
SENATE COMMITTEE ON NATURAL RESOURCES AND WATER

Senator Josh Becker, Chair

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SUMMARY

This bill would establish state standards and licensing for a statewide network of recreational vessel inspection and decontamination stations with trained inspectors to prevent the spread of invasive mussels, establish the use of a recreational vessel tracking system, and establish a new biannual nonmotorized recreational vessel invasive mussel infestation prevention fee to help fund invasive mussel prevention efforts, among other provisions.

BACKGROUND AND EXISTING LAW

Invasive mussels in California's waters

Since 2007, California has been working to control and eradicate two species of invasive, freshwater mussels in state waters: quagga and zebra (dreissenid) mussels.¹ Multiple bills subsequently became law that established the dreissenid mussels as a restricted species and granted the California Department of Fish and Wildlife (CDFW) with various authorities to stem the spread of the mussels, including to inspect, order treatment of, and quarantine vessels, such as recreational motor boats. As a restricted species, a person is prohibited from possessing, importing, shipping, transporting, or introducing an invasive species into any water within the state, unless authorized by CDFW through a restricted species permit.²

Further, statute requires water managers to work with CDFW to develop measures to avoid infestation, as well as requires water managers to develop control plans to prevent the spread of the invasive mussels should the water system become infested with the mussels. The benefit of developing a control plan is that water managers enjoy liability protections from the unintentional transportation or introduction of dreissenid mussels to the water system once the control plan is approved by CDFW.

Until last year, law and regulation to prevent invasive mussel infestation was specific to quagga and zebra mussels. AB 149 (Committee on Budget, Chapter 106, Statutes of 2025) expanded the dreissenid mussel programs and authorities to include any invasive mussel, including the golden mussel.

¹ There are and have been additional invasive bivalves in state waters beyond the quagga and zebra mussels, but these two were of particular interest due to their ability to clog pipes and cover and inhibit the operation of water supply infrastructure.

² Restricted species permitting is located in Title 14, California Code of Regulations, §§671 *et seq.* Specifically for dreissenid mussels, state regulation authorizes a dreissenid mussel permit to possess the species in prescribed circumstances (Title 14, California Code of Regulations, §672 or 14 CCR §672).

Golden mussels

On October 17, 2024, Department of Water Resources (DWR) staff discovered golden mussels in the Port of Stockton. Soon after the initial discovery, the golden mussel was quickly found at additional sites within the Sacramento-San Joaquin Delta (Delta). The golden mussel is a freshwater bivalve native to China and Southeast Asia, but it has established itself outside of its native range in several countries. The discovery in Stockton was the first detection of the species in the United States. The California Fish and Game Commission (commission) quickly took emergency action to add "*Limnoperna fortunei* (golden mussel)" to the list of restricted species by regulation. Since then, the golden mussel has been detected throughout the Delta and the State Water Project, and as far south as San Diego. CDFW maintains an online map showing confirmed observations of golden mussels. Sacramento, Kern and other Counties have recently declared states of local emergency due to the spread of golden mussels. The commission is expected to begin the process to take additional regulatory action regarding golden mussels this summer.

There are no socially and environmentally benign methods currently available to eliminate invasive mussels once they are present. Adult mussels can survive days, even weeks, when removed from water. Larval mussels can survive a week or longer in small volumes of water. Eradication from large, interconnected bodies of water is likely impossible. Therefore, containing mussels within infested areas is the only means to minimize additional new, widespread impacts.

Golden mussels have proven to be much more difficult for the state and water managers to control than quagga and zebra mussels. Golden mussels have high reproductive rates and form dense colonies. This mass colonization of surfaces (i.e. "biofouling") blocks, impairs, and, in many cases, inhibits the functionality of manmade surfaces including underwater intakes, structures, and mechanisms. A photo of an encrusted sampling plate is included on the next page to illustrate the impacts to water infrastructure in particular.³ Biofouling also coats the hulls and external components of watercraft and recreational facilities, and natural objects such as rocks, fallen trees, even other sedentary bivalves. Nearly every fresh and brackish waterbody in California is suitable habitat for golden mussels.

The presence of the golden mussel poses a significant and immediate threat to the ecological health of the Delta and all waters of the state, water conveyance systems, infrastructure, and water quality. Environmental impacts of the golden mussel include disruption of ecosystems, contributions to the conditions that cause harmful algal blooms, and loss of native and game fish through competition for food sources. It is estimated that a single mussel can filter up to a liter of water a day, which would remove critical nutrients and microbes that support ecosystem health. Impacts of the mussel to recreation include waterbody closures, mandatory boat inspections, increased launch and/or entry fees, and reduced numbers of fish and shellfish for consumption.

Economic impacts include costly repairs and maintenance (e.g., boats, water infrastructure, hydroelectric facilities); reduced water flow affecting food production and water delivery to homes; and impacts to flood control infrastructure. "Tens of millions of

³ Image from "California scales back golden mussel safeguards at vital reservoir, alarming experts" by Rachel Becker in CalMatters, dated June 12, 2026.

dollars are being spent to stop the mussels.”⁴ The Arvin-Edison water district, for example, recently spent \$2.8 million to perform a chemical treatment that killed all of the golden mussels present. Estimates of ongoing costs to the district range as high as \$10 million depending upon the frequency and method of treatment required which remains unknown.⁵ Additional treatment methods being evaluated by water suppliers include ultraviolet lights and mechanical scraping.

