

AMENDED IN SENATE SEPTEMBER 8, 1999

AMENDED IN SENATE AUGUST 17, 1999

AMENDED IN SENATE JUNE 24, 1999

AMENDED IN ASSEMBLY APRIL 22, 1999

AMENDED IN ASSEMBLY APRIL 14, 1999

AMENDED IN ASSEMBLY APRIL 6, 1999

AMENDED IN ASSEMBLY APRIL 5, 1999

CALIFORNIA LEGISLATURE—1999–2000 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1355**

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**Introduced by Assembly Member Havice**  
**(Coauthors: Assembly Members Cardenas, Firebaugh, Floyd,**  
**Lowenthal, Robert Pacheco, Vincent, and Washington)**  
(Coauthor: Senators Hughes and Karnette)

February 26, 1999

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~~An act to add Division 22.7 (commencing with Section 32550) to the Public Resources Code, relating to the San Gabriel River and Mountains Conservancy. An act to add Division 22.8 (commencing with Section 32600) to the Public Resources Code, relating to the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 1355, as amended, Havice. San Gabriel ~~River~~ and Lower Los Angeles Rivers and Mountains Conservancy.



~~Existing~~

(1) Existing law authorizes various conservancies to acquire, manage, and conserve public lands in the state.

This bill would establish the San Gabriel ~~River~~ and Lower Los Angeles Rivers and Mountains Conservancy to acquire and manage public lands within the main San Gabriel Basin, the San Gabriel River and its tributaries, the Lower Los Angeles River and its tributaries, and the San Gabriel Mountains, ~~and would prescribe the management, powers, and duties of the conservancy.~~

(2) The bill would become operative only if SB 216 of the 1999–2000 Regular Session is enacted and becomes operative on or before January 1, 2000.

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. Division 22.7 (commencing with~~  
2 SECTION 1. Division 22.8 (commencing with  
3 Section 32600) is added to the Public Resources Code, to  
4 read:

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6 DIVISION 22.8. SAN GABRIEL AND LOWER LOS  
7 ANGELES RIVERS AND MOUNTAINS  
8 CONSERVANCY

9  
10 CHAPTER 1. GENERAL PROVISIONS

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12 32600. This division shall be known, and may be cited,  
13 as the San Gabriel and Lower Los Angeles Rivers and  
14 Mountains Conservancy Act.

15 32601. The Legislature hereby finds and declares that  
16 the San Gabriel River and its tributaries, the Lower Los  
17 Angeles River and its tributaries, and the San Gabriel  
18 Mountains, Puente Hills, and San Jose Hills constitute a  
19 unique and important open-space, environmental,  
20 anthropological, cultural, scientific, educational,  
21 recreational, scenic, and wildlife resource that should be  
22 held in trust to be preserved and enhanced for the



1 enjoyment of, and appreciation by, present and future  
2 generations.

3 32602. There is in the Resources Agency, the San  
4 Gabriel and Lower Los Angeles Rivers and Mountains  
5 Conservancy, which is created as a state agency for the  
6 following purposes:

7 (a) To acquire and manage public lands within the  
8 Lower Los Angeles River and San Gabriel River  
9 watersheds, and to provide open-space, low-impact  
10 recreational and educational uses, water conservation,  
11 watershed improvement, wildlife and habitat restoration  
12 and protection, and watershed improvement within the  
13 territory.

14 (b) To preserve the San Gabriel River and the Lower  
15 Los Angeles River consistent with existing and adopted  
16 river and flood control projects for the protection of life  
17 and property.

18 (c) To acquire open-space lands within the territory of  
19 the conservancy.

20 (d) To provide for the public's enjoyment and  
21 enhancement of recreational and educational  
22 experiences on public lands in the San Gabriel Watershed  
23 and Lower Los Angeles River, and the San Gabriel  
24 Mountains in a manner consistent with the protection of  
25 lands and resources in those watersheds.

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#### CHAPTER 2. DEFINITIONS

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29 32603. As used in this division, the following terms  
30 have the following meaning:

31 (a) "Board" means the governing board of the San  
32 Gabriel and Lower Los Angeles Rivers and Mountains  
33 Conservancy.

34 (b) "Conservancy" means the San Gabriel and Lower  
35 Los Angeles Rivers and Mountains Conservancy.

36 (c) "Territory" means the territory of the conservancy  
37 that consists of those portions of Los Angeles County and  
38 Orange County located within the San Gabriel River and  
39 its tributaries, the Los Angeles River and its tributaries,



1 *and the San Gabriel Mountains, including, without*  
2 *limitation, all of the following:*

3 *(1) The hydrologic basin or watershed that coincides*  
4 *with the upper San Gabriel River watershed, including*  
5 *the Upper Rio Hondo tributary, but not including any*  
6 *land area within the Santa Monica Mountains*  
7 *Conservancy as described in Chapter 2 (commencing*  
8 *with Section 33100) and Chapter 3 (commencing with*  
9 *Section 33200) of Division 23. The hydrologic basin or*  
10 *watershed is bounded by the San Gabriel Mountains to*  
11 *the north, the San Jose Hills to the east, the Puente Hills*  
12 *to the south, and by a series of hills and the Raymond*  
13 *Fault to the west.*

14 *(2) The hydrologic basin or watershed that coincides*  
15 *with the lower San Gabriel River watershed.*

