

AMENDED IN ASSEMBLY MARCH 7, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 292

Introduced by Assembly Member Galgiani

February 8, 2011

~~An act to amend Section 29043 of the Food and Agricultural Code, relating to apiaries.~~ *An act to add Section 185034.3 to the Public Utilities Code, relating to high-speed rail.*

LEGISLATIVE COUNSEL'S DIGEST

AB 292, as amended, Galgiani. ~~Apiaries.~~ *High-speed rail: agricultural lands.*

Existing law, the California High-Speed Rail Act, creates the High-Speed Rail Authority to develop and implement a high-speed rail system in the state, with specified powers and duties. Existing law, pursuant to the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century, approved by the voters as Proposition 1A at the November 4, 2008, general election, provides for the issuance of \$9.95 billion in general obligation bonds for high-speed rail and related purposes. Various federal laws provide funding for allocation nationally to high-speed rail and other related projects.

This bill would require the authority to develop a policy that addresses the preservation of farmland in agricultural areas where high-speed rail lines are proposed for construction and considers various impacts on those lands that may occur as a result of high-speed rail construction. The bill would require the authority, based on that policy, to develop, and following an opportunity for public comment, to adopt and implement a farmland preservation and mitigation plan. The bill would also require the independent peer review group, established to review

certain of the authority’s plans and assumptions, to consult with persons with whom the authority has entered into memoranda of understanding for the purpose of identifying best practices for mitigating impacts to farmland from high-speed rail construction, and to report to the Legislature in that regard by March 1, 2012.

~~Existing law requires every person who moves bees into the state or otherwise comes into possession of an apiary that is located within the state after the 1st day of January to register the number of colonies moved into the state or so acquired within 30 days after coming into possession of the apiary. Registration of an apiary is filed with the county agricultural commissioner of the county in which the apiary is located, or with the Secretary of Food and Agriculture if there is no commissioner in the county. The secretary also adopts a form of registration to be used statewide.~~

~~This bill would make technical, nonsubstantive changes to the latter provisions:~~

~~Vote: majority. Appropriation: no. Fiscal committee: no-yes.
State-mandated local program: no.~~

The people of the State of California do enact as follows:

- 1 *SECTION 1. Section 185034.3 is added to the Public Utilities*
- 2 *Code, to read:*
- 3 *185034.3. (a) The authority shall develop a policy that*
- 4 *addresses the preservation of farmland in agricultural areas where*
- 5 *high-speed rail lines are proposed for construction. The authority*
- 6 *shall give consideration to all of the following:*
- 7 *(1) Displacement or disruption of water wells.*
- 8 *(2) Displacement or disruption of water irrigation systems.*
- 9 *(3) Loss of revenues from future crops when determining land*
- 10 *valuations associated with land acquisition for high-speed rail*
- 11 *lines.*
- 12 *(4) Loss of value to property in cases where a high-speed rail*
- 13 *line crosses farmland on a diagonal, rendering the remaining*
- 14 *farmland compromised or unusable.*
- 15 *(5) Other impacts on agriculture identified in hearings of the*
- 16 *authority, hearings of the Senate and Assembly committees with*
- 17 *jurisdiction over agriculture, and hearings of the Assembly Select*
- 18 *Committee on High-Speed Rail.*

1 (b) (1) Based on the policy developed pursuant to subdivision
2 (a), the authority shall develop, adopt, and implement a farmland
3 preservation and mitigation plan.

4 (2) The authority shall provide a 60-day public comment period
5 on the draft farmland preservation and mitigation plan prior to
6 adopting the plan.

7 (c) The independent peer review group established pursuant to
8 Section 185035 shall consult with persons with whom the authority
9 has entered into memoranda of understanding for the purpose of
10 identifying best practices for mitigating impacts to farmland from
11 high-speed rail construction. The peer review group shall provide
12 a report of its findings from those consultations to the authority,
13 the Senate and Assembly committees with jurisdiction over
14 agriculture, and the Assembly Select Committee on High-Speed
15 Rail. The report shall be submitted on or before March 1, 2012.

16 SECTION 1. Section 29043 of the Food and Agricultural Code
17 is amended to read:

18 ~~29043. Registration of an apiary shall be filed with the~~
19 ~~commissioner of the county in which the apiary is located, or with~~
20 ~~the secretary if there is no commissioner in the county. The~~
21 ~~secretary shall adopt a form of registration to be used statewide,~~
22 ~~which shall include a request for notification of use of pesticide~~
23 ~~in accordance with Section 29101. All commissioners shall use~~
24 ~~the same form.~~