For recreational motor boaters, “Clean, Drain, Dry” is the general method to eradicate mussels on or in the boats. Approximately 30 lakes across the state instituted recreational boat inspections for mussels and their free-swimming larvae (known as veligers) after discovery of the golden mussel, and several required at least a 30 day quarantine prior to boat launch.⁶ The state mussel infestation fee assessed from recreational motor boaters in freshwater increased to \$16 annually. Lake County



A sampling plate covered with golden mussels that was removed from the Stockton Channel at the Port of Stockton on Oct. 23, 2025. Photo by Fred Greaves for CalMatters

requires the purchase of an additional Lake County mussel infestation sticker for \$20 for recreational motor boaters. In the Lake Tahoe area, boat inspection sites have been upgraded, and there is an extensive public education and outreach effort underway, including outreach to users of nonmotorized vessels, such as paddleboards and kayaks,

⁴ From “California’s waterways could get clogged by a problem that didn’t exist two years ago” by Kurt Alexander in the San Francisco Chronicle, dated June 14, 2026.

⁵ “Responses to ballooning mussel infestation range from full-on combat to getting ready to make a plan” by Lois Henry in SJV Water, dated April 24, 2026.

⁶ “California must step up to fight the costly golden mussel infestation” opinion by Michelle Paul, in the Sacramento Bee, dated May 23, 2026.

that can also be a vector for the transport of mussels between waterbodies. In a letter to the author's office, the California Tahoe Alliance reports that invasive mussels could result in \$33 million in annual losses in the Lake Tahoe region impacting tourism, property values, and maintenance costs.

Invasive mussels control plan.

Public and private agencies that operate a water supply system are required to cooperate with CDFW to implement measures to avoid infestation by invasive mussels and to control or eradicate any infestation that may occur in the system. If invasive mussels are detected, the operator of the water supply system is required to prepare a plan, subject to CDFW approval, to control or eradicate invasive mussels in the system and eliminate or minimize any potential downstream transport of an invasive mussel. The plans are required to include methods for delineation of infestation; methods for control or eradication of adult mussels and decontamination of water containing larval mussels; a system monitoring program; and a requirement that the operator of the water supply system allows CDFW inspections as well as cooperates with CDFW to update or revise control or eradication measures in the plan to address scientific advances.

Control plans, once approved, can provide or facilitate the necessary permitting for water managers working within their mussel-infested water supply system to handle golden mussels so long as a description of the plans for handling the invasive mussels are included.

Existing law:

- 1) Until January 1, 2030, prohibits a person from possessing, importing, shipping, or transporting in the state, or placing, planting, or causing to be placed or planted in any water within the state, invasive mussels.
 - a) Provides the Director of CDFW, or a designee of the Director, the authority to conduct inspections of conveyances (e.g., vehicles and boats), order that the conveyance be drained, dried, or decontaminated, impound or quarantine conveyances, and conduct inspections of waters of the state and facilities that may contain invasive mussels. Permits the Director of CDFW to determine that other parties or state agencies, including State Parks, the Department of Water Resources (DWR), and the State Lands Commission, and others may exercise those authorities as well.
 - i) Exempts from the California Environmental Quality Act (CEQA), any action taken to drain, dry, or decontaminate a conveyance and conduct inspections, except for the use of chemicals other than salt or hot water to decontaminate a conveyance or facility.
 - b) Requires a public or private agency that operates a water supply system (water operator) to cooperate with CDFW to implement measures to avoid infestation by invasive mussels and to control or eradicate any infestation that may occur in a water supply system. If invasive mussels are detected, the water operator, in cooperation with CDFW, shall prepare and implement a plan to control or eradicate invasive mussels within the system, and eliminate or minimize any

potential downstream transport of an invasive mussel. Requires the approved plan to contain the following minimum elements:

- i) Methods for delineation of infestation, including both adult mussels and veligers;
 - ii) Methods for control or eradication of adult mussels and decontamination of water containing veligers;
 - iii) A systematic monitoring program to determine any changes in conditions; and
 - iv) The requirement that the water operator permit inspections by CDFW as well as cooperate with CDFW to update or revise control or eradication measures in the approved plan to address scientific advances in the methods of controlling or eradicating mussels and veligers.
- c) Provides that if the water operator has prepared, initiated, and is in compliance with all the elements of an approved plan to control or eradicate invasive mussels, the water operator is not subject to any civil or criminal liability for the introduction of invasive mussel species as a result of those operations, among other provisions. Authorizes CDFW to require the water operator to update its plan. Authorizes CDFW to apply the restrictions on a water operator if the plan is not updated or revised, until the water operator updates or revises the plan.
- d) Requires CDFW, on or before December 31, 2026, to review all approved plans pursuant (c) and requires all plans that do not specifically address all invasive mussel species known to be present in bodies of water in the state as of January 1, 2026, to be updated or revised appropriately to include all invasive mussel species, on or before September 30, 2027.
- e) Requires every invasive mussel species to be addressed in a plan no later than 180 days from the date that the species is listed in a regulation. Requires CDFW to approve plans or provide written comments and suggestions on plan deficiencies within 180 days from the date of plan submission.
- f) Requires an entity that discovers invasive mussels within this state to immediately report the discovery to CDFW.
- g) Establishes an additional penalty for any violation of these requirements with a penalty not to exceed \$1,000.
- h) Allows CDFW to adopt regulations to carry out these requirements.
- i) Indemnifies CDFW and any other state agency exercising authority under these requirements with regard to any determination or authorization made pursuant to this section. (Fish and Game Code (FGC) § 2301)
- 2) Requires any person, or federal, state, or local agency, district, or authority that owns or manages a reservoir (reservoir manager) to undertake certain measures to prevent invasive mussel infestation, in reservoirs in which invasives mussels have not been detected.

