

DEPARTMENT OF FINANCE BILL ANALYSIS

AMENDMENT DATE: April 15, 2008
POSITION: Neutral
SPONSOR: California Farm Bureau Federation

BILL NUMBER: SB 1436
AUTHOR: D. Ducheny

BILL SUMMARY: Protected Species: Accidental Take

Existing law exempts the accidental take of candidate, threatened, or endangered species in the course of routine agricultural activities from California Endangered Species Act (CESA) requirements. This bill would extend the sunset date of the exemption from January 1, 2009 to January 1, 2011.

FISCAL SUMMARY

This bill would not result in increased state expenditures. The bill, however, could result in cost avoidance because it reduces the Department of Fish and Game's (DFG) CESA oversight responsibilities by exempting routine agricultural activities from CESA requirements.

COMMENTS

Finance is neutral on this bill because it facilitates agricultural activity in the state and would not have a fiscal impact.

This bill would extend the sunset date of the CESA exemption for routine agricultural activities from January 1, 2009 to January 1, 2011. The exemption was originally approved in 1997 and extended in 2002. The exemption only applies if farmers or ranchers are unaware that their activities are harming a protected species. However, without the exemption, farmers and ranchers would either be required to go through the environmental review process and obtain a CESA incidental take permit if necessary or would be subject to legal challenge if an outside party determined that their routine agricultural activities impact CESA protected species.

| Code/Department Agency or Revenue Type | (Fiscal Impact by Fiscal Year) | | | | | | | | Fund Code | | | |
|--|--------------------------------|----|----|------|----|-----------|----|-----------|--------------|------------------------|-----------|------|
| | (Dollars in Thousands) | | | | | | | | | | | |
| | SO | LA | CO | PROP | FC | 2007-2008 | FC | 2008-2009 | | FC | 2009-2010 | |
| 3600/Dept FishGam | SO | No | | | | | | | | No/Minor Fiscal Impact | | 0001 |

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| Analyst/Principal (0634) M. Almy | Date | Program Budget Manager Karen Finn | Date |
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| Department Deputy Director | Date |
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| Governor's Office: | By: | Date: | Position Approved _____ |
| | | | Position Disapproved _____ |

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