

Date of Hearing: April 14, 2026

ASSEMBLY COMMITTEE ON WATER, PARKS, AND WILDLIFE

Diane Papan, Chair

AB 1894 (Blanca Rubio) – As Amended March 16, 2026

SUBJECT: Fish and wildlife: invasive mussels

SUMMARY: Declares that the state shall retain exclusive authority to regulate invasive mussels. Specifically, **this bill**:

- 1) Finds and declares that the regulation, control, management, and prevention of the introduction, possession, spread, or eradication of invasive mussels, including, but not limited to, *Dreissena rostriformis bugensis*, commonly known as quagga mussels, *Dreissena polymorpha*, commonly known as zebra mussels, and *Limnoperna fortunei*, commonly known as golden mussels, is a matter of statewide concern.
- 2) Notwithstanding any other law, declares that the state shall retain exclusive authority to regulate invasive mussels.
- 3) Prohibits a city, county, district, or other local agency from adopting, enforcing, or implementing any ordinance, rule, regulation, policy, or other declaratory action pertaining to invasive mussels unless expressly authorized by state law.
- 4) Preempts and prevents from having force or effect any local ordinance, rule, or regulation that conflicts with this prohibition.
- 5) Clarifies that this prohibition does not preclude local agencies from cooperating with, or implementing measures required by, the California Department of Fish and Wildlife (CDFW) or other state agencies pursuant to state-approved invasive mussel prevention or control programs.
- 6) Finds and declares that Section 1 of this bill addresses a matter of statewide concern rather than a municipal affair as that term is used in Section 5 of Article XI of the California Constitution. Therefore, this bill applies to all cities and counties, including charter cities and charter counties.

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, unless authorized by CDFW.
 - 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), the Department of Food and

Agriculture (CDFA), and the State Lands Commission, may exercise those authorities as well.

- b) Exempts from the California Environmental Quality Act (CEQA), any action in Existing Law #1, above, but does not exempt from CEQA the use of chemicals, other than salt or hot water, to decontaminate a conveyance or facility.
- c) 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 larval mussels;
 - 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.
- d) 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 in accordance with Existing Law #1 (b), the restrictions of Existing Law #1, above, do not apply to the operation of those water delivery and storage facilities, and 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. 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.
- e) 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.
- f) 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.

- g) Requires an entity that discovers invasive mussels within this state to immediately report the discovery to CDFW.
 - h) Establishes an additional penalty for any violation of Existing Law #1 with a penalty not to exceed \$1,000.
 - i) Allows CDFW to adopt regulations to carry out the restrictions in Existing Law #1.
 - j) Indemnifies CDFW and any other state agency exercising authority under Existing Law #1 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 Existing Law #2, above. 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) 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, in cooperation with CDFA (FGC § 2116 *et seq.*; 14 California Code of Regulations 14 § 671 *et seq.*).

- 5) Provides civil and criminal penalties for violations of invasive mussel restrictions and any permit conditions (FGC §§ 2125 and 12000).

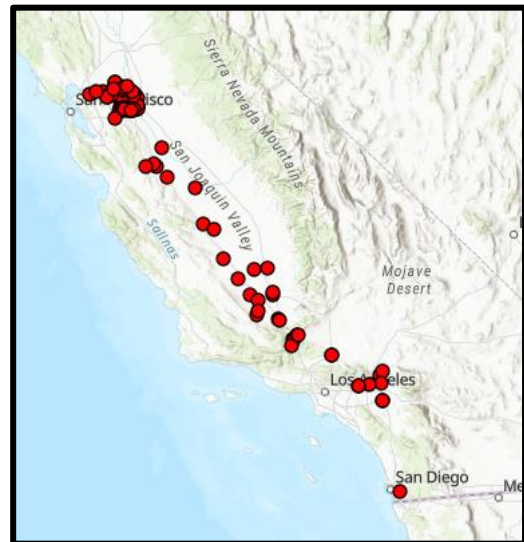
FISCAL EFFECT: Unknown. This bill is keyed fiscal.

COMMENTS:

- 1) **Purpose of this bill.** According to the author, “Right now, water agencies in Los Angeles County are being blocked from delivering imported water needed to replenish groundwater despite complying with state law and developing approved plans to address invasive mussels. These disruptions undermine the court-ordered management of the Main San Gabriel Groundwater Basin and threaten the primary drinking water source for more than 1.5 million residents, many in disadvantaged communities.