- a) Requires a reservoir manager responsible for a reservoir, where recreational, boating, or fishing activities are permitted, except a privately owned reservoir that is not open to the public, to:
 - i) Assess the vulnerability of the reservoir for the introduction of invasive mussel species; and
 - ii) Develop and implement a program designed to prevent the introduction of invasive mussel species. Requires the program to, at a minimum, include public education, monitoring, and management of those recreational, boating, or fishing activities that are permitted.
 - b) Requires a reservoir manager responsible for a reservoir, where recreational, boating, or fishing activities of any kind are not permitted, to include visual monitoring for the presence of mussels as part of its routine field activities, based on its available resources and staffing.
 - c) Allows a reservoir manager, except a privately owned reservoir that is not open to the public, to refuse the planting of fish in that reservoir by CDFW unless CDFW can demonstrate that the fish planting does not present a risk of introducing invasive mussels.
 - d) Establishes a civil penalty, not to exceed \$1,000 per violation of 2). Authorizes CDFW to adopt regulations to implement and enforce requirements on reservoir managers to the extent funds are available. (FGC §2302)
- 3) Defines “invasive mussel” to mean any nonnative detrimental mussel species that is capable of spreading in freshwater and is listed in a regulation adopted by the Fish and Game Commission. (FGC § 2303)
 - 4) Requires the Department of Motor Vehicles (DMV) to collect for resident and nonresident vessel owners, separate from the registration fee, an invasive mussel infestation prevention fee (invasive mussel fee) in an amount established by the Division of Boating and Waterways (DBW).
 - a) Requires DMV to issue an invasive mussel infestation prevention sticker (invasive mussel sticker) to the vessel owner, upon payment of the mussel fee.
 - b) Authorizes the citation of a vessel operator for operating a recreational vessel in nonmarine waters without a valid state-issued invasive mussel infestation prevention sticker. (Vehicle Code §9853)
 - 5) Requires the invasive mussel fee to be paid to DBW.
 - a) Establishes the invasive mussel fee to be between \$30 and \$42, every other year. Requires those values to be adjusted for inflation. Requires DBW to establish and consult with a technical advisory group to determine the fee.
 - b) Permits DBW to adopt emergency regulations to manage the collection and use of the invasive mussel fees.

- c) Requires all revenue from the invasive mussel fee to be deposited into the Harbors and Watercraft Revolving Fund.
 - d) Clarifies that a vessel operator may be issued a citation for operating a recreational vessel in nonmarine waters without a valid state-issued invasive mussel sticker. (Harbors and Navigation Code (HNC) §675)
- 6) Establishes how revenues from the invasive mussel fee may be used.
- a) Requires the moneys deposited into the Harbors and Watercraft Revolving Fund be used for:
 - i) The reasonable costs incurred by DBW associated with determining the invasive mussel fee and adoption of regulations and with administering the grants.
 - ii) The reasonable costs, not to exceed 15% of the remaining revenues, of CDFW for implementation of invasive mussel regulations in those areas of the state where an invasive mussel infestation prevention plan has not been implemented.
 - iii) Grants to reservoir managers subject for the reasonable regulatory costs incident to the implementation of an invasive mussel infestation prevention plan. At least 85% of the revenue must be used for this purpose.
 - b) Requires DBW, when awarding grants, to:
 - i) Give priority to invasive mussel infestation prevention plans that meet requirements and that also include visual and manual inspection standards and other infestation prevention procedures consistent with established or future state adopted guidebooks and management plans;
 - ii) Take into consideration the benefits of regional-scale invasive mussel infestation prevention plans; and
 - iii) Take into consideration the unique economic, ecological, and recreational impacts to rural and urban reservoirs from invasive mussel infestation.
 - c) Prohibits the use of invasive mussel fees for any purpose other than those explicitly authorized. (HNC §676)
- 7) Prohibits the importation, transportation, possession, or live release of specified wild animals into this state except under a revocable, nontransferable restricted species permit issued by CDFW, as provided. (FGC §§2116 *et seq.*)
- 8) Provides civil and criminal penalties for violations of invasive mussel restrictions and any permit conditions. (FGC §§2125, 12000)

Existing regulation:

- 1) Designates the golden mussel as a restricted species. (14 CCR §671)

- 2) Prohibits any person or federal, state or local agency, district or authority that owns or manages a reservoir where recreational boating or fishing activities are permitted to operate without developing and implementing a dreissenid mussel prevention program, as provided. Requires the mussel prevention program to include an assessment of the vulnerability of the reservoir to mussel introduction, a monitoring program for the mussel, and management of recreational activities to prevent the introduction of the mussels to the waterbody and to keep the mussels from being moved from the waterbody, if present. (14 CCR §672.1(a), (b))
- 3) Provides that tags, stickers, or other methods used to identify a conveyance as quarantined following an inspection for dreissenid mussels shall not be tampered with or destroyed prior to the conveyance being released from quarantine by CDFW. (14 CCR §672.1(c))
- 4) Provides for penalty and appeal procedures for dreissenid mussel violations. (14 CCR §672.2)

