

AMENDED IN SENATE JUNE 16, 2015

AMENDED IN ASSEMBLY APRIL 15, 2015

AMENDED IN ASSEMBLY MARCH 26, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 1274

Introduced by Assembly Member Mark Stone

February 27, 2015

An act to add Section 6212.3 to the Public Resources Code, relating to public lands.

LEGISLATIVE COUNSEL'S DIGEST

AB 1274, as amended, Mark Stone. Public lands: geological or geophysical surveys.

Existing law authorizes the State Lands Commission to lease state lands for the production of oil and gas. Existing law also authorizes the commission to issue permits for geological or geophysical surveys on those state lands, but specifies that the permit does not give the permittee any preferential right to an oil or gas lease.

This bill would ~~expand those provisions to~~ authorize the commission to issue permits for geophysical surveys on state lands, including granted and ungranted tidelands and submerged lands, subject to terms and conditions as the commission shall specify to ensure public safety and protection of the environment, and would require the commission to adopt regulations to aid in the implementation of those provisions, as specified. The bill would authorize the commission to promote compliance with the permit through specified actions. The bill would prohibit the commission from requiring a permit for a geophysical survey ~~performed on public trust lands granted by statute to a local~~

~~trustee if the geophysical survey is performed in support of dredging occurring on the granted public trust lands. to maintain or increase the depth of navigation channels, anchorages, or berthing areas.~~

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. The Legislature finds and declares both of the
2 following:

3 (a) The state has a responsibility to establish conditions to
4 ensure that geophysical surveys performed on state lands for
5 scientific and research purposes do not cause harm or damage to
6 aquatic life or to the marine and coastal environment.

7 (b) Improved and updated regulations governing permit
8 conditions can protect marine life from impacts of geophysical
9 surveys and improve public transparency, particularly as it relates
10 to notifying the public in advance of surveys.

11 SEC. 2. Section 6212.3 is added to the Public Resources Code,
12 to read:

13 6212.3. (a) The commission may authorize, by permit, the
14 conduct of geophysical surveys on state lands, including granted
15 and ungranted tidelands and submerged lands, subject to terms
16 and conditions as the commission shall specify to ensure public
17 safety and protection of the environment.

18 (b) No permit shall be required by the commission for any
19 geophysical survey ~~performed on public trust lands granted by~~
20 ~~statute to a local trustee if the geophysical survey is performed in~~
21 ~~support of dredging occurring on the granted public trust lands. to~~
22 ~~maintain or increase the depth of navigation channels, anchorages,~~
23 ~~or berthing areas.~~

24 (c) The commission shall adopt regulations to aid in the
25 implementation of subdivision (a). The regulations shall include
26 conditions that address and minimize the potential impacts to
27 aquatic life or to the marine and coastal environment that might
28 arise from geophysical surveys performed on state lands.

29 (d) The commission may promote compliance with the permit
30 requirements through appropriate actions, including any of the
31 following:

- 1 (1) Providing educational outreach to increase awareness of
- 2 permitting regulations and enforcement actions.
- 3 (2) Making a toll-free telephone number available to the public
- 4 to report permit violators.
- 5 (3) Issuing cease and desist orders to permit violators.

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