[This bill] ensures that critical water decisions affecting the entire state are made consistently at the state level and not through a patchwork of conflicting local rules. By aligning policy with science and existing law, this bill protects our water supply, supports emergency response needs, and upholds California’s commitment to the human right to water while prioritizing strategies to mitigate the threats of the invasive golden mussel.”

- 2) **Background.** On October 17, 2024, 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 the rivers and creeks of 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 Fish and Game Commission quickly took emergency action to add “*Limnoperna fortunei* (golden mussel)” to the list of restricted species (species that cannot be imported, transported, or possessed within the state, except by a restricted species permit). Since then, the golden mussel has been detected throughout the Delta and the State Water Project.



Golden mussel detection map as of April 2026

The presence of the species 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 loss of native and game fish through competition for food sources as well as a contribution to harmful algal blooms. 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. Recreational impacts of this mussel include waterbody closures, mandatory 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, water delivery to homes, and flood control. According to the Administration's budget change proposal regarding golden mussels, "if allowed to spread further, golden mussel will affect every household in California, and every sector of our economy."

Invasive mussel legislative history. Since 2007, California has been working to control and eradicate two other species of invasive, freshwater mussels in state waters: quagga and zebra (dreissenid) mussels. In response to dreissenid mussel infestation, the Legislature has passed a series of bills that established the dreissenid mussels as restricted species, granted CDFW with authorities to inspect, order treatment, and quarantine water vessels. Since dreissenid mussels are restricted species, a person is prohibited from possessing, importing, shipping, transporting or introducing the dreissenid mussels in any water within the state, unless authorized by CDFW through a restricted species permit.

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.

Several years later, the Legislature established the Quagga and Zebra Mussel Infestation Program. Under the current program, an additional fee is charged to motorized boats in the state since motor boat recreation is thought to be the most likely cause of over-land aquatic invasive species spreading. Revenues from the fee are primarily used for grants distributed by DBW. The next round of grants for the program are currently open, and DBW expects to distribute up to \$2 million dollars. The grants are available to entities that own or manage any aspect of water in a reservoir that is open for public recreation and is mussel-free. The funds must be used for prevention projects, such as planning, watercraft inspection stations and inspectors, launch monitors, watercraft decontamination units, educational signage, and outreach.

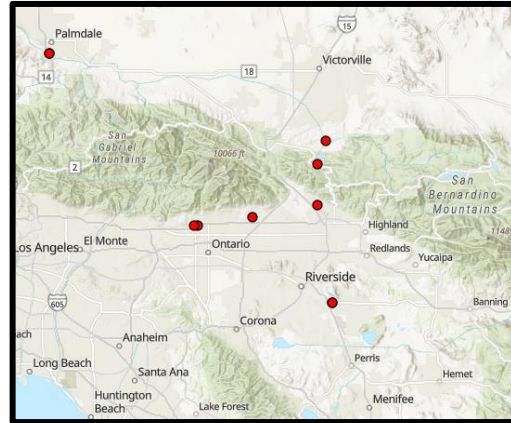
Until last year, statute, and therefore state programming, was specific to quagga and zebra mussels. In AB 149 (see Related Legislation, below), the dreissenid mussel programs and authorities were expanded to include any invasive mussel, which includes the golden mussel.

Don't move a mussel. Golden mussels have proven to be much more difficult for the state and water managers to control. Golden mussels have high reproductive rates and form dense colonies. This mass colonization of surfaces (termed "biofouling") blocks, impairs, and, in many cases, inhibits the functionality of manmade surfaces including underwater intakes, structures, and mechanisms. 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. In addition, mass colonies of golden mussels alter ecological processes of the natural environment resulting in detrimental impacts to native and game species and water quality. Nearly every fresh and brackish waterbody in California is suitable for golden mussel to establish. Indeed, this Committee has heard of countless examples of the issues golden mussel infestation has been causing for water infrastructure and the

recreational boating industry. Even the fear of infestation has resulted in water operators heavily restricting, or even prohibiting, water access for public recreation.

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.

