

AMENDED IN ASSEMBLY MARCH 21, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 727

Introduced by Assembly Member Stone

February 21, 2013

An act to add Section 6703.5 to the Public Resources Code, relating to public trust lands.

LEGISLATIVE COUNSEL'S DIGEST

AB 727, as amended, Stone. Public trust lands: dredging: notice and leases: leases.

Existing law authorizes the ~~commission~~ *State Lands Commission* to enter into an exchange, with any person or private entity, of filled or reclaimed tidelands and submerged lands or beds of navigable waterways, or interests in those lands, if the commission finds that specified conditions are met.

This bill would require that a grantee of public trust lands; *or a person or entity making a submittal of a lease, contract, or other instrument to the commission for dredging on granted public trust lands*, upon which any right to minerals on those lands is reserved by the state, to notify the commission, in writing, *no later than 90 days prior to the time dredging is commenced*, if the grantee *or other person or entity making a submittal* intends to conduct dredging operations on those lands. The bill would require the commission ~~if~~, upon receipt of that written notice of intent to conduct dredging operations, to determine whether the dredging will require that the grantee *or a person or entity making a submittal of a lease, contract, or other instrument to the commission for dredging on granted public trust lands* enter into a lease with the commission, *and* to notify the grantee *or person or other entity*

making a submittal for dredging, in writing, if a lease will be required. The bill would provide that the notification requirement only applies to dredging operations that are commenced on or after January 1, 2014. The bill would require that any dredging on public trust lands be carried out pursuant to a lease entered into by a grantee of public trust lands or a person or entity making a submittal for dredging on those public trust lands and the commission, except as provided.

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 6703.5 is added to the Public Resources
 2 Code, to read:
 3 6703.5. (a) (1) Notwithstanding any other law, a grantee of
 4 public trust lands *or a person or entity making a submittal of a*
 5 *lease, contract, or other instrument to the commission for dredging*
 6 *on granted public trust lands, upon which any right to minerals*
 7 *on those lands is reserved by the state, shall notify the commission,*
 8 *in writing, no later than 90 days prior to the time dredging is*
 9 *commenced, if the grantee or person or other entity making a*
 10 *submittal intends to conduct dredging operations on those lands.*
 11 The notice shall contain the following information:
 12 (A) A description of the dredging to be conducted on those
 13 lands, including a map showing the general area and project site.
 14 (B) A description of the amount of material to be dredged,
 15 disposal amount, location and means of disposal, location of the
 16 dredging activity, a sediment characterization report, and an
 17 explanation of the purpose of the dredging.
 18 (2) Upon receipt of the written notice required by paragraph
 19 (1), the commission shall determine whether the dredging will
 20 require that the grantee *or other person or entity making a submittal*
 21 *of a lease, contract, or other instrument to the commission for*
 22 *dredging on granted public trust lands enter into a lease with the*
 23 *commission, and shall notify the grantee or other person or entity*
 24 *making a submittal for dredging, in writing, if a lease will be*
 25 *required.*
 26 (b) This section shall only apply to dredging operations that are
 27 commenced on or after January 1, 2014.

1 (c) ~~Nothing in this~~ *This section shall be construed to does not*
2 exempt a grantee of public trust lands *or other person or entity*
3 *making a submittal for dredging on those lands* from any permit
4 or other approval necessary to carry out dredging operations that
5 may be required by another local, state, or federal law.

6 (d) *Any dredging on public trust lands shall be carried out*
7 *pursuant to a lease entered into by a grantee of public lands or a*
8 *person or entity making a submittal for dredging on granted public*
9 *trust lands and the commission. However, a lease shall not be*
10 *required for maintenance dredging on granted public trust lands*
11 *where the materials from the dredging are disposed of at a United*
12 *States Environmental Protection Agency or United States Corps*
13 *of Engineers-approved onshore or offshore disposal site.*