

SENATE JUDICIARY COMMITTEE
Senator Thomas Umberg, Chair
2025-2026 Regular Session

AB 1772 (Papan)
Version: June 25, 2026
Hearing Date: June 30, 2026
Fiscal: Yes
Urgency: No
AM

SUBJECT

Fish and wildlife: invasive species: invasive mussels

DIGEST

This bill establishes standards and licensing for a statewide network of recreational vessel inspection and decontamination stations manned by trained inspectors to prevent the spread of invasive mussels, as provided. The bill establishes the use of a recreational vessel tracking system, and a new biannual nonmotorized recreational vessel invasive mussel infestation prevention fee to help fund invasive mussel prevention efforts, as provided.

EXECUTIVE SUMMARY

Since 2007, California has been working to control and eradicate two species of invasive, freshwater mussels in state waters – the quagga and zebra (dreissenid) mussels – due to their ability to impede the operations of water supply infrastructure. Existing law makes the zebra mussel a restricted species, which prohibits a person from possessing, importing, shipping, transporting, or introducing such a mussel into any water within the state, unless authorized by the California Department of Fish and Wildlife (CDFW) through a restricted species permit. Water managers are required to work with CDFW to develop protocols to prevent infestation and control plans to prevent the spread of the invasive mussels should the water system become infested. Last year, the Legislature expanded existing law to include any invasive mussel, including the golden mussel. (AB 149 (Committee on Budget, Ch. 106, Stats. 2025.))

The bill is author-sponsored and supported by the County of San Joaquin, the National Marine Manufacturers Association, the Sepro Corporation, and the Upper San Gabriel Valley Municipal Water District. The bill is opposed by Boat Owners Association U.S. and Recreational Boaters of California. The bill passed the Senate Natural Resources and Water Committee with a vote of 6 to 0.

PROPOSED CHANGES TO THE LAW

Existing law:

- 1) Prohibits, until January 1, 2030, 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. (Fish & G. Code § 2301(a).)¹
- 2) Provides the Director of CDFW, or a designee of the Director, the authority to conduct inspections of conveyances (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. (*Ibid.*)
- 3) 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. (*Id.* at subd. (d).)
- 4) Requires an entity that discovers invasive mussels within this state to immediately report the discovery to CDFW. (*Id.* at subd. (e).)
- 5) Establishes an administrative penalty for any violation of these requirements not to exceed \$1,000. (*Id.* at subd. (f).)
- 6) Provides that CDFW and any other state agency exercising authority under these requirements with regard to any determination or authorization made pursuant to this section is not liable with regard to any determination or authorization made pursuant to Section 818.4 of the Government Claims Act. (*Id.* at subd. (h).)
- 7) 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. (§ 2302(a).)
- 8) 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)

¹ All further references are to the Fish and Game Code unless specified otherwise.

This bill:

- 1) Requires that 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) Provides that CDFW has the sole authority for developing and implementing the program
 - b) Provides that CDFW and any other state agency exercising authority under the program is not liable with regard to any determination or authorization made pursuant to the program consistent with the immunity granted under the Government Claims Act, provided CDFW adhered to all standards, procedures, and regulations promulgated by CDFW.
- 2) Authorizes 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. Requires the certificate to contain certain information such as any decontamination performed and the time and place of the inspection, as provided.
- 3) On or before January 1, 2028, requires 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.
- 4) Requires 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) Requires an inspection and decontamination station to enter each inspected, decontaminated, or quarantined conveyance into the WID Data Sharing System.
 - b) Requires the manager of a state waterbody with a staffed launch point to register each launching conveyance into the WID Data Sharing System.
 - c) Requires 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. Requires CDFW to encourage the use of the WID Data Sharing System across the state.
 - d) Provides that data gathered by the WID Data Sharing System or its equivalents 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.

COMMENTS

1. Author statement

The author writes:

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.

2. Background

The Senate Natural Resources and Water Committee analysis of this bill provides a detailed background of the golden mussel, why it is an invasive species, and the potential harm it can cause to the states waterways. That committee's analysis states:

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. 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 dollars are being spent to stop the mussels.” 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. 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. The state mussel infestation fee assessed from recreational motor boaters in freshwater increased to \$16 annually. Lake County 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, that can also be a vector for the transport of mussels between waterbodies. [...]²

3. This bill establishes an inspection and decontamination program for boats to address invasive species and specifies that CDFW is not liable for exercising authority under the program pursuant to the Government Claims Act

The bill establishes an inspection and decontamination program for vessels and conveyances for aquatic invasive species in the state to be performed in accordance with uniform standards and procedures adopted by CDFW. Under the bill, CDFW and any other state agency exercising authority under the program is not liable with regard to any determination or authorization made pursuant to the program consistent with the immunity granted under the Government Claims Act, provided CDFW adhered to all

² Sen. Nat. Res. & Wat. Comm. analysis of AB 1772 (2025-26 reg. sess. as amended June 15, 2026, at p.2.

standards, procedures, and regulations promulgated by CDFW. The Government Claims Act provides that a public entity is not liable for an injury caused by the issuance, denial, suspension or revocation of, or by the failure or refusal to issue, deny, suspend, or revoke, any permit, license, certificate, approval, order, or similar authorization where the public entity or an employee of the public entity is authorized to determine whether or not such authorization should be issued, denied, suspended or revoked. (Gov. Code § 818.4.) This immunity is intended to protect public employees for liability when making discretionary decisions. Arguably, the provisions of the Government Claim Act would apply, regardless of whether this bill specifically stated it did.

