

meets both of the following requirements:

(1) It is brought in support of the development of housing projects which meet the requirements for housing for persons and families with low or moderate incomes set forth in Section 65915.

(2) It is brought with respect to actions taken pursuant to Article 10.6 (commencing with Section 65580) of Chapter 3 of this division, pursuant to Section 65589.5, 65863.6, 65915, or 66474.2 or pursuant to Chapter 4.2 (commencing with Section 65913).

A cause of action brought pursuant to this subdivision shall not be maintained until 60 days have expired following notice to the city or county clerk by the party bringing the cause of action, or his or her representative, specifying the deficiencies of the general plan, specific plan, or zoning ordinance. A cause of action brought pursuant to this subdivision shall accrue 60 days after notice is filed or the legislative body takes a final action in response to the notice, whichever occurs first. A notice or cause of action brought by one party pursuant to this subdivision shall not bar filing of a notice and initiation of a cause of action by any other party.

(e) Upon the expiration of the time limits provided for in this section, all persons are barred from any further action or proceeding.

(f) Notwithstanding Section 65700, this section shall apply to charter cities.

(g) Except as provided in subdivision (d), this section shall not affect any law prescribing or authorizing a shorter period of limitation than that specified herein.

(h) This section shall be applicable to those decisions of the legislative body of a city, county, or city and county made pursuant to this division on or after January 1, 1984.

SEC. 2. No appropriation is made and no reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution or Section 2231 or 2234 of the Revenue and Taxation Code because the Legislature finds and declares that there are savings as well as costs in this act which, in the aggregate, do not result in additional net costs.

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#### CHAPTER 1686

An act to amend Sections 12703 and 12773 of the Business and Professions Code, to amend Sections 7121, 8370, 8688, 8689, 8691, and 12007 of, to add Sections 2270.5, 6400.5, 8045.5, and 8236.2 to, to add Article 1.6 (commencing with Section 7660) to Chapter 1 of Part 3 of Division 6 of, and to repeal Section 7651 of, the Fish and Game Code, and to add Section 34002 to the Public Resources Code, relating to fish, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor September 30, 1984. Filed with  
Secretary of State September 30, 1984.]

*The people of the State of California do enact as follows:*

SECTION 1. Section 12703 of the Business and Professions Code is amended to read:

12703. (a) The issuance of a receipt showing the weight of fish, mollusks, or crustaceans pursuant to Sections 8011, 8012, 8013, 8014, and 8015 of the Fish and Game Code constitutes the issuance of a weight or measure certificate under this chapter when issued by persons who are required to be public weighmasters pursuant to Section 12700.

(b) Notwithstanding any other provision of this division, the weight of squid, anchovy, or Pacific whiting, certified pursuant to this section may, in a manner prescribed and authorized by regulations of the director, be determined by computation based upon volumetric measurement of containers. This subdivision shall not apply to squid, anchovy, or Pacific whiting delivered for the purpose of retorting or reduction.

SEC. 2. Section 12773 of the Business and Professions Code is amended to read:

12773. (a) The issuance of a receipt showing the weight of fish, mollusks, or crustaceans pursuant to Sections 8011, 8012, 8013, 8014 and 8015 of the Fish and Game Code constitutes the issuance of a weight or measure certificate under this chapter when issued by persons who are required to be public weighmasters at large pursuant to Section 12770.

(b) Notwithstanding any other provision of this division, the weight of squid, anchovy, or Pacific whiting certified pursuant to this section may, in a manner prescribed and authorized by regulations of the director, be determined by computation based upon volumetric measurement of containers. This subdivision does not apply to any squid, anchovy, or Pacific whiting delivered for the purpose of retorting or reduction.

SEC. 3. Section 2270.5 is added to the Fish and Game Code, to read:

2270.5. Section 2270 does not apply to the importation of live aquatic plants or animals for aquaculture purposes by a registered aquaculturist if the importation has been approved by the department pursuant to Section 15600.

SEC. 4. Section 6400.5 is added to the Fish and Game Code, to read:

6400.5. In addition to Section 6400, it is unlawful to transport or possess any live white bass (*Marone chrysops*), whether taken within or without the state, unless it is first submitted for inspection to, and written permission is obtained from, the department.

SEC. 5. Section 7121 of the Fish and Game Code is amended to read:

7121. It is unlawful to sell or purchase any fish or amphibia taken in or brought into the waters of the state, or brought ashore at any point in the state, under a sport fishing license.

