
SENATE COMMITTEE ON NATURAL RESOURCES AND WATER

Senator Josh Becker, Chair

2025 - 2026 Regular

Bill No:	AB 53	Hearing Date:	July 1, 2026
Author:	Ramos		
Version:	June 11, 2026 Amended		
Urgency:	No	Fiscal:	Yes
Consultant:	Katharine Moore		

Subject: Native American tribes: fish and wildlife: conservation and mitigation lands

SUMMARY

This bill would make federally recognized tribes eligible recipients of grant and awards or grants and loans from the Wildlife Conservation Board's California Riparian Habitat Conservation Program and Inlands Wetlands Conservation Program, respectively; authorize federally-recognized tribes to enter into contracts or agreements with the California Department of Fish and Wildlife to manage and operate certain lands; and authorize the sale or transmittal of conservation lands to federally recognized tribes in certain circumstances, as provided.

BACKGROUND AND EXISTING LAW

The California Department of Fish and Wildlife (department).

The department is the state's trustee agency for the state's fish and wildlife. The department's mission statement is "to manage California's diverse fish, wildlife, and plant resources, and the habitats upon which they depend, for their ecological values and for their use and enjoyment by the public."

The Wildlife Conservation Board (WCB).

The WCB is a state grant-making agency established within the department in 1947 whose mission is to protect, restore, and enhance the state's "spectacular natural resources for wildlife and for the public's use and enjoyment in partnership with conservation groups, government agencies and the people of California." The WCB currently administers nearly 20 programs that support projects statewide, including, among others, the California Riparian Habitat Conservation Program (CRHCP) and the Inland Wetlands Conservation Program (IWCP). The former has the purpose and goal of protecting, preserving, and restoring riparian habitats throughout the state, and the latter has the purpose and goal of carrying out the programs of the Central Valley Habitat Joint Venture.

Department-managed lands. According to the department, it is responsible for management of over 1.1 million acres of fish and wildlife habitat spanning over 700 properties statewide. These properties provide habitat for a rich diversity of fish, wildlife, and plant species and comprise habitats from every major ecosystem in the state. Most of these properties may be used by the public for consumptive (i.e. hunting) and/or nonconsumptive (e.g. wildlife viewing) recreational purposes. The department is authorized to enter into contracts or agreements with nonprofit conservation organizations and certain other entities to manage and operate department-managed lands.

Acquisition of conservation lands. Multiple state entities, both within the California Natural Resources Agency (CNRA) and without, including the department, are authorized to acquire lands for the purposes of conservation. Once acquired, the conservation lands generally cannot be sold with limited exception. However, the sale or transfer to other public entities or nonprofit organizations is allowed to improve conservation management, public access, historic preservation, or to protect or enhance the biological value of conservation lands.

California Native American tribes

As of 2024, there were approximately 110 federally recognized tribes in California and 78 entities petitioning for recognition. Federally recognized tribes have a unique government-to-government relationship with local, state, and federal entities, and are sovereign nations. Federally recognized tribes can create their own laws, governmental structure, and enrollment or membership rules for their land and citizens of their nation.

CNRA's 2026 California Tribal Stewardship Policy.

In 2026 CNRA released the California Tribal Stewardship Policy (Policy) which builds upon earlier efforts to establish a framework for CNRA's interaction with California Native American tribes. It "sets forth a vision for a new era of tribal-state partnerships in the spirit of truth and healing. This Policy recognizes tribes' role as the original stewards of lands and waters in California and seeks to institutionalize practices of tribal stewardship in the implementation of [CNRA]'s missions, regulations, policies, and programs..." Elements of the Policy include ancestral land return, collaboration, and tribal access built upon respectful and durable agreements. The long-term goals of the Policy include to expand tribal stewardship to at least 7.5 million acres of land and coastal waters.

Recent executive orders (B-10-11 (2011), N-15-19 (2019), and N-82-20 (2020)) established the Tribal Advisor position in the Governor's Office, directed state agencies to communicate and consult with California Native American tribes to provide opportunities for meaningful input on the development of matters affecting tribal communities, apologized for the role of the state in committing historical wrongs and establishing a Truth and Healing Council, and directed CNRA to work with tribes in advancing the state's nature-based solutions priorities. In addition, Governor Newsom's Statement of Administrative Policy on Native American Lands directed all departments to identify opportunities for increased tribal access, co-management, and ancestral land return. According to the CNRA, several departments have already returned state owned lands including the department, the State Lands Commission, and the Coachella Valley Mountains Conservancy. Grants from the WCB have facilitated these efforts.

