



Home	Bill Information	California Law	Publications	Other Resources	My Subscriptions	My Favorites
------	------------------	----------------	--------------	-----------------	------------------	--------------

AB-1426 Diablo Range Conservation Program. (2025-2026)

SHARE THIS:  

Date Published: 04/10/2025 09:00 PM

AMENDED IN ASSEMBLY APRIL 10, 2025

AMENDED IN ASSEMBLY MARCH 10, 2025

CALIFORNIA LEGISLATURE— 2025–2026 REGULAR SESSION

ASSEMBLY BILL

NO. 1426

Introduced by Assembly Members Kalra and Bauer-Kahan

February 21, 2025

An act to add Chapter 4.5 (commencing with Section 1460) to Division 2 of the Fish and Game Code, relating to the Diablo Range, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 1426, as amended, Kalra. Diablo Range Conservation Program.

The Wildlife Conservation Law of 1947 establishes the Wildlife Conservation Board within the Department of Fish and Wildlife to investigate, study, and determine what areas within the state are most essential and suitable for wildlife production and preservation, among other things. Under existing law, the board administers various habitat conservation programs.

This bill would require the board to establish and administer, through the Department of Fish and Wildlife, the Diablo Range Conservation Program and, pursuant to the program, to approve projects to acquire, preserve, restore, and enhance habitat within the Diablo Range, as defined, consistent with conservation strategies approved by the department. ~~The bill would authorize the board to establish an ad hoc advisory committee, as specified.~~ The bill would authorize the board to provide grants to local public agencies, nonprofit organizations, and ~~tribes~~ *California Native American tribes* to be used for various purposes, including the acquisition, restoration, ~~enhancement, and maintenance~~ *and enhancement* of fish and wildlife habitat and other natural resources within and adjacent to the Diablo Range. The bill would establish the Diablo Range Conservation Fund in the State Treasury and would make moneys in the fund available, upon appropriation by the Legislature, for purposes of the program. The bill would authorize the board to accept moneys, grants, goods, or services contributed to it by public agencies or private entities or persons and would require those moneys to be deposited in the Donation Account, which the bill would establish in the fund. The bill would continuously appropriate the moneys in the account to the board for purposes of the program, thereby making an appropriation.

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

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

SECTION 1. Chapter 4.5 (commencing with Section 1460) is added to Division 2 of the Fish and Game Code, to read:

CHAPTER 4.5. Diablo Range Conservation Program

1460. This chapter shall be known, and may be cited, as the Diablo Range Conservation Program Act.

1461. The Legislature finds and declares all of the following:

(a) The Diablo Range is a unique landscape providing agricultural, wildlife, recreational, climate, and other natural infrastructure benefits, covering an area of about 3.5 million acres extending from Carquinez Strait and Mount Diablo in the north to Orchard Peak, Polonio Pass, ~~and Antelope Valley~~ and State Route 46 in the south. The Diablo Range is bounded on the west by the San Francisco Bay, the Santa Clara Valley, State Route 101, and the Salinas Valley, and on the east by the San Joaquin River and Valley, and State Route 5.

(b) The Diablo Range is a resource of statewide significance. The Diablo Range has been subject to intense development pressure and is in need of restoration, conservation, and enhancement.

(c) The Diablo Range is bounded by, and includes, several of the fastest growing cities in California, including the cities of Brentwood, Dublin, Lathrop, San Jose, Morgan Hill, and Hollister.

(d) The Diablo Range provides a critical corridor for wildlife migrating north through the Altamont Pass to Mount Diablo; west to the Santa Lucia Range, Big Sur, and the Santa Cruz Mountains; and south to the Carrizo Plain and the Tehachapi Mountains.

(e) Residents of the San Francisco Bay area, the Salinas Valley, and the San Joaquin Valley access the outdoors in the Diablo Range to view wildlife, recreate, and connect with nature and the community.

(f) The natural resources of the Diablo Range provide opportunities for many climate and natural infrastructure benefits, including flood attenuation from improved wetlands, increased water supply from groundwater recharge, and carbon sequestration from natural and working lands.

(g) The protection of the Diablo Range is a component of state and local efforts to preserve agriculture in California, and state investments from the Sustainable Agricultural Lands Conservation Program implemented by the Department of Conservation.

(h) The Diablo Range, given its expansive geography and proximity to population centers, calls for an elevated vigilance and investment in landscape level vegetative treatments and management to reduce fire threat and resultant air quality implications.

(i) The establishment of the Diablo Range Conservation Program pursuant to this chapter will provide a ~~necessary~~ structure to implement restoration and preservation projects and recreational opportunities and enhance the overall condition of the Diablo Range.

1462. For purposes of this chapter, the following definitions apply:

~~(a) "Advisory committee" means the ad hoc advisory committee authorized to be established pursuant to Section 1467.~~

~~(b)~~

(a) "Board" means the Wildlife Conservation Board established pursuant to Section 1320.

(b) "California Native American tribe" has the same meaning as defined in Section 21073 of the Public Resources Code.

(c) "Diablo Range" means all areas extending from Carquinez Strait and Mount Diablo in the north to Orchard Peak, Polonio Pass, ~~and Antelope Valley~~ and State Route 46 in the south. The Diablo Range is bounded on the west by the San Francisco Bay, the Santa Clara Valley, State Route 101, and the Salinas Valley, and on the east by the San Joaquin River and Valley, and State Route 5.