PROPOSED LAW

This bill would:

- 1) Modify the existing authority for CDFW or other entities to order the drying of a conveyance following any drain, dry, or decontamination procedure, as provided. Specify that a conveyance cannot be launched into waters of the state until the required drying time has been completed.
 - a) Authorize the owner or person in possession of the conveyance to retain possession of the conveyance during the drying period subject to any requirements, such as attaching a tamper-proof device that prevents the conveyance from coming into contact with water without being broken.
- 2) Require the inspection and decontamination of conveyances for aquatic invasive species be performed in the state in accordance with uniform standards and procedures established by CDFW for decontaminating conveyances effective at removing or destroying invasive mussels, as provided.
 - a) Require decontamination to include removal of all visible plant materials, the draining and treatment of all water-containing compartments in the conveyance, treatment of surfaces by hot water or other CDFW-approved methods, and flushing or treatment of internal systems, as provided.
 - b) Require CDFW-approved standards and procedures to at a minimum be compliance with the Uniform Minimum Protocols and Standards for Watercraft Interception Programs for Dreissenid Mussels in the Western United States prepared by the Pacific State Marine Fisheries Commission.
 - i) Require the standards and procedures to be informed by the best available science. Authorize CDFW to consult with water agencies and recreational boaters in standard development.

- c) Require CDFW to implement these requirements consistently with the requirements for decontamination noted above regardless of whether CDFW has adopted standards and procedures for decontamination, as provided.
 - d) Require a conveyance prior to launching into the waters of the state to be subject to decontamination or quarantine if a qualified inspector determines that invasive mussels are detected, the conveyance has been operated in or transported from an infested waterbody, or the conveyance contains water in compartments that cannot be completely drained.
 - e) Authorize a law enforcement officer to detain or impound the conveyance until decontamination is complete if a person refuses to submit the conveyance for decontamination or quarantine or if there is hardship. Require the owner of the conveyance to be liable for all costs associated with decontamination or impoundment due to the failure to cooperate by the owner or the person in possession of the conveyance.
 - f) Exempt CDFW and any other state agency exercising authority under 2) from liability, as provided.
- 3) Authorize a licensed inspection and decontamination station to issue an inspection, decontamination or quarantine certificate to an owner of or person in possession of an inspected conveyance. Require the certificate to contain certain information such as any decontamination performed and the time and place of the inspection, as provided.
- a) Require the station issuing a certificate to attach a tamper-proof device to the conveyance, as provided, that prevents the conveyance from coming into contact with waters of the state without being broken.
 - b) Require CDFW to establish a minimum retention period for inspection and decontamination certificates.
 - c) Authorize CDFW to recognize an inspection or decontamination certificate issued by another government entity if that government entity adheres to the minimum standards for inspection, decontamination and quarantine established herein.
 - d) Provide that CDFW and any other state entity exercising authority under 3) shall not be liable for any determination or authorization made pursuant to 3), as provided.
- 4) Require that CDFW has the sole and exclusive authority within the state for developing and implementing a statewide program for the inspection and decontamination of conveyances for aquatic invasive species. Require the inspection and decontamination program to consist of licensed inspection and decontamination stations with qualified inspectors that issue certificates of compliance or notices of noncompliance to conveyances following inspection and decontamination, as provided.

- a) Require the inspection and decontamination program to only be conducted at inspection and decontamination stations licensed by CDFW and by qualified inspectors.
 - b) Require a licensed inspection and decontamination station to comply with standards, procedures, and regulations adopted by CDFW; only permit inspection and decontamination by qualified inspectors; employ the use of CDFW-approved decontamination equipment, certification documentation, and tamper-proof devices; use the WID Data Sharing System developed by the State of Colorado (see 6) below for more information); maintain relevant education materials; display an identifying sign at the station that indicates its qualifying status; and authorize CDFW or its authorized representative to access the station for purposes of examining logs, and equipment, as provided.
 - c) Require CDFW to develop standards for the licensing of inspection and decontamination stations. Require that inspection and decontamination services at the station only be performed by qualified inspectors. Require CDFW to establish performance standards for a licensed inspection and decontamination station for which compliance is determined through periodic inspections. Require CDFW to develop and implement a quality assurance program, such as a secret shopper program, to audit inspection and decontamination stations and ensure compliance to standards, as provided.
 - d) Set the expiration date at two years for a valid license for an inspection and decontamination station. Authorize CDFW to require passage of a licensing test and ongoing training to renew a station's license. Require license revocation if the inspection and decontamination station fails to meet applicable standards at any time. Require CDFW provide written or electronic notice before revoking a station's license, as specified. Require CDFW to develop a process and timeline for a station to contest license revocation.
 - e) Require CDFW to encourage the establishment of a sufficient number of licensed inspection and decontamination stations to ensure reasonable accessibility and convenience of boaters and to control the spread of invasive mussels.
 - f) Require CDFW to post a list of licensed inspection and decontamination stations by region as provided.
 - g) Require a licensed inspection and decontamination station to annually report to CDFW specified information regarding station activities.
 - h) Require CDFW to impose licensing fees for inspection and decontamination stations in an amount that does not exceed the reasonable regulatory costs of administering the licensing program.
- 5) Require an inspector to pass a qualification test and meet any minimum experience or training criteria established by CDFW to qualify as a licensed inspector.
- a) Require CDFW to establish standards for training, equipment, performance and data collection for inspection and decontamination stations. Authorize CDFW to develop a training program to be used to qualify individuals to perform

inspections and decontaminations using training materials that align with the Pacific States Marine Fisheries Commission's watercraft inspection and decontamination Level 2 training program, or, if CDFW develops its own program, grant qualified inspector status to individuals who holds certain certifications issued by or meeting the standards of the Pacific States Marine Fisheries Commission.