16 *(3) The San Gabriel Mountains, including the Foothills*  
17 *Mountains Conservancy and the Puente Hills and San*  
18 *Jose Hills area, except any land area within the Santa*  
19 *Monica Mountains Conservancy as described in Chapter*  
20 *2 (commencing with Section 33100) and Chapter 3*  
21 *(commencing with Section 33200) of Division 23.*

22 *(4) The hydrologic basin or watershed that coincides*  
23 *with the Los Angeles River south of the northernmost*  
24 *boundary of the City of Vernon, as of June 1, 1999, except*  
25 *any land area within the Santa Monica Mountains*  
26 *Conservancy, as described in Chapter 2 (commencing*  
27 *with Section 33100) and Chapter 3 (commencing with*  
28 *Section 33200) of Division 23.*

29

#### 30 CHAPTER 5. LIMITATIONS

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32 *32620. Nothing in this division shall be interpreted to*  
33 *grant the board any regulatory or governing authority*  
34 *over any ordinance or regulatory measure adopted by a*  
35 *city, county, or special district that pertains to land use,*  
36 *water rights, or environmental quality.*

37 *32621. (a) Notwithstanding any other provision of*  
38 *this division, the conservancy shall not take any action*  
39 *that does any of the following:*



1 (1) *Interferes or conflicts with the exercise of the*  
2 *powers or duties of any watermaster, public agency, or*  
3 *other body or entity responsible for groundwater or*  
4 *surface water management or groundwater*  
5 *replenishment as designated or established pursuant to*  
6 *any adjudication or statute.*

7 (2) *Interferes or conflicts with any provision of any*  
8 *judgment or court order issued, or rule or regulation*  
9 *adopted, pursuant to any adjudication affecting water or*  
10 *water management in the San Gabriel River watershed*  
11 *and basin.*

12 (3) *Impedes or adversely impacts any previously*  
13 *adopted Los Angeles County Drainage Area project, as*  
14 *described in the report of the Chief of Engineers dated*  
15 *June 30, 1992, including any supplement or addendum to*  
16 *that report as of September 1, 1999, or any maintenance*  
17 *agreement to operate the project.*

18 (4) *Results in the degradation of water quality, or*  
19 *interferes or conflicts with any action by a watermaster*  
20 *or public agency that is authorized pursuant to statute,*  
21 *any water right or adjudication including, but not limited*  
22 *to, any action relating to water conservation,*  
23 *groundwater recharge, conservation or storage of water,*  
24 *or both, the pumping of groundwater, water treatment,*  
25 *the regulation of spreading, injection, pumping, storage,*  
26 *or the use of water from local sources, stormwater flows*  
27 *and runoff, or from imported or reclaimed water that is*  
28 *undertaken in connection with the management of the*  
29 *San Gabriel River or any branch, stream, fork, or*  
30 *tributary thereof, a groundwater basin, or groundwater*  
31 *resource.*

32 (5) *Interferes with, obstructs, hinders, or delays the*  
33 *exercise of, any water right by the owner of a public water*  
34 *system, including, but not limited to, the construction,*  
35 *operation, maintenance, replacement, repair, location, or*  
36 *relocation of any well or water pumping, treatment, or*  
37 *storage facility, pipeline, or other facility or property*  
38 *necessary or useful to the operation of the public water*  
39 *system.*



1 (b) The conservancy shall provide written notice to  
2 every water association in the jurisdiction of the  
3 conservancy of any proposed action, policy, or project  
4 that may affect any water right or water delivery system  
5 at least 45 calendar days prior to the date set for approval  
6 of any of those matters by the conservancy.

7 (c) As used in this section, “adjudication” means any  
8 final judgment or order entered in any judicial  
9 proceeding adjudicating or affecting water rights, surface  
10 water management, or groundwater management.

11 (d) The conservancy shall consult with other  
12 conservancies within the Resources Agency prior to  
13 implementing any project pursuant to this division in  
14 which there may be a jurisdictional overlap between  
15 those conservancies. Each of those conservancies shall  
16 make its best effort to resolve any issues regarding any  
17 project development that is carried out pursuant to this  
18 division in a mutually advantageous and environmentally  
19 beneficial manner. Any dispute between the  
20 conservancies shall be referred to the Resources Agency  
21 for resolution.

22 SEC. 2. This act shall become operative only if Senate  
23 Bill 216 of the 1999–2000 Regular Session is enacted and  
24 becomes effective on or before January 1, 2000.

25 SEC. 3. The Legislature recognizes that Chapter 1  
26 (commencing with Section 32600) of Division 22.8 of the  
27 Public Resources Code, as added by this bill, is identical  
28 to that chapter, as added by Senate Bill 216. It is the intent  
29 of the Legislature that Chapter 1 (commencing with  
30 Section 32600) as added by both bills be given effect. It is  
31 the intent of the Legislature that the provisions of Senate  
32 Bill 216 which add Chapter 3 (commencing with Section  
33 32604) and Chapter 4 (commencing with Section 32611)  
34 of Division 22.8 of the Public Resources Code be  
35 integrated with Chapter 2 (commencing with Section  
36 32603) and Chapter 5 (commencing with Section 32620)  
37 of Division 22.8 of the Public Resources Code, as added by  
38 this bill, with the result that there be one Division 22.8  
39 (commencing with Section 32600) of the Public  
40 Resources Code.



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**All matter omitted in this version of the bill appears in the bill as amended in the Senate August 17, 1999 (JR 11)**

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