

ASSEMBLY BILL

No. 1780

Introduced by Assembly Member Yamada

February 9, 2010

An act to amend Section 85225.25 of the Water Code, relating to the Delta Stewardship Council.

LEGISLATIVE COUNSEL'S DIGEST

AB 1780, as introduced, Yamada. Delta Stewardship Council: certifications of consistency.

Existing law requires the state or a local public agency that proposes to undertake certain actions within the boundaries of the Sacramento-San Joaquin Delta or the Suisun Marsh to prepare, and submit to the Delta Stewardship Council, a specified written certification of consistency with a prescribed Delta Plan prior to taking those actions.

This bill would make a technical, nonsubstantive change to this requirement.

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

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

1 SECTION 1. Section 85225.25 of the Water Code is amended
2 to read:
3 85225.25. After a hearing on an appealed action, the council
4 shall make specific written findings either denying the appeal or
5 remanding the matter to the state or local public agency for
6 reconsideration of the covered action based on the finding that the
7 certification of consistency is not supported by substantial evidence

1 in the record before the state or local public agency that filed the
2 certification. Upon remand, the state or local agency may determine
3 whether to proceed with the covered action. If the agency decides
4 to proceed with the action or with the action as modified to respond
5 to the findings of the council, the agency ~~shall~~, prior to proceeding
6 with the action, *shall* file a revised certification of consistency that
7 addresses each of the findings made by the council and file that
8 revised certification with the council.

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