- b) Require CDFW to prescribe training and periodic retraining courses for qualified inspectors. Require the licensing to expire after two years. Authorize CDFW to require passage of a qualification test and ongoing training to renew an inspector's qualification. Failure by a qualified inspector to meet standards at any time shall result in disqualification. Require CDFW to provide written or electronic notice before imposing a disqualification, as provided. Require CDFW to develop a process and timeline for a qualified inspector to contest a disqualification.
 - c) Require CDFW to develop standards for qualifying institutions and instructors for purposes of providing training for qualified inspectors. Require these to include criteria for training manuals, and other materials, as provided. Require the standards to specify conditions under which an institution or instructor may be disqualified to train others and how to seek reinstatement. Require posting on CDFW's website.
 - d) Require CDFW to impose qualification fees for qualified inspections and qualified institutions and instructors in an amount not to exceed the reasonable regulatory costs of administering the program.
- 6) Require CDFW to use the Regional Watercraft Inspection and Decontamination (WID) Data Sharing System managed by the Colorado Department of Natural Resources for tracking the movement of conveyances, equipment, and other vectors among California waterbodies.
- a) Require an inspection and decontamination station to enter each inspected, decontaminated, or quarantined conveyance into the WID Data Sharing System.
 - b) Require the manager of a state waterbody with a staffed launch point to register each launching conveyance into the WID Data Sharing System.
 - c) Require CDFW to provide guidance to entities that own or manage reservoirs or other launch points on how to track decontaminated and inspected conveyances in the WID Data Sharing System. Require CDFW to encourage the use of the WID Data Sharing System across the state.
- 7) Require CDFW to encourage public or private agencies that operate a water supply system to enter into reciprocity agreements with other agencies to allow the launch of conveyances without quarantine or decontamination for conveyances moving between waterbodies operated by those agencies.
- a) Require an agency that enters into a reciprocity agreement to notify CDFW.

- b) Require CDFW to maintain a comprehensive list of reciprocity agreements on its internet website.
- 8) On or before January 1, 2028, require CDFW to collect an invasive mussel infestation prevention fee of \$20 every two years from each nonmotorized vessel owner for each nonmotorized vessel launched into waters of the state. Require indexing of the fee every odd-numbered year using the California Consumer Price Index to the nearest whole dollar. Require the fee not to exceed the reasonable regulatory costs of CDFW for implementation.
- a) Require CDFW upon receipt of payment of the fee, to issue an invasive mussel infestation prevention sticker to be affixed to the nonmotorized vessel.
 - b) Authorize issuance of a citation for operating a nonmotorized vessel in nonmarine waters without a valid invasive mussel infestation prevention sticker, as provided.
 - c) Void the sticker if there is evidence of tampering.
 - d) Require all revenues from the fee to be deposited in the Nonmotorized Vessel Invasive Mussel Infestation Prevention Account (Prevention Account) established within the Harbors and Watercraft Revolving Fund. Require all revenue from citations to be deposited in the Nonmotorized Vessel Invasive Mussel Infestation Prevention Penalty Account (Penalty Account) established within the Harbors and Watercraft Revolving Fund.
 - i) Require, upon legislative appropriation, all monies in the Prevention Account shall too be used for reasonable regulatory costs of CDFW or others for issuing the stickers (up to 15%), for the reasonable regulatory costs of CDFW in administering the grant program (up to 10%), grants to water operators for the reasonable regulatory costs incident to the implementation of an invasive mussel control plan (at least 40%), as provided.
 - ii) Require, upon legislative appropriation, all monies in the Penalty Account to be used for grants to entities with approved invasive mussel control plans for activities that reduce the risk of the overland spread of invasive mussels, and for DBW to generate and distribute educational materials, as provided.
 - iii) Require an entity receiving grant funding to provide data to DBW regarding invasive mussel prevention, inspection, and control plans, as provided.
 - e) Authorize CDFW to contract with others for the issuance of the sticker.
 - f) Require CDFW to develop educational materials be provided before issuing the sticker.
- 9) Authorize regulations to implement 2), 3), 4), and 5) above.
- 10) Define relevant terms, including that a nonmotorized vessel means an inflatable or rigid vessel, such as a kayak, operated in nonmarine waters, and make numerous relevant legislative findings and declarations.

11) State that no reimbursement is required to a local agency or school district, as provided.

ARGUMENTS IN SUPPORT

According to the author, “AB 1772 will establish a long-term, stakeholder-driven framework to address both the rapid spread of invasive golden mussels and future aquatic invasive species, protecting California’s environment, water infrastructure, recreation, and economy.”