Los Angeles County (County) muscling out golden mussels. In 2025, the County, fearing mussel infestation from imported water, prohibited water imports from infested waters, prioritizing protection of infrastructure over groundwater recharge. As a result, several agencies within the County are currently unable to recharge groundwater with imported water from the State Water Project to replenish groundwater supplies. However, the disruption of groundwater recharge will likely put strain on local agencies and the communities they serve.



Los Angeles County Department of Public Works and Los Angeles County Flood Control District (LACFCD) own and operate spreading basins onto which the County spreads water, including stormwater. Imported water for groundwater replenishment is delivered through the flood control channels and diverted and spread at spreading grounds through agreements between water agencies and the County. A couple of example agreements with LACFCD were provided to the Committee. It is unclear to the Committee if other agreements contain similar language; however, within these agreements, LACFCD retains its discretion to “allow, disallow, or restrict the spreading of imported water at the spreading grounds,” upon receiving a written request. The agreements also include the following provisions:

“[LACFCD] shall have full power and authority, at its sole and absolute discretion, to withdraw, modify, or revoke any permission granted in response to a written request when, in [LACFCD’s] sole opinion, the spreading [...] cannot or should not be performed due to [LACFCD’s] operational and/or maintenance concerns, problems, or difficulties.”

“[LACFCD] reserves the right to prohibit or to terminate the spreading of imported water at any time, without prior notice, in connection with any emergency that may exist.”

“[The entity conducting the spreading] shall be responsible for and shall fully compensate and reimburse [LACFCD] immediately upon request in connection with any damage to [LACFCD’s] property or facilities caused directly or indirectly by the replenishment connection or any water flowing therefrom.”

“[LACFCD] reserves the right to cease the spreading of supplemental water at any time [...] if, in the judgment of [LACFCD], such action shall be warranted by, and in connection with any emergency condition.”

Each agreement also contains language regarding LACFCD’s responsibility for the facilities, either: (1) requiring the water spreading entity to fully compensate and reimburse LACFCD for any damage caused, or (2) clarifying that there is no obligation for LACFCD to spend funds for the operations and maintenance of existing facilities. Both agreements reviewed by the Committee contain indemnification clauses protecting both LACFCD and the spreading entity.

According to the author’s office, the imported water deliveries of Burbank Water and Power were suspended on May 14, 2025 due to the presence of quagga mussels in the imported water system. Burbank Water and Power has an approved quagga control plan. The San Gabriel Valley agencies’ imported water deliveries were suspended on September 24, 2025, due to County concerns of golden mussel infesting the Santa Fe Spreading Basins and San Gabriel Canyon Spreading Grounds. These water agencies are in the process of finalizing a golden mussel control plan to submit to CDFW. Additionally, the San Gabriel Groundwater Basin is governed by a court-mandated Physical Solution under the 1973 Main San Gabriel Judgment, which expressly relies on the continued delivery of imported water to offset native overdraft and maintain basin sustainability. Imported water is not discretionary; it is a foundational element of the Physical Solution adopted by the Court to protect groundwater reliability, prevent further overdraft, and ensure long-term basin management.

On March 24, 2026, the County claims to have “officially lifted its prohibition to allow for the gradual reintroduction of imported water to support groundwater recharge operations in the San Gabriel and San Fernando Valleys” with additional monitoring and interim safeguards. Sponsors of this measure indicate that this has not been the case in practice, but negotiations and agreements for pilot projects are underway between some water agencies and the County to treat water for golden mussels before water is moved through infrastructure to the spreading grounds. There is still concern among water agencies that spreading will be prohibited in the future and agencies are currently developing additional agreements or language to clarify how spreading would be conducted under the risk of invasive mussels.

- 3) **Proposed committee amendments.** This bill highlights the tension between the water needs of the state and the risk and expense of potential golden mussel infestation. As drafted, this bill creates broad exemptions from local authorities unless that authority is granted in state law. *The Committee may wish for the author to narrow the bill to remove undirected limitations on local authority, with the following amendments:*

2302.5. (a) The Legislature finds and declares that the regulation, control, management, and ~~prevention of the introduction, possession, spread, or~~ eradication of invasive mussels, including, but not limited to, *Dreissena rostriformis bugensis*, commonly known as quagga mussels, *Dreissena polymorpha*, commonly known as zebra mussels, and *Limnoperna fortunei*, commonly known as golden mussels, is a matter of statewide concern.

