

AMENDED IN ASSEMBLY JUNE 1, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 530

Introduced by Assembly Member Rendon
(Principal coauthor: Senator Lara)
(*Coauthor: Assembly Member Gomez*)

February 23, 2015

An act to add Chapter 6 (commencing with Section 32622) to Division 22.8 of the Public Resources Code, relating to the Los Angeles River.

LEGISLATIVE COUNSEL'S DIGEST

AB 530, as amended, Rendon. Lower Los Angeles River Working Group.

Existing law provides for the protection, enhancement, and restoration of rivers in this state. Existing law establishes the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy for the purpose of, among others, providing for the public's enjoyment and enhancement of recreational and education experiences on public lands in the San Gabriel Watershed and Lower Los Angeles River.

This bill would require the Secretary of the Natural Resources Agency to appoint, in coordination with the Los Angeles County Board of Supervisors, a local working group to develop a revitalization plan for the Lower Los Angeles River, called the Lower Los Angeles River Working Group. The bill would specify a prescribed membership for the working group, including, among others, representatives from the County of Los Angeles, and elected officials of the cities riparian to the Los Angeles River. The bill would require, by March 1, 2017, the working group to develop, through watershed-based planning methods,

a revitalization plan that addresses the unique and diverse needs of the Lower Los Angeles River, that is consistent with, enhances, and is incorporated into the County of Los Angeles’s Master Plan, and that includes watershed education programs. By imposing additional duties on local officials, the bill would impose a state-mandated local program. The bill would require the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy to provide any necessary staffing to assist the working group.

This bill would make legislative findings and declarations as to the necessity of a special statute for the Lower Los Angeles River.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

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

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

1 SECTION 1. The Legislature finds and declares all of the
2 following:
3 (a) The Los Angeles River has a complex ecological and
4 political history. The river originally ran freely along an alluvial
5 flood plain, which today is the City of Los Angeles. In the ~~1930’s~~,
6 *1930s* destructive flooding led the United States Army Corps of
7 Engineers to design and build facilities to minimize the impacts
8 of future floods, a process that included lining most of the river
9 with concrete. Since then, the city, ~~county~~ *county*, and federal
10 government have all played a role in restoring the Los Angeles
11 River, including the county’s 1996 adoption of a master plan for
12 developing and restoring the entire Los Angeles River. The City
13 of Los Angeles developed a “revitalization plan” to restore the
14 Upper Los Angeles River, which lies within the city’s boundaries.
15 Most recently, the Corps of Engineers approved “Alternative 20,”
16 a substantial restoration and infrastructure project along the Upper
17 Los Angeles River.

1 (b) The City of Los Angeles was given responsibility for
2 managing the river’s resources through a charter by the King of
3 Spain at the end of the 18th century. After serious floods in the
4 1930’s, the federal government, through the United States Army
5 Corps of Engineers, stepped in to take responsibility for building
6 and managing infrastructure projects to reduce the risk and damage
7 from flooding, with the county as the local partner. The county
8 also works with the city in managing the Upper Los Angeles River,
9 where court decisions have held that the King of Spain’s charter
10 gives the city “pueblo” water rights with authority to manage the
11 Upper Los Angeles River’s resources. The courts have not given
12 the city authority over the Lower Los Angeles River.

13 (c) The State of California retains its sovereign authority to
14 manage the rivers within its boundaries, including the Los Angeles
15 River. Historically, however, it has not exercised that authority,
16 due to the dominance of the federal Army Corps of Engineers in
17 partnership with the county. The county’s master plan addresses
18 the entire river but is close to two decades old, and would benefit
19 from renewed attention to resources and development, especially
20 on the lower river. The Lower Los Angeles River ~~has passes~~
21 *through* many cities, but not ~~one city with~~ *of these cities has* the
22 responsibility and the resources to invest in restoration of that part
23 of the Los Angeles River. There is therefore opportunity and need
24 for the State to aid in the development and implementation of the
25 county’s Master Plan, especially for the Lower Los Angeles River.

26 (d) In 2014, California voters approved the Water Quality,
27 Supply, and Infrastructure Improvement Act of 2014, which
28 included \$60 million for the Los Angeles River, authorizing
29 funding for both the Santa Monica Mountains Conservancy, which
30 has responsibility for the Upper Los Angeles River, and the San
31 Gabriel and Lower Los Angeles Rivers and Mountains
32 Conservancy, which has responsibility for the Lower Los Angeles
33 River. The Water Quality, Supply, and Infrastructure Improvement
34 Act of 2014 allocated \$30 million to each conservancy for the
35 purpose of multibenefit water quality, water supply, and watershed
36 protection and restoration projects for the watersheds.

37 SEC. 2. Chapter 6 (commencing with Section 32622) is added
38 to Division 22.8 of the Public Resources Code, to read:

1 CHAPTER 6. LOWER LOS ANGELES RIVER WORKING GROUP

2
3 32622. (a) The Secretary of the Natural Resources Agency
4 shall appoint, in coordination with the Los Angeles County Board
5 of Supervisors, a local working group to develop a revitalization
6 plan for the Lower Los Angeles River, called the Lower Los
7 Angeles River Working Group. The working group shall include,
8 but need not be limited to, representatives from the conservancy,
9 the County of Los Angeles, the Gateway Cities Council of
10 Governments, the Los Angeles Gateway Region Integrated
11 Regional Water Management Joint Powers Authority, elected
12 officials of the cities riparian to the Los Angeles River, and
13 non-profit organizations serving the Los Angeles River region.

14 (b) On or before March 1, 2017, the working group shall
15 develop, through watershed-based planning methods, a
16 revitalization plan that addresses the unique and diverse needs of
17 the Lower Los Angeles River and the communities through which
18 it passes. The plan shall be consistent with, enhance, and be
19 incorporated into, the County of Los Angeles's Master Plan for
20 the entire Los Angeles River. The plan shall include watershed
21 education programs that help the Los Angeles River communities
22 recognize the value of the river and the importance of protecting
23 the river's watershed resources and its vitality to their communities.

24 (c) The conservancy shall provide any necessary staffing to the
25 working group to assist in the development of the plan.

26 (d) The development and implementation of the revitalization
27 plan may be eligible for funding from any public or private source,
28 including, but not limited to, funding pursuant to Section 79735
29 of the Water Code. Entities that are eligible to implement the
30 revitalization plan include, but are not limited to, state agencies,
31 local agencies, and non-profit organizations, and may be eligible
32 for state funding.

33 SEC. 3. The Legislature finds and declares that a special law
34 is necessary and that a general law cannot be made applicable
35 within the meaning of Section 16 of Article IV of the California
36 Constitution because of the Lower Los Angeles River's complex
37 ecological and political history and the unique obstacles the local
38 governments of the Lower Los Angeles River encounter when
39 managing the river and its surrounding areas.

1 SEC. 4. If the Commission on State Mandates determines that
2 this act contains costs mandated by the state, reimbursement to
3 local agencies and school districts for those costs shall be made
4 pursuant to Part 7 (commencing with Section 17500) of Division
5 4 of Title 2 of the Government Code.

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