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SB-290 Marine mammals and sea turtles: entanglement and stranding: emergency rescue services: grants. (2017-2018)

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ENROLLED SEPTEMBER 20, 2017

PASSED IN SENATE MAY 30, 2017

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AMENDED IN SENATE MAY 01, 2017

AMENDED IN SENATE MARCH 30, 2017

CALIFORNIA LEGISLATURE— 2017–2018 REGULAR SESSION

SENATE BILL

NO. 290

**Introduced by Senator Jackson
(Coauthors: Senators Atkins and Stern)**

February 09, 2017

An act to add Section 4502 to the Fish and Game Code, relating to fish and wildlife.

LEGISLATIVE COUNSEL'S DIGEST

SB 290, Jackson. Marine mammals and sea turtles: entanglement and stranding: emergency rescue services: grants.

Under existing law, the Department of Fish and Wildlife is required to enforce and administer the fish and game laws pursuant to the policies formulated by the Fish and Game Commission. The department is administered by the Director of Fish and Wildlife. Existing law makes it unlawful to take any marine mammal, as defined, except as provided under specified federal laws.

This bill would, upon appropriation of moneys by the Legislature, require the Wildlife Health Center at the Davis campus of the University of California to provide grants to qualified organizations, as defined, that respond to marine mammal or sea turtle entanglement or stranding emergencies. The bill would require the grants to be issued on an emergency basis and not for the operating expenses of a qualified organization, except as specified.

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

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

SECTION 1. The Legislature finds and declares all of the following:

(a) A record number of over 6,000 stranded California sea lions, harbor seals, elephant seals, and other marine mammals were rescued off the California coast in 2015 and 2016.

(b) In the first five months of 2013, 2014, and 2015, approximately 1,700, 1,200, and 3,400 California sea lions were stranded, respectively. From 2013 to 2015, inclusive, the average stranding level was about five times higher than the average stranding level for the same five-month period during the years 2003 to 2012, inclusive.

(c) Before the year 2000, large whale entanglements along the United States west coast were reported at a rate of three to five a year. In 2014, the number of reported entangled whales rose to 31. In 2015, 61 whale entanglements were reported off the west coast, with 48 entanglements confirmed by onsite disentanglement emergency response teams. In 2016, 71 reports of whale entanglements were recorded.

(d) The Pacific leatherback sea turtle is California's state marine reptile. This turtle is critically endangered and swims more than 6,000 miles over a 10- to 12-month period to cross the Pacific Ocean in order to feed on jellyfish every year off the coast of California. Leatherback sea turtles have been reported to have been entangled in each of the years 2015 and 2016.

(e) Volunteers who support entanglement and stranding emergency response networks have used their own resources to provide emergency services to respond to marine mammals and sea turtles in distress.

(f) For the past two budgets, California has allocated resources to help offset the expenses that these volunteers incur when providing entanglement and stranding emergency response services to these animals. The Wildlife Health Center at the Davis campus of the University of California has been the entity that has distributed the funding allocated to these volunteer response activities.

(g) As the need for these volunteer response activities increases, California must ensure the long-term viability of this program by codifying it into state law.

SEC. 2. Section 4502 is added to the Fish and Game Code, to read:

4502. (a) (1) Upon appropriation of moneys by the Legislature for the purposes of this section, the Wildlife Health Center at the Davis campus of the University of California shall provide grants to qualified organizations that respond to marine mammal or sea turtle entanglement or stranding emergencies.

(2) Grants provided pursuant to paragraph (1) shall be issued on an emergency basis, and shall not be used for the operating expenses of a qualified organization.

(3) Grants provided pursuant to paragraph (1) may be used by qualified organizations to offset costs resulting from marine mammal or sea turtle entanglement or stranding emergency response activities, including, but not limited to, costs associated with personnel, travel, emergency response vehicles, emergency response supplies, and operating supplies.

(b) As used in this section, a "qualified organization" means a member of either the National Marine Mammal Stranding Network or the Large Whale Entanglement Response Program and is a person authorized by the National Marine Fisheries Service to respond to marine mammal or sea turtle entanglements or strandings.