

ASSEMBLY BILL

No. 142

Introduced by Assembly Member Bigelow
(Principal coauthor: Senator Berryhill)

January 12, 2015

An act to add Section 5093.548 to the Public Resources Code, relating to wild and scenic rivers.

LEGISLATIVE COUNSEL'S DIGEST

AB 142, as introduced, Bigelow. Wild and scenic rivers: Mokelumne River.

(1) Existing law, the California Wild and Scenic Rivers Act, provides for a system of classification of those rivers or segments of rivers in the state that are designated as wild, scenic, or recreational rivers, for purposes of preserving the highest and most beneficial use of those rivers. The act requires the Secretary of the Natural Resources Agency to study and submit to the Governor and the Legislature a report that analyzes the suitability or nonsuitability for addition to the system of rivers or segments of rivers that are designated by the Legislature as potential additions to the system, and requires that each report contain specified information and recommendations with respect to the proposed designation.

This bill would require the secretary, in a report analyzing the suitability or nonsuitability of a proposed designation of the Mokelumne River, its tributaries, or portions thereof as additions to the system, to consider the potential effects of the proposed designation on future water requirements, as specified, and the effects of climate change.

(2) The bill would declare that due to the unique geographical features of the Mokelumne River and its tributaries, a general statute within the

meaning of specified provisions of the California Constitution cannot be made applicable and a special statute is necessary.

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 5093.548 is added to the Public Resources
2 Code, to read:

3 5093.548. (a) Notwithstanding Section 5093.547, prior to the
4 designation of the Mokelumne River, its tributaries, or portions
5 thereof as additions to the system, the secretary shall study and
6 submit to the Governor and the Legislature a report that analyzes
7 the suitability or unsuitability of the proposed designation. The
8 suitability analysis contained in the report shall consider the
9 potential effects of the proposed designation on the ability of public
10 agencies and utilities within the Mokelumne River watershed to
11 meet current and projected future water requirements through the
12 development of new and more reliable water supplies from the
13 Mokelumne River, and any effects of climate change. The report
14 shall also include the information required in subdivision (b) of
15 Section 5093.547 and the secretary’s recommendations and
16 proposals with respect to the proposed designation.

17 (b) A report required to be submitted pursuant to subdivision
18 (a) shall be submitted in compliance with Section 9795 of the
19 Government Code.

20 SEC. 2. Due to the unique geographical features of the
21 Mokelumne River and its tributaries, the Legislature hereby finds
22 and declares that a general cannot be made applicable within the
23 measuring of Section 16 of Article IV of the California
24 Constitution. Therefore, the special legislation contained in Section
25 1 of this act is necessarily applicable to the Mokelumne River and
26 its tributaries.

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