(d) "Fund" means the Diablo Range Conservation Fund established pursuant to Section ~~1468~~. *1466*.

(e) "Program" means the Diablo Range Conservation Program established pursuant to Section 1463.

~~(f) "Tribe" means any federally recognized Native American tribe or a nonfederally recognized Native American tribe listed on the California Tribal Consultation List maintained by the Native American Heritage Commission.~~

1463. The board shall establish and administer, through the department, the ~~Diablo Range Conservation Program~~ *program* pursuant to this chapter and Chapter 4 (commencing with Section 1300). The purpose and goal of the program is to do all of the following:

- (a) Protect, preserve, and restore the Diablo Range's natural, cultural, and physical resources through the acquisition, restoration, and management of lands.
- (b) Promote the protection and restoration of the biological diversity of the Diablo Range including the recovery of threatened and endangered species.
- (c) Provide for resilience within the Diablo Range to climate change, including, but not limited to, reducing the risk of natural disasters such as wildfires, controlling invasive species, protecting and improving habitat connectivity, and protecting soil carbon stores by limiting ground disturbance.
- (d) Protect and improve air quality and water resources within the Diablo Range.
- (e) Undertake efforts to enhance public use and enjoyment of lands owned by the public, with an emphasis on expanding opportunities for education and access to public lands for communities that currently lack access.

1464. (a) The board, pursuant to this chapter, shall approve projects to acquire, preserve, restore, and enhance habitat within the Diablo Range, consistent with conservation strategies approved by the department, and coordinate its activities undertaken pursuant to the program with other resource protection activities of the board and other state agencies.

(b) The preservation and restoration of the Diablo Range landscape habitat shall be a primary concern of the board and the department, and of all state agencies whose activities impact habitat within the Diablo Range.

1465. (a) In order to accomplish the purposes of ~~the program,~~ *this chapter,* the board may provide grants to local public agencies, nonprofit organizations, and ~~tribes~~ *California Native American tribes* to be used for one or more of the following purposes:

- (1) The acquisition, restoration, ~~enhancement, and maintenance~~ *and enhancement* of fish and wildlife habitat and other natural resources, including resources impacted by wildfire, within and adjacent to the Diablo Range.
- (2) The improvement and expansion of public access, recreational areas, and recreational facilities, including trails.
- (3) The enhancement of interpretive and educational facilities related to the Diablo Range and its natural, cultural, and historic resources.
- (4) The control and removal of invasive species and the propagation of native species.

(b) To the extent feasible, in administering the program, the board shall give preference to projects that use the services of the California Conservation Corps or Community Conservation Corps, as defined in Section 14507.5 of the Public Resources Code.

~~1466. In administering the program, the board shall not do any of the following:~~

~~(a) Fund or implement projects on lands without the written consent of the landowner.~~

~~(b) Manage, regulate, or control the use of any land owned or leased by another public agency or private party, except as provided pursuant to a written agreement between that public agency or private party.~~

~~(c) Levy any tax or special assessment.~~

~~(d) Own or acquire land.~~

~~1467. (a) The board may establish an ad hoc advisory committee that may consist of the following members:~~

~~(1) Members from boards of supervisors or their representatives representing counties located within the boundaries of the Diablo Range.~~

~~(2) Members from city councils or their representatives representing incorporated jurisdictions located within the boundaries of the Diablo Range.~~

~~(3) Representatives from the Natural Resources Agency, the Department of Finance, and the State Lands Commission.~~

~~(4) Members of the public at large who have a demonstrated knowledge of, and expertise in, the landscape within the Diablo Range.~~

~~(b) A person shall not continue as a member of the advisory committee if that person ceases to hold the office that qualifies that person for membership. In that event, the person's membership on the advisory committee shall automatically terminate.~~

~~(c) Members of the advisory committee shall serve without compensation.~~

~~(d) Meetings of the advisory committee shall be open to the public and subject to the Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2 of the Government Code).~~

1468.1466. (a) The Diablo Range Conservation Fund is hereby created in the State Treasury to receive proceeds from bonds or other appropriations made in the annual Budget Act or other statutes for the benefit of the Diablo Range and related lands. Moneys in the fund shall be available, upon appropriation, for the purposes of this chapter. Moneys received by the board pursuant to this chapter shall be deposited in the fund, unless otherwise provided by the State General Obligation Bond Law (Chapter 4 (commencing with Section 16720) of Part 3 of Division 4 of Title 2 of the Government Code). The board shall administer the moneys appropriated to it for purposes of the program and may expend those moneys for capital improvements, land acquisition, support for the program's operations, and other purposes consistent with this chapter.

(b) (1) The board may accept money, grants, goods, or services contributed to it by a public agency or a private entity or person. Moneys received pursuant to this paragraph shall be deposited in the Donation Account, which is hereby established in the fund.

(2) Notwithstanding Section 13340 of the Government Code, the Donation Fund is hereby continuously appropriated without regard to fiscal years to the board for purposes of this chapter.

(3) Upon receipt of goods and services pursuant to paragraph (1), the board may use those goods and services for the purposes of this chapter.