“First detected in California in 2024, golden mussels are more adaptable than previous invasive mussels, enabling rapid spread and devastating impacts: clogging water systems, increasing infrastructure costs, disrupting recreation, and harming native ecosystems.”

“While recent legislation has taken important first steps, California still lacks a coordinated, forward-looking strategy to manage this growing threat. AB 1772 will establish a framework for statewide coordination, including consistent decontamination standards, reciprocity across waterbodies, and additional funding mechanisms, shifting the state from short-term fixes to a proactive, long-term approach to managing the threat of invasive species.”

The County of San Joaquin writes in support, “California, specifically the Delta, is ground zero for this invasive species, so the State must move swiftly to help protect against a possible nationwide outbreak.”

Filoli adds “Protecting California’s water systems is inseparable from protecting our landscapes, wildlife, and communities. Our historic garden and natural lands depend on healthy, resilient ecosystems and reliable water resources. Preventing the introduction and spread of invasive species is far more effective, and far less costly, than attempting to manage them after establishment.”

ARGUMENTS IN OPPOSITION

Taking an “oppose unless amended” position, the Recreational Boaters of California (RBOC) write that they “embrace the objectives of AB 1772 to enhance the current efforts to prevent the infestation of nonnative, invasive golden mussels” and note that this a “challenging issue.”

According to the RBOC, the bill does not “address several key issues that are critical to the recreational boating community and present concerns as well.” They argue that the bill does not:

- impose responsibility and financial accountability on commercial vessels for the introduction of golden mussels into state waters,
- identify and implement alternative and equitable funding sources for prevention and control measures beyond fees imposed on the recreational boating community,
- ensure reciprocity between water bodies,
- provide for the anticipated future when most water bodies are infested,
- provide for a potential termination of the program when no new infestations are observed, and

- provide a vessel operator the opportunity to refuse to submit to inspection or quarantine and depart the location without being quarantined or impounded.

In addition to various technical issues, they also object to non-governmental inspection and decontamination stations having the authority to issue a quarantine certificate.

COMMENTS

The bill is double-referred. This bill is referred to both this Committee and the Senate Judiciary Committee for review. This Committee is the Committee of first referral. Elements of this bill under the Senate Judiciary Committee's jurisdiction are included here for completeness and context only and will be discussed before that Committee.

Ambitious bill to address a serious issue confronting the state's water infrastructure. This bill is an ambitious effort to establish state standards and licensing for a statewide network of recreational vessel inspection and decontamination stations with trained inspectors, establish the use of a recreational vessel tracking system, and establish a new biannual nonmotorized recreational vessel mussel infestation prevention fee to help fund prevention efforts, among other provisions. Recent amendments have substantially increased the complexity of the bill's solution to potential infestation, and raised a number of concerns and loose ends that should be addressed.

That written, multiple support letters note that AB 1772 is an "intent bill" designed to reach consensus solutions, and CDFW is expected to release a substantial set of proposed regulations addressing golden mussels imminently. In view of this, the author may wish to continue working on the bill's content, and the Committee may wish to direct staff to assist in that effort.

The Association of California Water Agencies (ACWA) in their recent "support if amended" letter supported the development of a statewide inspection and decontamination program, if voluntary, that meets many of the key features of the program proposed in this bill. ACWA compares the proposed program to the existing smog check program and emphasized that the success of the program would require strong oversight and accountability, as well as dedicated resources and staffing at CDFW.

Impacts of golden mussel infestation on water ratepayers. As described above, water suppliers are already spending millions of dollars to seek to prevent golden mussel infestation and treat infected infrastructure. Infestation has the potential to result in millions of dollars in added costs for a water supply system indefinitely. This is likely to increase water rates and further decrease water affordability throughout the state. Efforts that prevent the introduction and infestation of golden mussels into a water supply system delays when those significant annual treatment expenditures will be necessary. Setting up an inspection and decontamination station – as some water suppliers have done for the water bodies they manage – appears to be a good investment to protect water ratepayers.

Recreational motorized boaters have faced quarantines to launch into certain water bodies, which may effectively mean that certain water bodies are unavailable to them. Boaters have likely had to take additional steps to plan recreational activities or pay for

inspection and decontamination procedures. This may well have resulted in a redistribution of or reduction in recreational boating activity across the state. To be sure, nonmotorized vessels are also capable of transporting golden mussels between water bodies, as the bill recognizes by instituting the bi-annual fee and sticker program for them.

Who pays. While recreational boaters had their invasive mussel fees raised, CDFW received \$20 million from the Proposition 4 bond to address golden mussel infestation last year. These bond monies will be repaid by the state's taxpayers.

Adding an additional fee to commercial ongoing vessels to fund golden mussel prevention programs would likely constitute a tax under California law which would require a two-thirds vote of the Legislature.

Local control. Numerous water supply system operators have set up their own recreational watercraft inspection and decontamination stations or taken other steps to protect their systems from infestation. Different operators use different techniques, and the best methods to use remain under investigation. In the future, there may be widespread confidence in the statewide system of inspection and decontamination stations proposed herein, the quality and consistency of their inspections, and their "tamper proof" seals, but it remains to be seen how long it will take for that confidence to develop. Trust cannot be legislated.