It is unlawful to buy, sell, or possess in any place of business where fish are bought, sold, or processed, any fish or amphibia taken on any boat, barge, or vessel which carries sport fishermen, except those fish may be possessed in such a place only for the purposes of canning or smoking under regulations adopted by the commission.

SEC. 6. Section 7651 of the Fish and Game Code is repealed.

SEC. 7. Article 1.6 (commencing with Section 7660) is added to Chapter 1 of Part 3 of Division 6 of the Fish and Game Code, to read:

Article 1.6. Salmon Management

7660. As used in this article:

(a) "Advisory committee" means the Advisory Committee on Salmon and Steelhead Trout, established pursuant to Resolution Chapter 141 of the Statutes of 1983, except that there shall be two additional members appointed by the Joint Committee on Fisheries and Aquaculture after consultation with the Director of Fish and Game and the Fish and Game Commission.

7662. The department shall consult with the advisory committee and representatives of every user group known to the department on the progress being made in the development of the annual and long-term salmon management plans.

SEC. 8. Section 8045.5 is added to the Fish and Game Code, to read:

8045.5. (a) Every fisherman who sells Pacific mackerel or jack mackerel to any person, regardless of whether or not that person is licensed pursuant to Section 8040, shall pay a privilege tax of one-tenth of one cent (\$.001) for each pound, or fraction thereof, of Pacific mackerel or jack mackerel sold by him. This additional privilege tax shall be collected from the fisherman, and remitted to the department, by any person licensed pursuant to Section 8040 to whom the mackerel are sold. However, under any circumstances, payment of the additional privilege tax is not the obligation of any person licensed pursuant to Section 8040. If the mackerel are sold to a person other than a person licensed pursuant to Section 8040, the additional privilege tax shall be remitted to the department by the fisherman.

(b) All moneys received by the department pursuant to this section shall be available for appropriation by the Legislature for research and management activities to maintain and enhance the Pacific mackerel and jack mackerel resources and fisheries in the waters of this state.

SEC. 9. Section 8236.2 is added to the Fish and Game Code, to read:

8236.2. Funds paid by commercial salmon vessel permit or renewal applicants pursuant to Section 8236 shall be available, upon

appropriation by the Legislature, to pay the necessary and proper expenses of the Advisory Committee on Salmon and Steelhead Trout, established pursuant to Section 7660. The department shall provide the committee staffing within the existing budgetary constraints of the department.

SEC. 10. Section 8370 of the Fish and Game Code is amended to read:

8370. Any striped bass, salmon, or sturgeon taken in any type of nets in any districts shall be liberated from the nets by the fishermen.

Striped bass, salmon, or sturgeon necessarily taken aboard a boat to free them from a net shall be handled carefully and shall be returned to the water immediately unharmed.

A holder of a commercial fishing license may not have in his possession, except when releasing fish from the net, any striped bass, salmon, or sturgeon at any time when conducting netting operations or when going to or from such operations.

SEC. 11. Section 8688 of the Fish and Game Code is amended to read:

8688. In District 11, drift gill nets may be used, subject to the following restrictions:

(a) The cork line shall not be submerged more than two fathoms below the surface of the water, the lines attaching the buoys or floats to the cork line shall not be more than two fathoms in length, and the points of attachment of the lines on the cork line shall not be more than 10 fathoms apart.

(b) The length of the meshes shall be either 2½ inches or less, or 5½ inches or more. The meshes shall be approximately the same size, and shall not vary in length more than two inches.

(c) They may not be used where any part of the net is nearer than 300 feet to the point where the surface of the water joins the land.

(d) The use of drift gill nets in District 11 is prohibited from May 1 through October 1, inclusive.

SEC. 12. Section 8689 of the Fish and Game Code is amended to read:

8689. In District 12, drift gill nets may be used, subject to the following restrictions:

(a) They may be used to take herring, smelt, and other small fish.

(b) The cork line shall not be submerged more than two fathoms below the surface of the water, the lines attaching the buoys or floats to the cork line shall not be more than two fathoms in length, and the points of attachment of the lines on the cork line shall not be more than 10 fathoms apart.

(c) The length of meshes shall not exceed 2½ inches in length. The meshes of any gill net shall be approximately the same size.

(d) They may not be used where any part of the net is nearer than 300 feet to the point where the surface of the water joins the land.

