

ASSEMBLY BILL

No. 2975

Introduced by Assembly Member Friedman

February 16, 2018

An act to add Section 5093.71 to the Public Resources Code, relating to wild and scenic rivers.

LEGISLATIVE COUNSEL'S DIGEST

AB 2975, as introduced, Friedman. Wild and scenic rivers.

Existing law establishes that it is the policy of the state that certain rivers that possess extraordinary scenic, recreational, fishery, or wildlife values shall be preserved in their free-flowing state, together with their immediate environments, for the benefit and enjoyment of the people of the state. Existing law provides that the classification or reclassification of rivers or segments of rivers within the state as wild, scenic, or recreational within the state wild and scenic rivers system shall be by statute, but authorizes the Secretary of the Natural Resources Agency to recommend legislation to classify or reclassify rivers or segments of rivers within the system, and include specific land use restrictions relative to each particular classification in those recommendations. Existing law, with respect to potential additions to the state wild and scenic rivers system, requires the secretary to study and submit to the Governor and the Legislature specified reports on the suitability or nonsuitability for addition to the system of rivers or segments thereof that are designated by the Legislature as potential additions, and to report his or her recommendations in that regard.

This bill would, if the federal government takes action to remove or delist any river or segment of a river in California that is included in the national wild and scenic rivers system and not in the state wild and

scenic rivers system, or if the secretary determines that the federal government has exempted a river or segment of a river in California that is not in the state wild and scenic river system from the protection of certain federal provisions governing restrictions on water resources projects, require the secretary, after holding a public hearing on the issue, to take any necessary action to add the river or segment of a river to the state wild and scenic rivers system and to classify that river or segment of a river.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

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

1 SECTION 1. Section 5093.71 is added to the Public Resources
2 Code, to read:
3 5093.71. Notwithstanding Sections 5093.546 and 5093.547,
4 if the federal government takes action to remove or delist any river
5 or segment of a river in California that is included in the national
6 wild and scenic rivers system and not in the state wild and scenic
7 rivers system, or if the secretary determines that the federal
8 government has exempted a river or segment of a river in California
9 that is not in the state wild and scenic rivers system from the
10 provisions of subdivision (a) of Section 1278 of Title 16 of the
11 United States Code governing restrictions on water resources
12 projects, as that section reads on January 1, 2019, that protect
13 rivers, segments of rivers, or values for which those rivers were
14 established as part of the national system, the secretary shall take
15 both of the following actions:
16 (a) Hold a public hearing to provide information and an
17 opportunity for public comment on any proposed addition to the
18 state wild and scenic rivers system resulting from federal action
19 to remove, delist, or exempt that river or segment of a river from
20 those protective provisions of the national wild and scenic rivers
21 system.
22 (b) Take any necessary action to add a river or segment of a
23 river that is removed, delisted, or exempted from those protective
24 provisions of the national wild and scenic rivers system, and to
25 classify that river or segment of a river as wild, scenic, or
26 recreational. Each river or segment of a river so added and

- 1 classified shall be deemed a component of the system as if
- 2 designated in Section 5093.54 and classified in Section 5093.545.

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