

AMENDED IN ASSEMBLY APRIL 15, 2002

CALIFORNIA LEGISLATURE—2001–02 REGULAR SESSION

ASSEMBLY BILL

No. 2829

Introduced by Assembly Member Aanestad

February 25, 2002

An act to add Section 1348.5 to the Fish and Game Code, relating to wildlife.

LEGISLATIVE COUNSEL'S DIGEST

AB 2829, as amended, Aanestad. Wildlife.

Under the Wildlife Conservation Law of 1947, the Wildlife Conservation Board may authorize the Department of Fish and Game to acquire real property for the benefit of wildlife.

This bill would ~~express the intent of the Legislature to enact a statute relating to the acquisition of lands that are valuable to wildlife require the board, prior to authorizing the acquisition of, providing a grant to any nonprofit entity or any other entity for the acquisition of, or acquiring all or any portion of any real property, rights in real property, water, or water rights under existing law to (a) conduct, or require the nonprofit entity or department requesting the acquisition or receiving a grant for the acquisition to conduct, an assessment of the potential economic impacts of the conversion of the property to wildlife or open-space uses; (b) require that any local jurisdiction in which the property is located be notified of the proposed acquisition and have passed a resolution in support of the proposed acquisition; (c) demonstrate, or require the department or nonprofit entity to demonstrate, that it has the ability to maintain the property in a manner that maximizes any wildlife benefits in perpetuity; (d) submit, or require~~

the department or nonprofit entity proposing the acquisition or receiving a grant for the acquisition to submit, a plan for maintaining the property in a manner that limits potential impacts on adjoining landowners; (e) require that any acquisition of any agricultural land or any water right be deemed a project of area or statewide significance, and therefore subject to the California Environmental Quality Act; and (f) require that any proposed acquisition of any agricultural land or any water right be assessed, prior to the acquisition, to determine how the acquisition would impact the state’s cumulative efforts for wildlife and habitat preservation.

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

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

1 ~~SECTION 1. It is the intent of the Legislature to enact a statute~~

2 SECTION 1. Section 1348.5 is added to the Fish and Game
3 Code, to read:

4 1348.5. Prior to authorizing the acquisition of, providing a
5 grant to any nonprofit entity or any other entity for the acquisition
6 of, or acquiring all or any portion of any real property, rights in
7 real property, water, or water rights under this chapter, the board
8 shall do all of the following:

9 (a) Conduct, or require the nonprofit entity or department
10 requesting the acquisition or receiving a grant for the acquisition
11 to conduct, an assessment of the potential economic impacts of the
12 conversion of the property to wildlife or open-space uses,
13 including, but not limited to, any potential impact to the property
14 and any potential tax losses to any local jurisdiction.

15 (b) Require that any local jurisdiction in which the property is
16 located be notified of the proposed acquisition and have passed a
17 resolution in support of the proposed acquisition.

18 (c) Demonstrate that it has the ability, including, but not
19 limited to, the availability of financial resources, to maintain the
20 property in a manner that maximizes any wildlife benefits in
21 perpetuity. If a department or nonprofit entity proposes the
22 acquisition or is awarded a grant for the acquisition, the board
23 shall require that entity to demonstrate to the satisfaction of the
24 board that it has the ability described in this subdivision.



1 (d) Submit, or require the department or nonprofit entity
2 proposing the acquisition or receiving a grant for the acquisition
3 to submit, a plan for maintaining the property in a manner that
4 limits potential impacts on adjoining landowners.

5 (e) Require that any acquisition of any agricultural land or any
6 water right be deemed a project of area or statewide significance,
7 and therefore subject to the California Environmental Quality Act
8 (Division 13 (commencing with Section 21000) of the Public
9 Resources Code).

10 (f) Require that any proposed acquisition of any agricultural
11 land or any water right be assessed, prior to the acquisition, to
12 determine how the acquisition would impact the state's cumulative
13 efforts for wildlife and habitat preservation.
14 ~~relating to the acquisition of lands that are valuable to wildlife.~~