There have also been multiple legislative efforts to facilitate land transfers to California Native American tribes (for example, the no-cost transfer of Blues Beach to Kai Poma (SB 231, McGuire, Chapter 289, Statutes of 2021)) or to specify that California Native American tribes are eligible to participate in certain grant or loan programs (AB 379, Gallagher, Chapter 701, Statutes of 2021), among others.

Existing law:

- 1) Establishes the WCB and the department at CNRA.

- 2) Establishes the CRHCP at the WCB. (Fish and Game Code (FGC) §§1385 *et seq.*)
 - a) Provides the CRHCP's purpose and goal is to protect, preserve, and restore riparian habitats throughout the state by the acquisition of interests and rights in real property and waters, as specified.
 - b) Authorizes the WCB to authorize the department to award grants and loans to local public agencies, state agencies, federal agencies, a nonprofit organization for the purposes of the CRHCP.
- 3) Establishes the IWCP at the WCB. (FGC §§1400 *et seq.*)
 - a) Provides the IWCP's purpose and goal is to carry out the programs of the Central Valley Habitat Joint Venture.
 - b) Authorizes the WCB to make grants or loans to nonprofit organization, local government agencies, and state departments and agencies for the purpose of wetland and associated upland habitat acquisition, restoration, or enhancement, as provided.
- 4) Authorizes the department to enter into contracts of other agreements for the management and operation of department-managed lands with nonprofit conservation groups or resource conservation districts. (FGC §1745)
- 5) Prohibits the sale or the transfer of possession and control of conservation lands to another agency with limited exception including the sale or transfer to other public agencies or nonprofit organizations to improve conservation management, public access, historic preservation or to protect or enhance the biological value of the conservation lands. (Public Resources Code §5096.516)

PROPOSED LAW

This bill would:

- 1) Add federally recognized tribes to eligible recipients of:
 - a) Awards and grants from the WCB's California Riparian Habitat Conservation Program
 - b) Grants and loans from the WCB's Inland Wetlands Conservation Program.
- 2) Add federally recognized tribes to those entities the department can enter into contracts or other agreements with for the management and operation of department-managed lands.
- 3) Add federally recognized tribes to those entities that conservation lands can be sold or transferred to in order to improve conservation management, public access, historic preservation, or to protect or enhance the biological value of conservation lands, as provided.
- 4) Make minor and technical changes.

ARGUMENTS IN SUPPORT

According to the author, “California tribes have been the original stewards of these lands and carried forward thousands of years of traditional knowledge and land management practices. As the state confronts ever-increasing risks from climate change, we must call upon every available resource to meet the challenge. Yet, under current law, California is not calling upon the centuries of accumulated knowledge that federally recognized tribes have to offer for ecological restoration.”

“AB 53 would remedy this by authorizing federally recognized tribes to receive grants and loans through important programs for stewardship offered through the Wildlife Conservation Board. It would also permit the Department of Fish and Wildlife to sell or transfer lands to federally recognized tribes to ensure the state fulfills its promise to healing and reconciliation with California’s First People.”

The Karuk Tribe writes, “For generations, Tribes across California have maintained reciprocal relationships with the lands and water under our care. Tribal stewardship practices, including cultural burning, fisheries management, meadow enhancement, and watershed protection, have sustained healthy ecosystems across California for thousands of years. Today, many of the environmental challenges facing our state – including catastrophic wildlife, declining biodiversity, degraded watersheds, and the collapse of salmon populations – reflect the reduction of Indigenous stewardship and Indigenous leadership in the management of these landscapes.”

ARGUMENTS IN OPPOSITION

Taking an “oppose unless amended” position, Supervisor Howard writes “Del Norte County recognizes and deeply values the cultural, historical, and governmental relationship that California Native American tribes maintain with their ancestral lands. The County has longstanding government-to-government relationships with local tribal governments, including the Tolowa Dee-ni’ Nation, Elk Valley Rancheria, and Yurok Tribe, and supports collaborate approaches to ecological restoration, habitat conservation, responsible resource management, and tribal stewardship.”

