny): Port of San Diego Trust Revenues**

See Exhibit A.

2. **S. 2921 (Feinstein): California Desert Protection Act of 2010**

SUMMARY:

S. 2921 is a comprehensive bill to designate new lands in the California Desert for conservation, enhance recreational opportunities, and streamline and improve the federal permitting process to advance large-scale wind and solar development on suitable lands.

Senator Feinstein's office worked closely and cooperatively with Commission staff to develop an efficient mechanism in S. 2921 that would allow the Commission to exchange its isolated school lands in protected areas in the California desert for other federal lands. The purpose of this exchange process is to give the federal government more lands in conservation areas for federal environmental protection while giving the Commission the opportunity to consolidate its desert lands for renewable energy development. If the Commission can consolidate its school lands for renewable energy development, it could potentially generate significant revenues for the California Teachers' Retirement Fund pursuant to the school land trust.

On May 20, 2010, S. 2921 was the subject of a federal Senate Energy and Natural Resources Committee hearing. At the hearing, renewable energy developers indicated that the bill's land conservation measures go too far. Environmentalist raised concerns that the permitting provisions are too lax. Governor Schwarzenegger's office explained that it is looking "forward to working with Sen. Feinstein's office to ensure that the legislation builds on the state's existing process." Sen. Feinstein's office responded by stating that it is "closely reviewing the specific suggestions raised...[and] will evaluate the best path forward, working in concert with the key stakeholders..."

RECOMMENDED ACTION:

Commission staff recommends that the Commission take no action at this time since Sen. Feinstein is still working with the stakeholders to address their concerns.