It would likely take CDFW a considerable amount of time to develop the programs required by this bill, and for them to be adopted and stations built out across the state. Given the costs associated with infestation and a water supply system operator's level of risk tolerance, it should be up to each water supply system to determine whether to follow their own protocols for inspection, decontamination, drying and quarantine.

In view of this, the Committee may wish to amend the bill to authorize water supply operators who run their own inspection and decontamination stations to continue to use them. [Amendment #1]

Reciprocity. Reciprocity is a complicated issue. Certainly water bodies that wish to establish reciprocity between themselves for recreational vessels transiting between them should be welcome to do so. There is a potential role for the state in ensuring that information is readily-available in some form so boating trips can be planned. However, as noted by the California Tahoe Alliance in a letter to the author, broad application of reciprocity can raise concerns. The examples they cited were the potential transmission of a native species from one water body to another where it would be considered an invasive species (as different water bodies are likely to have different aquatic invasive species present) and the extensive monitoring requirements necessary to establish that an aquatic invasive species is not present. Perspectives on reciprocity may evolve over time as more is learned about the golden mussels and the best methods to prevent their spread.

In view of this, the Committee may wish to clarify that participation in reciprocity is voluntary. [Amendment #2]

Tracking boats. The bill requires the use of a boat tracking system developed by the State of Colorado which has extensive state efforts underway to minimize the transmission of invasive species between waterbodies by recreational watercraft. The idea is that a boat, once inspected and/or decontaminated in California, is added to the tracking system. When the boat is launched from a staffed launch site, the launch of the boat and its location is uploaded to the tracking system. In this manner, the movement of boats and whether they are clean or not can be tracked among participating water bodies. While this system has worked well in Colorado (with approximately 83,000 registered recreational motorized watercraft), it is less clear what the implementation challenges would be in California (with approximately 800,000 registered recreational motorized watercraft). Additionally, this system would not be tracking nonmotorized watercraft, and not all waterbodies have staffed launch points. There would be a lot of potential gaps in the collected data. There could be useful information provided regarding exposure of a waterbody to golden mussels, although a water supply system operator is likely monitoring already for golden mussels. The use of a boat tracking system also raises personal privacy concerns. While the Colorado system does not currently retain personal data, it is unclear if any future alternative system would do the same.

In view of this, the Committee may wish to amend the bill to protect the privacy of recreational boat owners. [Amendment #3]

Establishing Performance Standards. Rather than focusing on a method to eradicate invasive mussel species from the hull of a recreational watercraft, statute should focus on establishing the performance standards (i.e. eradication) and be neutral on the technology or methods employed to spur innovation and recognize that the characteristics of different water bodies may require different techniques.

Additionally, the downside of identifying certain methods in statute is that statute has to be changed if new methods are developed. The performance goals, however, are less likely to change as frequently. The author may wish to consider removing explicit references to methods in the bill and instituting performance standards. There can be instances where it is necessary to be explicit about referenced standards in statute, for example to override a standard designated in regulation. However, particularly in the absence of CDFW's regulations and as technology and methods are still being developed to address golden mussels, it is unclear that this is needed in this bill.

"Tamper-proof." It is unclear how tamper-proof any seal or similar device will be in the age of YouTube, ebay and 3-D printers if a person is determined to tamper with it.

Underground regulations. Several of the proposed sections in the bill include authorization to CDFW to develop regulations. While elements of these sections are very prescriptive, there is room for interpretation of various requirements, such as drying times. The development of regulations is necessary in this instance to ensure consistency in application and implementation, and to avoid inadvertent underground regulations.

Program roll out. As currently written, the bill establishes the inspection and decontamination station program and relevant licensing requirements. However, the bill does not address the time needed to develop and implement these programs. The

author may wish to consider providing a deadline by which the regulations governing the station and licensing programs shall be developed. A working group or advisory body of some form could be helpful in the development of the programs, although that could be organized without statutory direction. Then perhaps establish a pilot program in a few locations after the regulations are developed and roll it out over the course of a year or two. There could be some kind of evaluation mechanism built-in to the pilot program so observations in the field can be incorporated into either regulation or statute. A dedicated grant program might help with the costs of infrastructure build out for the stations. It is unclear if 3rd parties will find the inspection and decontamination station business worth engaging in. It is also unclear that it is necessary to put into the bill a trigger to phase-out the inspection and decontamination station in the future. There could be a trigger to evaluate whether a phase-out is needed at a future date.

Public outreach and education. The bill includes multiple references to educational materials. Addressing golden mussel infestation will take a substantial and sustained public outreach effort by CDFW, water supply operators, and others beyond the recreational motorized boating community to those that occasionally engage in water sports in the state's nonmarine waters. For example, volunteers are trained to engage with paddle boarders and others on Lake Tahoe's beaches about the risk of invasive mussel species transmission.

Lake Oroville. DWR recently announced that Lake Oroville would not screen for golden mussels. According to a study they commissioned, the depths of Lake Oroville are too cold for golden mussels to live in. They anticipate that the golden mussels will live in the warmer waters near the surface, and will be exposed along the shoreline when the water depth declines and die.

