

AMENDED IN SENATE JUNE 2, 2015

SENATE BILL

No. 734

Introduced by Senator De León

February 27, 2015

An act to amend Section 12805.2 of the Government Code, relating to public lands.

LEGISLATIVE COUNSEL'S DIGEST

SB 734, as amended, De León. State lands acquisitions: public transparency.

Existing law requires the Natural Resources Agency, *in fiscal years for which funding is provided*, to develop and maintain a database of lands and easements that have been acquired by the departments and boards within the agency. Existing law, in conjunction with the database, requires the agency to do certain things, including to establish a uniform open process to ensure that information is readily available to the general public, local, state, and federal agencies, adjacent landowners, and other interested parties regarding any state hearings to approve proposed state land acquisitions.

This bill would require the agency to ~~also~~ implement the above uniform open ~~process~~, *process* to include, but not be limited to, at least 30 days for public comment, to provide public transparency.

~~Existing law requires that the above provisions be implemented only during those fiscal years for which funding is provided for these purposes in the annual Budget Act or in other measures.~~

~~This bill would delete this requirement.~~

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 12805.2 of the Government Code is
2 amended to read:

3 12805.2. (a) The Natural Resources Agency, in consultation
4 with each department, board, conservancy, and commission within
5 the agency, shall develop and maintain a database of lands and
6 easements that have been acquired by the departments, boards,
7 commissions, and conservancies within the Natural Resources
8 Agency. The database shall include, but need not be limited to, all
9 of the following:

- 10 (1) The name of the owner of the land or easement.
- 11 (2) The location of the land or easement.
- 12 (3) The statutory authority for the acquisition of the land or
13 easement.

14 (b) In conjunction with the database described in subdivision
15 (a), the Natural Resources Agency shall do all of the following:

16 (1) On or before September 1, 2002, and each year thereafter,
17 request that all departments, boards, commissions, and
18 conservancies within the Natural Resources Agency provide the
19 Secretary of the Natural Resources Agency with information on
20 any acquisitions of land or funding that was directed to the
21 acquisition of land, undertaken by the department, board,
22 commission, or conservancy.

23 (2) To the extent that the information is available, on or before
24 January 10, 2003, and each year thereafter, require that all
25 departments, boards, commissions, and conservancies within the
26 Natural Resources Agency provide the Secretary of the Natural
27 Resources Agency with general information, including a general
28 geographic description of land acquisition priorities and potential
29 funding sources during the next fiscal year.

30 (3) To the extent feasible, review and evaluate any available
31 information from federal agencies pertaining to its land acquisition
32 activities to coordinate and better understand the impact on
33 California state proposals.

34 (4) Provide a report to the Governor and the Legislature on or
35 before December 31, 2003, and each year thereafter, that does both
36 of the following:

37 (A) Describes the amount of land acquired by each department,
38 board, commission, and conservancy within the Natural Resources

1 Agency during the past year and the amount of money spent for
2 the acquisition.

3 (B) Projects the approximate amount of land that will be
4 acquired by the Natural Resources Agency during the following
5 year.

6 (5) Provide the report described in paragraph (4) to the Secretary
7 of Food and Agriculture and the Director of Conservation.

8 (6) Establish and implement a uniform open process, that shall
9 include, but is not limited to, at least 30 days for public comment,
10 to provide public transparency and ensure that information is
11 readily available to the general public, local, state, and federal
12 agencies, adjacent landowners, and other interested parties of
13 record regarding any state hearings to approve proposed state land
14 acquisitions.

15 (7) Develop strategies with local, state, and federal agencies so
16 that a revenue stream is established to ensure management plans
17 are adequately funded for all new acquisitions.

18 (c) *This section shall be implemented only during those fiscal*
19 *years for which funding is provided for the purposes of this section*
20 *in the annual Budget Act or in another measure.*