The bill also provides that the data gathered by the WID Data Sharing System is to be used solely for purposes of prevention and is not to be sold, bartered, or provided to other parties for any other purpose. This language acts as a limitation on the access to public records under the California Public Records Act. The bill states it is necessary to protect this sensitive information to ensure the data is used solely for the prevention of invasive mussel species infestation. In light of the sensitive information contained in the database and need to protect Califronai's waterways, this limitation on access to public records seems warranted.

4. Stakeholder statements

The Upper San Gabriel Municipal Water District writes in support stating:

AB 1772 strengthens California's efforts to prevent the spread of invasive mussel species by creating a statewide inspection, decontamination, tracking, and certification program for watercrafts. The bill authorizes the Department of Fish and Wildlife to require drying periods, inspections, quarantines, and decontamination of vessels moving between waterbodies and establishes a statewide database to track vessel movements.

The bill also imposes a new \$20 biennial invasive mussel prevention fee on nonmotorized vessels, requires a state-issued sticker for those vessels, and uses the revenue to fund invasive mussel prevention, inspection, and education programs throughout California.

This commonsense legislation addresses the challenges facing recreational boating and water management communities in the prevention and decontamination of invasive mussels, while also identifying and implementing alternative and equitable funding sources. to address public safety concerns affecting those who coexist with listed species.

The Association of California Water Agencies (ACWA), writes in support if amended stating:

Firstly, while we appreciate the intent and rationale of having uniform standards and procedures for inspection and decontamination of conveyances in the state, ACWA strongly believes that water managers need autonomy to impose localized standards and procedures to accurately prevent the introduction of golden mussels into their water bodies. Different water bodies face different risk levels where golden mussels are concerned, including physical hydrology and water quality, proximity to the Sacramento-San Joaquin River Delta, infrastructure and equipment, and more. Water managers across California are undertaking various efforts, including inspecting, decontaminating, and/or quarantining watercraft, in addition to conducting monitoring and public outreach, to prevent the introduction of golden mussels into their waters. Providing water managers with the flexibility to fine-tune prevention efforts in ways that make sense for their water bodies and water systems is critical. As such, we respectfully request that the bill be amended to explicitly clarify that nothing in the bill prohibits a local agency or owner or operator of a waterbody or reservoir from conducting prevention measures, including but not limited to inspection and decontamination conveyances, that are more stringent than the standards and procedures established by CDFW.

Secondly, ACWA strongly believes that public water agencies should have the flexibility to opt-in to a statewide program. As mentioned above, when determining what prevention efforts to apply, a water manager begins by evaluating the individual water body's unique level of risk. Some water managers may be comfortable with uniform standards for decontamination and allowing watercraft to launch in their waters if decontaminated by a licensed third-party business. To these managers, the statewide program could be incredibly helpful, allowing them to direct staff time and resources to other priorities. However, other water managers may not be as confident in the system, especially within its early years of implementation. [...]

[A] statewide program that imposes a one-size-fits-all approach and that does not provide the requisite time to develop confidence in the system could result in water managers further restricting or closing water bodies to recreational opportunities. Ensuring that water managers can opt in to a statewide program, instead of requiring them to participate, will be crucial to its success.

Boat Owners Association U.S. and the Recreational Boaters of California write in opposition unless amended:

Our organizations have been engaged in a collaborative process as AB 1772 has moved through the Assembly as an acknowledged work in progress. Today we

received confirmation of the amendments the author will be making to the bill for consideration in the Senate Committee on Natural Resources and Water.

These amendments do not address several key issues that are critical to the recreational boat-ing community and present concerns as well. The issues and concerns are of such significance that we have adopted a position in opposition to the measure unless it is amended to resolve them. We would support the bill if it were to be so amended.

It is important to recognize that the Department of Fish and Wildlife [DFW] is already engaged and is leading the effort to develop a uniform standard and procedures for decontaminating conveyances, even without the enactment of AB 1772. The legislation adds a comprehensive inspection and decontamination program and imposes an additional invasive mussel infestation prevention fee of \$20 per nonmotorized vessel every 2 years.

They seek amendments to address several issues including, among others: imposing financial responsibility on parties responsible for introduction of invasive species by commercial vessels, ensuring reciprocity between bodies of water, providing for termination of the program, the ability to refuse to submit to decontamination or quarantine and be able to depart the location, and require entities that receive funding to implement an invasive mussel prevention and inspection program.

SUPPORT

County of San Joaquin
National Marine Manufacturers Association
Sepro Corporation
Upper San Gabriel Valley Municipal Water District

OPPOSITION

Boat Owners Association U.S.
Recreational Boaters of California

PRIOR VOTES

Senate Natural Resources and Water Committee (Ayes 6, Noes 0)

Assembly Floor (Ayes 79, Noes 0)

Assembly Appropriations Committee (Ayes 15, Noes 0)

Assembly Water, Parks and Wildlife Committee (Ayes 12, Noes 0)