Underfunded and overmandated. CDFW has longstanding budget concerns which have persisted despite repeated efforts over multiple decades to address them. When the state has significant fiscal concerns – as it does now – ensuring consistent and sustained funding for CDFW is particularly challenging. Recently, at legislative direction, CDFW undertook a “service-based” budgeting effort to identify the personnel needed to perform the services required by its mandates. CDFW's services were separated into eight general programs for analysis. In 2021, the initial results of this effort were released and revealed that CDFW's funding was inadequate to meet its “mission” service level. Most of the programs were funded at about one-third of the level necessary. The Newsom Administration proposed, and the Legislature approved, significant one-time General Fund moneys to support CDFW's activities in the near-term. Some progress in addressing the gaps in service were subsequently made, although this was offset, at least in part, by new duties.

Unfortunately, a recent update (for fiscal year 2024/2025) shows that most programs have not received a substantial change in funding. While addressing the presence and spread of golden mussels in the state is clearly a CDFW priority, this effort will require additional funding.

Recent related legislation

AB 2032 (Ransom, 2026) would exempt a public or private agency that operates a water supply system from certain CDFW permitting requirements until an invasive mussel control plan is submitted, approved, or denied, as applicable; require at least

quarterly updating of an online map of golden mussel observations by CDFW; and require the California Department of Food and Agriculture and the State Water Resources Control Board to quickly and efficiently respond to the threat of golden mussels, among other provisions, as provided. (*This bill is pending before this Committee.*)

AB 2787 (Assembly Water, Parks, and Wildlife Committee, 2026) among other things, provides that a person who operates a Nevada-registered vessel on the waters of Lake Tahoe or Topaz Lake shall not be cited for operation of a vessel without a valid state-issued invasive mussel sticker, provided that Nevada has a program in effect for the management of aquatic invasive species. (*This bill is pending before this Committee.*)

AB 1894 (B. Rubio, 2026) would prevent a public agency from prohibiting imported water deliveries for groundwater replenishment due to invasive mussels unless there is substantial, documented evidence of a proven health and safety risk as a result of the invasive mussels. (*This bill is pending before the Senate Appropriations Committee.*)

AB 149 (Assembly Budget Committee, Chapter 106, Statutes of 2025), among other things, expanded statute and programs from “dreissenid mussels” to “invasive mussels,” establishes a requirement for CDFW to review and approve updated invasive mussel control plans, and increased the invasive mussel fee.

AB 1150 (Assembly Water, Parks, and Wildlife Committee, Chapter 831, Statutes of 2023), among other things, distinguished that the issuance and collection of the quagga and zebra mussel infestation and prevention fee from the biennial registration renewal.

AB 2443 (Williams, Chapter 485, Statutes of 2012), establishes the quagga and zebra mussel infestation prevention program, which required payment of the invasive mussel fee on vessels and permitted the use of the funds for, among other things, a grant program.

AB 1929 (Hall, Chapter 152, Statutes of 2010) determines that a water operator is indemnified from the penalty of possessing and transporting a restricted species, if the water operator is in compliance with an approved control plan.

AB 2065 (Hancock, Chapter 667, Statutes of 2008) requires reservoir managers to undertake certain measures to prevent invasive mussel infestation in reservoirs in which invasives mussels have not been detected.

AB 1683 (Wolk, Chapter 419, Statutes of 2007) prohibits a person to possess, import, ship, or transport in the state, or place, plant, or cause to be placed or planted in any water within the state, dreissenid mussels, unless authorized by CDFW. Additionally, authorizes the Director of CDFW, or the Director’s designee, to conduct inspections of conveyances (e.g., vehicles and boats), order that the conveyance be drained, dried, or decontaminated, impound or quarantine conveyances, and conduct inspections of waters of the state and facilities that may contain invasive mussels. Further, requires water operators to implement measures to avoid dreissenid mussel infestation and develop a control plan upon infestation, among other things.

Committee amendments and the legislative calendar. As noted above, this bill is double referred to this Committee and the Senate Judiciary Committee. Due to the time necessary to process committee amendments, any amendments committed to by the author in this Committee, will be formally taken in the Senate Judiciary Committee in order to ensure that the Senate Judiciary Committee gains possession of the bill in a timely manner.

SUGGESTED AMENDMENTS

AMENDMENT 1

Add proposed FGC §2301.1(g):

(g) The operator of a water supply system with an approved control plan pursuant to section 2301 and who operates or contracts for the operation of their own inspection and decontamination stations for their own water supply system may choose to continue to use the inspection and decontamination stations dedicated to their water supply system upon notification to the department. The operators shall provide to the department documentation of the inspection, decontamination and other relevant processes and procedures used to prevent the introduction of invasive mussel species to their water supply system.

AMENDMENT 2

Add to the end of proposed FGC §2301.7(a): "Participation by a public or private agency in any reciprocity agreement is voluntary."

AMENDMENT 3

Add proposed FGC §2301.6(f):

(f) Data gathered by the WID Data Sharing System or its equivalent shall be used solely for the purposes of the prevention of invasive mussel species infestations of the state's waterbodies and shall not be sold, bartered, or provided to other public or private parties, or used in any other way for any other purpose.

SUPPORT

Association of California Water Agencies (if amended)

County of San Joaquin

County of Siskiyou

Filoli

National Marine Manufacturers Association

SePRO Corporation

South San Joaquin Irrigation District

Upper San Gabriel Valley Municipal Water District

Valley Ag Water Coalition

OPPOSITION

Boat Owners Association of the United States (unless amended)

Recreational Boaters of California (unless amended)

-- END --