



SB 62 – DODD Accidental Take – Sunset Elimination

Summary

SB 62 will eliminate the Sunset in California's Accidental Take provisions of the State Endangered Species Act

borders a neighboring farm or ranch which has implemented an Incidental Take plan, and provides habitat for an endangered, listed or candidate species.

Background

Accidental Take provisions in conjunction with Incidental Take provisions form the agricultural portion of the California Endangered Species Act. Accidental Take provisions have always had a sunset clause. These provisions were originally established in law in 1997, renewed in 2002, and re-renewed in 2008, 2010, and 2013.

Incidental and Accidental Take are complementary mechanisms that act as incentives for farmers and ranchers to enhance wildlife habitat through agricultural activities. All concerns raised in previous renewals of the provisions have been addressed, allowing the benefits of the provision to continue.

Incidental Take programs develop specific habitat enhancements for property, and thereby allow the farmer to receive an allowance for potential incidental takes, as long as the farmers' Incidental Take programs provide an overall benefit to the species.

Accidental Take complements Incidental Take programs by protecting farmers and ranchers who unknowingly impact endangered species through routine and ongoing agricultural activities. For example, Accidental Take provisions protect farmers whose property

Existing Law

It is unlawful to take (kill) a candidate, endangered or threatened species of wildlife, pursuant to provisions of the California Endangered Species Act. Existing law, however, does provide exceptions to the prohibition pursuant to Incidental and Accidental Take provisions in the law, which encourage voluntary programs for routine and ongoing agricultural activities while benefitting habitat for these categories of wildlife. The Accidental Take provision in the Endangered Species Act is scheduled to sunset 1/1/20

This Bill

SB 62 eliminates the sunset permanently.

Support

California Farm Bureau (Sponsor)
Western Agricultural Processors
Ca. Cotton Ginners Assn.

Opposition

None on File

Contact

Les Spahnn; leslie.spahnn@sen.ca.gov