

## ASSEMBLY THIRD READING

AB 2032 (Ransom)

As Amended May 18, 2026

2/3 vote. Urgency

**SUMMARY**

Requires the California Department of Fish and Wildlife (CDFW), Department of Pesticide Regulation (DPR), the State Water Resources Control Board (State Water Board), and the Regional Water Quality Control Boards (Regional Water Boards) to take specified actions to more quickly and efficiently respond to invasive golden mussels.

**Major Provisions**

- 1) Exempts any public or private agency that operates a water supply system (water manager) and has submitted a control plan to CDFW, from restricted species permits (RSPs) for maintenance and operational activities unless CDFW determines the agency's control plan does not meet the statutory requirements for control plans or approves the control plan.
- 2) Requires CDFW's Invasive Species Program to develop, by April 1, 2027, guidance for water managers to develop effective control plans and guidance for scientific research conducted by or for water managers to control the spread of golden mussels.
- 3) Authorizes water managers that do not have an approved control plan to submit to CDFW a streamlined project proposal for scientific research that investigates golden mussel prevention, mitigation, control, and eradication methods. Exempts this scientific research from CDFW's scientific collecting permits and RSPs for golden mussels, and terminates this exemption upon the agency's submission of a control plan.
- 4) Requires CDFW to update the spatial distribution maps of golden mussel-infested water bodies posted on its website no less than quarterly based on monitoring and reported detections, as specified.
- 5) Requires DPR, State Water Board, and the Regional Water Boards, in response to an invasive species threat, to:
  - a) Work with state and local agencies to quickly and efficiently respond to the threat;
  - b) Identify any tools available to assist a state or local agency in rapidly responding to the invasive species threat; and
  - c) Help identify any existing processes that allow for the rapid use of any tool that could be used to address the invasive species threat and enables a streamlined or faster administrative or procedural process.
- 6) Requires the State Water Board, if necessary, to help coordinate efforts between the Regional Water Boards in response to a threat of an invasive species.

## COMMENTS

On October 17, 2024, Department of Water Resources 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 RSP). Since then, the golden mussel has been detected throughout the Delta and the State Water Project. 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.

CDFW and the Commission maintain a list of species that are unlawful to import, transport, or possess except through a RSP [14 California Code of Regulations (CCR) Section 671. CDFW is authorized to issue permits for the take or possession of wildlife, including mammals, birds (and their nests and eggs), reptiles, amphibians, fish, certain plants and invertebrates for scientific, educational, and propagation purposes, through a scientific collecting permit (14 CCR Section 650). Considering the nuance, novelty, and uniqueness of every water manager's system and goals for the permits, it is difficult to provide hard-and-fast rules on which, if either, of these permits are needed for water managers coping with golden mussel infestation.

As noted above, water managers receive liability protection from the restricted species standards for golden mussel upon CDFW's approval of their control plan. According to regulations, this liability protection currently only extends to the passive possession of the invasive mussels and the handling of mussels for monitoring purposes. It is not unlikely that water managers are, by necessity, having to perform activities that may require an RSP and are not currently protected under the liability coverages of an approved control plan. This likely stems from several core issues.

First, very few water managers have updated their control plans to include golden mussels. Possession of an updated and approved control plan is what grants liability protection, so without approved control plans, a water manager is exposed. According to CDFW, only two control plans have been updated or newly generated to include golden mussels and those control plans are currently under review. Sponsors indicate that the lack of guidance on how to produce a control plan has prevented them from submitting, or even developing, a control plan. CDFW is currently working on guidelines for control plans, which it estimates will be available in a matter of months.

Second, current regulations were drafted to reflect the hazards of quagga and zebra mussels, which are not as aggressive as golden mussels. As such, currently, regulation does not afford restricted species liability protections for certain activities, like operations and maintenance. CDFW has expressed that it is currently working to update regulations to reflect recent authority expansions in AB 149 (Committee on Budget, Chapter 106, Statutes of 2025) and expand the liability coverage to additional activities necessary to effectively manage a water system.

Finally, there is stress among water agencies that they are not protected from restricted species violations until they have an approved control plan. This is true. That lack of protections without

an approved control plan, however, is intended to encourage water agencies to submit control plans quickly so that they could enjoy those protections. CDFW does appear to understand that no water agency intentionally possessed golden mussels and has not, to date, penalized a water agency under restricted species authorities.

### **According to the Author**

"Current law requires a multitude of permits across state agencies, creating barriers for local water agencies to respond quickly and effectively [to the threat of golden mussels]. This ongoing crisis must be addressed with urgency. [This bill] would expedite onerous and lengthy permitting processes across state agencies to ensure local water agencies can effectively respond to prevent, mitigate, control, and eradicate golden mussels from California's waterways."

### **Arguments in Support**

San Luis & Delta-Mendota Water Authority and Contra Costa Water District write as co-sponsors of this measure. They note that water agencies must remove mussels from pipes, screens, filters, and related infrastructure to preserve system reliability. They believe this bill will provide needed "flexibility to conduct pilot studies and feasibility research on prevention, mitigation, and in-system eradication methods. Streamlined project review, exemption from duplicative permit requirements, and practical handling guidance for scientific work will accelerate development of effective response strategies while minimizing environmental risk."

### **Arguments in Opposition**

None on file.

## **FISCAL COMMENTS**

According to the Assembly Appropriations Committee, this bill has the following fiscal impact:

- 1) CDFW estimates ongoing annual General Fund costs of about \$224,000 for one new position to develop the required guidance and update its spatial distribution maps quarterly but notes this estimate is contingent on the passage of its budget change proposal, submitted as part of the Governor's fiscal year (FY) 2026-27 budget, requesting eight permanent positions to increase CDFW's capacity to prevent the spread of golden mussels from infested waters. The administration intends to fund these positions for three years from \$20 million appropriated to CDFW in the 2025 Budget Act.
- 2) DPR contends the specifics and scope of work required of DPR under the bill is unclear; therefore, DPR estimates its ongoing annual General Fund costs may range from minor and absorbable to the low hundreds of thousands of dollars.
- 3) The State Water Board and Regional Water Boards anticipate minor and absorbable costs and note the boards are actively engaging on this issue via the draft "Statewide National Pollutant Discharge Elimination System General Permit for Discharges from Pest Control Applications to Waters of the United States," which provides regulatory coverage for the point source discharge of chemical and biological residual pesticides and other non-pesticidal products to waters of the United States from aquatic animal invasive species control applications.

The Legislative Analyst's Office recently warned of General Fund structural deficits of around \$35 billion per year in the 2027-28 fiscal year and ongoing.

## VOTES

**ASM ENVIRONMENTAL SAFETY AND TOXIC MATERIALS: 7-0-0**

**YES:** Connolly, Ellis, Bauer-Kahan, Castillo, Lee, McKinnor, Papan

**ASM WATER, PARKS, AND WILDLIFE: 13-0-0**

**YES:** Papan, Jeff Gonzalez, Alanis, Alvarez, Ávila Farías, Bains, Bennett, Boerner, Caloza, Gallagher, Hart, Muratsuchi, Rogers

**ASM APPROPRIATIONS: 11-0-4**

**YES:** Wicks, Aguiar-Curry, Calderon, Caloza, Fong, Mark González, Krell, Pacheco, Pellerin, Sharp-Collins, Solache

**ABS, ABST OR NV:** Hoover, Dixon, Ta, Tangipa

## UPDATED

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