

Assembly Bill No. 2503

CHAPTER 100

An act to amend Section 29735 of, and to add Section 29735.1 to, the Public Resources Code, relating to the Delta Protection Act.

[Approved by Governor July 10, 2008. Filed with
Secretary of State July 10, 2008.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2503, Wolk. Delta Protection Commission.

The Delta Protection Act creates the Delta Protection Commission consisting of 23 specified members, 3 of whom are appointed by the Governor, and authorizes the commission to promote, facilitate, and administer the acquisition of voluntary private and public wildlife and agricultural conservation easements in the delta. That act also requires the commission to prepare and adopt, by a majority vote of the membership of the commission, and thereafter review and maintain, a comprehensive long-term resource management plan for land uses within the primary zone of the delta.

This bill would authorize specified members of the commission to select a designee. The bill would authorize specified members, subject to the confirmation of the member's appointing power, to appoint an alternate to represent him or her at a commission meeting. The alternate would have all powers and duties of the member and be subject to all provisions of law relating to conflicts of interest that are applicable to the member. The bill would also permit the Governor to appoint 3 alternates who would be authorized to serve in the absence of a member appointed by the Governor.

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

SECTION 1. Section 29735 of the Public Resources Code is amended to read:

29735. There is hereby created the Delta Protection Commission consisting of 23 members as follows:

(a) One member of the board of supervisors, or his or her designee, of each of the five counties within the delta whose supervisorial district is within the primary zone shall be appointed by the board of supervisors of the county.

(b) (1) Three elected city council members shall be selected and appointed by city selection committees, from regional and area councils of government, one in each of the following areas:

(A) One from the north delta, consisting of the Counties of Yolo and Sacramento.

(B) One from the south delta, consisting of the County of San Joaquin.

(C) One from the west delta, consisting of the Counties of Contra Costa and Solano.

(2) A city council member may select a designee for purposes of paragraph (1).

(c) (1) One member each from the board of directors of five different reclamation districts that are located within the primary zone who are residents of the delta, and who are elected by the trustees of reclamations districts within the following areas:

(A) Two members from the area of the North Delta Water Agency as described in Section 9.1 of the North Delta Water Agency Act (Chapter 283 of the Statutes of 1973), provided at least one member is also a member of the Delta Citizens Municipal Advisory Council.

(B) One member from the west delta consisting of the area of Contra Costa County within the delta.

(C) One member from the area of the Central Delta Water Agency as described in Section 9.1 of the Central Delta Water Agency Act (Chapter 1133 of the Statutes of 1973).

(D) One member from the area of the South Delta Water Agency as described in Section 9.1 of the South Delta Water Agency Act (Chapter 1089 of the Statutes of 1973).

(2) Each reclamation district may nominate one director to be a member. The member from an area shall be selected from among the nominees by a majority vote of the reclamation districts in that area. The member may select a designee for this purpose. For purposes of this section, each reclamation district shall have one vote. The north delta area shall conduct separate votes to select each of its two members.

(d) The Director of Parks and Recreation, or the director's sole designee.

(e) The Director of Fish and Game, or the director's sole designee.

(f) The Secretary of Food and Agriculture, or the secretary's sole designee.

(g) The executive officer of the State Lands Commission, or the executive officer's sole designee.

(h) The Director of Boating and Waterways, or the director's sole designee.

(i) The Director of Water Resources, or the director's sole designee.

(j) The public member of the California Bay-Delta Authority who represents the delta region or his or her designee.

(k) (1) The Governor shall appoint three members and three alternates from the general public who are delta residents or delta landowners, as follows:

(A) One member and one alternate shall represent the interests of production agriculture with a background in promoting the agricultural viability of delta farming.

(B) One member and one alternate shall represent the interests of conservation of wildlife and habitat resources of the delta region and ecosystem.

(C) One member and one alternate shall represent the interests of outdoor recreational opportunities, including, but not limited to, hunting and fishing.

(2) An alternate may serve in the absence of a member.

SEC. 2. Section 29735.1 is added to the Public Resources Code, to read:

29735.1. (a) A member of the commission described in subdivision (a), (b), (c), or (j) of Section 29735 may, subject to the confirmation of his or her appointing power, appoint an alternate to represent him or her at a commission meeting. An alternate may serve prior to confirmation for a period not to exceed 90 days from the date of appointment, unless and until confirmation is denied.

(b) The alternate shall serve at the pleasure of the member who appoints him or her and shall have all of the powers and duties of a member of the commission, except that the alternate shall only participate and vote in a meeting in the absence of the member who appoints him or her. All provisions of law relating to conflicts of interest that are applicable to a member shall apply to an alternate. Whenever a member has, or is known to have, a conflict of interest on any matter, the member's alternate is ineligible to vote on that matter.