(e) The use of drift gill nets in District 12 is prohibited from May 1 through October 1, inclusive.

SEC. 13. Section 8691 of the Fish and Game Code is amended to

read:

8691. In District 13, drift gill nets may be used to take herring, smelt, and other small fish, subject to the following restrictions:

(a) The cork line shall not be submerged more than two fathoms below the surface of the water, the lines attaching the buoys or floats to the cork line shall not be more than two fathoms in length, and the points of attachment of the lines on the cork line shall not be more than 10 fathoms apart.

(b) The length of the meshes shall not exceed 2½ inches in length. The meshes shall be approximately the same size.

(c) They may not be used where any part of the net is nearer than 300 feet to the point where the surface of the water joins the land.

(d) The use of drift gill nets in District 13 is prohibited from May 1 through October 1, inclusive.

SEC. 14. Section 12007 of the Fish and Game Code, as added by Chapter 85 of the Statutes of 1984, is amended to read:

12007. Notwithstanding Section 12002, the punishment for each violation of Section 2270, 2271, 6400, 6400.5, 15202, 15509, or 15600, or any regulation adopted pursuant to Section 15510, is a fine of not more than five thousand dollars (\$5,000) or imprisonment in the county jail for a period not to exceed one year, or both the fine and imprisonment.

SEC. 15. Section 34002 is added to Public Resources Code, to read:

34002. The Department of Fish and Game may provide nonprofit organizations and Indian tribes partial funding of grants provided under Section 34001 or Section 3 of Chapter 344 of the Statutes of 1981, if in the opinion of the department, any such organization meets all of the following requirements:

(a) Has a previously demonstrated record of successfully completing one or more salmon or steelhead rehabilitation projects funded under the Cooperative North Coast Salmon and Steelhead Restoration Project.

(b) Utilizes acceptable accounting procedures.

(c) Demonstrates that the project can be accomplished more efficiently and economically and with partial funding provided before the project's completion.

SEC. 16. There is hereby appropriated the sum of ten thousand dollars (\$10,000) to the Department of Fish and Game for expenditure in the 1984-85 fiscal year from the Fish and Game Preservation Fund from amounts paid for commercial salmon vessel permits or renewals of these permits under Section 8236 for the payment of the necessary and proper expenditures of the Advisory Committee on Salmon and Steelhead Trout pursuant to Section 8236.2.

SEC. 17. No appropriation is made and no reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution or Section 2231 or 2234 of the Revenue and Taxation Code because the only costs which may be incurred by a

local agency or school district will be incurred because this act creates a new crime or infraction, changes the definition of a crime or infraction, changes the penalty for a crime or infraction, or eliminates a crime or infraction.

SEC. 18. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to allow the Advisory Committee on Salmon and Steelhead Trout to prepare and submit its first report to the Legislature by January 1, 1985, as required by Resolution Chapter 141 of the Statutes of 1983 and in order to make clarifying changes to various provisions of the Fish and Game Code to facilitate the enforcement thereof, it is necessary that this act take effect immediately.

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#### CHAPTER 1687

An act to amend Sections 25351, 25356.1, 25356.2, 25356.3, 25356.4, 25356.6, 25356.7, 25356.8, 25356.9, and 25395 of the Health and Safety Code, relating to hazardous substances, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor September 30, 1984. Filed with  
Secretary of State September 30, 1984.]

*The people of the State of California do enact as follows:*

SECTION 1. Section 25351 of the Health and Safety Code, as amended by Chapter 376 of the Statutes of 1984, is amended to read:

25351. (a) Consistent with the requirements of Section 114(c) of the federal act (42 U.S.C. Sec. 9614(c)), moneys in the state account may be expended by the director, upon appropriation by the Legislature, for all of the following purposes:

(1) The costs and expenses reasonably necessary for, and incidental to, the administration of this chapter by the department.

(2) The state share mandated pursuant to Section 104(c)(3) of the federal act (42 U.S.C. Sec. 9604(c)(3)).

(3) The purchase by the state, or by any local agency with the prior approval of the director, of hazardous substance response equipment and other preparations for response to a release of hazardous substances. However, all equipment shall be purchased in a cost-effective manner after consideration of the adequacy of existing equipment owned by the state or the local agency, and the availability of equipment owned by private contractors.

(4) For payment of all costs of removal and remedial action incurred by the state, or by any local agency with the approval of the director in response to a release or threatened release of a hazardous