“AB 53 expands the existing exemption under the Public Resources Code Section 5096.516 to allow conservation lands to be transferred to federally recognized tribes without the public hearing and legislative authorization process that would otherwise apply to such transfers. I am concerned that this change would remove important public transparency and local input mechanisms for decisions involving conservation lands located within county boundaries.”

The Supervisor further raises concerns about “the legal and practical implications that may arise if conservation lands are later proposed for federal trust status as the conversion may substantially alter the jurisdictional framework governing the property and may affect the applicability of certain state regulatory requirements. AB 53 does not address how existing conservation obligations, public access protections, or other long-term management commitments would be preserved and enforced under those circumstances.”

“Similarly, management agreements, conservation easements, and other contractual arrangements involving federally recognized tribes may involve unique legal considerations related to tribal sovereign immunity, federal approval requirements,

enforceability, and available remedies. These issues do not diminish the value of tribal stewardship, but they warrant careful consideration to ensure that conservation objectives, public investments, and long-term obligations remain adequately protected.”

COMMENTS

WCB already contracts with federally recognized tribes. According to the department, grants between the WCB and a federally recognized tribe include a limited waiver of sovereign immunity that would allow the WCB to legally enforce the terms of the grant agreement against a tribe, if necessary. WCB grant agreements also include a notice provision and opportunity to cure in the event there is a default or breach. Additionally, several WCB programs already explicitly include federally recognized tribes as eligible recipients.

In addition, the WCB has already participated in at least one transfer of land to a federally recognized tribe – the Mt. Whitney Fish Hatchery to the Fort Independence Indian Community of Paiute Indians of the Fort Independence Reservation. In the contract, the Tribe agreed to provide a limited waiver of sovereign immunity for certain provisions and agreed to maintain the hatchery and preserve the open space character of the property, among other commitments. The WCB can transfer land to a federally recognized tribe without this bill.

Concerns raised. The Committee received multiple letters of concern from a retired judge, the California Farm Bureau, the State Parks Foundation and the Endangered Habitats League echoing the concerns raised in opposition to the bill regarding the proposed land transfer language. While all fully supported the intent of the bill, all indicated that transfers without a full consideration of the potential implications of the transfers for existing agreements and stakeholders was problematic. This language was a late gut-and-amend and many of the issues raised are beyond this Committee’s jurisdiction and perhaps better suited to the discussion and iteration afforded to a 2-year bill.

The Committee may wish to amend the bill to remove the land transfer language and replace it with legislative intent language to provide an opportunity for the author to develop language that addresses the concerns raised in the time remaining in the session. [Amendment #1]

Of note, the Gallagher bill cited above included identical language which was struck from the bill for the same reasons five years ago.

Recent related legislation

AB 900 (Papan, Chapter 385, Statutes of 2025) requires CNRA to prepare a section on stewardship for the 2027 annual report on 30x30 goals in collaboration with stakeholders, California Native American tribes, and state agencies, including with recommendation for increasing tribal stewardship of conservation lands and increasing ancestral land return, as provided.

AB 1284 (Ramos, Chapter 657, Statutes of 2024) encourages CNRA and its departments to enter into meaningful co-management and co-governance agreements for the management of natural resources.

AB 379 (Gallager, Chapter 701, Statutes of 2021) makes California Native American tribes eligible for many WCB programs, among other provisions.

SUGGESTED AMENDMENTS

AMENDMENT 1

Strike Section 4, PRC §5096.516 and replace it with

“It is the intent of the Legislature to develop a faster public process for the Department of Fish and Wildlife to return lands that meet certain criteria to federally recognized tribes.”

SUPPORT

California Rural Indian Health Board, Inc.
Environmental Protection Information Center (EPIC)
Karuk Tribe
Yuhaaviatam of San Manuel Nation

OPPOSITION

California Land Watch (unless amended)
Natural Heritage Institute
The Honorable Chris Howard, Supervisor, District 3, County of Del Norte (unless amended)

One individual

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