~~(b) (1) Notwithstanding any other law, the state shall retain exclusive authority to regulate invasive mussels.~~

~~(2) A city, county, district, or other local agency shall not adopt, enforce, or implement any ordinance, rule, regulation, policy, or other declaratory action pertaining to invasive mussels unless expressly authorized by state law.~~

~~(c) A local ordinance, rule, or regulation that conflicts with this section is preempted and has no force or effect.~~

~~(d) This section does not preclude local agencies from cooperating with, or implementing measures required by, the department or other state agencies pursuant to state approved invasive mussel prevention or control programs.~~

(b) The imported water deliveries for groundwater replenishment shall not be prohibited by a public agency, due to invasive mussels, unless there is substantial, documented evidence of a proven health and safety risk as a result of invasive mussels.

(c) For purposes of this section, “imported water deliveries for groundwater replenishment” means deliveries of water imported from outside a region's local watershed or natural boundary, primarily originating from the State Water Project, the Colorado River, or the Eastern Sierra, where the water is to be used, including but not limited to surface water conveyed by aqueduct, canal, pipeline, or other conveyance, that are used for managed aquifer recharge, groundwater injection, spreading, percolation, or other activities intended to replenish groundwater supplies.

- 4) **Arguments in support.** A coalition of southern California water agencies write in support of this bill. They note that “water agencies and communities throughout Los Angeles County rely on the combination of imported and local water supplies. Some agencies, including Burbank Water and Power, are 100% reliant on imported water deliveries.” They fear that interruptions for water deliveries could jeopardize “basin stability and drinking water reliability for over 1.5 million residents in the San Gabriel region, of which, approximately 60% are identified as disadvantaged communities.” They believe this bill “would assist with ending the prolonged interruption of imported supplies and establish clarification of the adherence of state law and regulatory guidelines when it comes to the preventing, controlling, and eradicating of the newly immersed invasive golden mussel, along with other invasive species.”
- 5) **Arguments in opposition.** Both Valley Ag Water Coalition (VAWC) and the Solano County Board of Supervisors, express an oppose unless amended position. VAWC acknowledge the challenges the sponsors of the bill are facing: “Absent the ability to import State Water Project supplies for recharge, basin producers could be forced to significantly reduce groundwater pumping or seek alternative and potentially more costly recharge options.” However, both argue that the broad language in the bill would usurp local control. VAWC further notes that this bill would likely create impractical and burdensome constraints for even routine operation decisions, unless those actions are expressly authorized in state law. VAWC writes “Local agencies are often best positioned to respond quickly and effectively to invasive species threats based on regional conditions, infrastructure vulnerabilities, and water

supply needs. [This bill's] broad preemption of local authority would undermine that ability and could ultimately increase risks to water supply reliability rather than reduce them.”

- 6) **Related legislation.** AB 1772 (Papan) of the current legislative session requires CDFW, in consultation with State Parks and CDFW, to develop a voluntary framework to prevent the overland spread of invasive mussels through the conveyance of watercraft overland. AB 1772 is also set for hearing in this Committee.

AB 2032 (Ransom) of the current legislative session establishes exemptions for restricted species permits and scientific collection permits, for water operators with respect to golden mussels. Additionally, requires CDFW to develop and adopt best management practices for water operators to control the spread of golden mussels. Further, requires CDFW and the State and Regional Water Control Boards to expedite the evaluation of pesticides and any national pollutant discharge elimination system permits, respectively. AB 2032 is also set for hearing in this Committee.

AB 2787 (Committee on Water, Parks, and Wildlife) of the current legislative session, 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. AB 2787 is also set for hearing in this Committee.

AB 149 (Committee on Budget), 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 (Committee on Water, Parks, and Wildlife), 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 measure 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, required water operators to implement measure to avoid dreissenid mussel infestation and develop a control plan upon infestation, among other things.

REGISTERED SUPPORT / OPPOSITION:

Support

Azusa Light and Water
San Gabriel Valley Municipal Water District
San Gabriel Valley Water Association
Three Valleys Municipal Water District
Upper San Gabriel Valley Municipal Water District

Opposition

Solano County Board of Supervisors
Valley Ag Water Coalition

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