

ASSEMBLY BILL

No. 2694

Introduced by Assembly Member Aanestad

February 25, 2000

An act to amend Section 5093.54 of the Public Resources Code, relating to wild and scenic rivers.

LEGISLATIVE COUNSEL'S DIGEST

AB 2694, as introduced, Aanestad. Wild and scenic rivers.

The existing Wild and Scenic Rivers Act includes specified rivers and segments thereof within the California Wild and Scenic River system, which are subject to protections under the act, including restrictions on the construction of dams, reservoirs, diversions, or other water impoundment facilities.

This bill would make a technical, nonsubstantive change in those provisions.

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

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

1 SECTION 1. Section 5093.54 of the Public Resources
2 Code is amended to read:
3 5093.54. The following rivers and segments thereof
4 are designated as components of the system:
5 (a) Klamath River. The main stem from 100 yards
6 below Iron Gate Dam to the Pacific Ocean; the Scott
7 River from the mouth of Shackleford Creek west of Fort
8 Jones to the river mouth near Hamburg; the Salmon

1 River from Cecilville Bridge to the river mouth near
2 Somesbar; the North Fork of the Salmon River from the
3 intersection of the river with the south boundary of the
4 Marble Mountain Wilderness Area to the river mouth;
5 Wooley Creek from the western boundary of the Marble
6 Mountain Wilderness Area to its confluence with the
7 Salmon River.

8 (b) Trinity River. The main stem from 100 yards below
9 Lewiston Dam to the river mouth at Weitchpec; the
10 North Fork of the Trinity from the intersection of the
11 river with the southern boundary of the Salmon-Trinity
12 Primitive Area downstream to the river mouth at Helena;
13 New River from the intersection of the river with the
14 southern boundary of the Salmon-Trinity Primitive Area
15 downstream to the river mouth near Burnt Ranch; South
16 Fork of the Trinity from the junction of the river with
17 State Highway Route 36 to the river mouth near Salver.

18 (c) Smith River. The main stem from the confluence
19 of the Middle and South Forks to its mouth at the Pacific
20 Ocean; the Middle Fork from its source about three miles
21 south of Sanger Lake as depicted on 1956 USGS 15'
22 "Preston Peak" topographic map to the middle of Section
23 7 T17N R5E; the Middle Fork from the middle of Section
24 7 T17N R5E to the middle of Section 6 T17N R5E; the
25 Middle Fork from the middle of Section 6 T17N R5E to
26 one-half mile upstream from the confluence with Knopki
27 Creek; the Middle Fork from one-half mile upstream
28 from the confluence with Knopki Creek to the
29 confluence with the South Fork; Myrtle Creek from its
30 source in Section 9 T17N R1E as depicted on 1952 USGS
31 15' "Crescent City" topographic map to the middle of
32 Section 28 T17N R1E; Myrtle Creek, from the middle of
33 Section 28 T17N R1E to the confluence with the Middle
34 Fork; Shelly Creek from its source in Section 1 T18N R3E
35 as depicted on 1951 USGS 15' "Gasquet" topographic map
36 to the confluence with Patrick Creek; Kelly Creek from
37 its source in Section 32 T17N R3E as depicted on 1951
38 USGS 15' "Gasquet" topographic map to the confluence
39 with the Middle Fork; Packsaddle Creek from its source
40 about 0.8 miles southwest of Broken Rib Mountain as



1 depicted on 1956 USGS 15' "Preston Peak" topographic
2 map to the eastern boundary of Section 3 T17N R1E;
3 Packsaddle Creek from the eastern boundary of Section
4 3 T17N R4E to the northern boundary of Section 3 T17N
5 R4E; Packsaddle Creek from the northern boundary of
6 Section 3 T17N R4E to the confluence with the Middle
7 Fork; East Fork Patrick Creek from its source in Section
8 10 T18N R3E as depicted on 1951 USGS 15' "Gasquet"
9 topographic map to the confluence with West Fork
10 Patrick Creek; West Fork Patrick Creek from its source
11 in Section 18 T18N R3E as depicted on 1951 15' "Gasquet"
12 topographic map to the confluence with East Fork
13 Patrick Creek; Griffin Creek from its source about 0.2
14 miles southwest of Hazel View Summit as depicted on
15 1956 USGS 15' "Preston Peak" topographic map to the
16 confluence with the Middle Fork; Knopki Creek from its
17 source about 0.4 miles west of Sanger Peak as depicted on
18 1956 USGS 15' "Preston Peak" topographic map to the
19 confluence with Middle Fork; Monkey Creek from its
20 source in the northeast quadrant of Section 12 T18N R3E
21 as depicted on 1951 USGS 15' "Gasquet" topographic map
22 to the northern boundary of Section 26 T18N R3E;
23 Monkey Creek from the northern boundary of Section 26
24 T18N R3E to the confluence with the Middle Fork;
25 Patrick Creek from the junction of the East and West
26 Forks of Patrick Creek to the confluence with Middle
27 Fork; the North Fork from the California-Oregon
28 boundary to the confluence with an unnamed tributary
29 in the northern quarter Section 5 T18N R2E as depicted
30 on 1951 USGS 15' "Gasquet" topographic map; the North
31 Fork from the confluence with an unnamed tributary in
32 northern quarter of Section 5 T18N R2E to the
33 southernmost intersection of eastern boundary Section 5
34 T18N R2E as depicted on 1951 USGS 15' "Gasquet"
35 topographic map; the North Fork from the southern-most
36 intersection of the eastern boundary Section 5 T18N R2E
37 as depicted on 1951 USGS 15' "Gasquet" topographic map
38 to the confluence with Stony Creek; the North Fork from
39 the confluence with Stony Creek to the confluence with
40 the Middle Fork; Diamond Creek from the



1 California-Oregon state boundary to the confluence with
2 High Plateau Creek; Diamond Creek from the
3 confluence with High Plateau Creek to the confluence
4 with the North Fork; Bear Creek from its source in
5 Section 24 T18N R2E as depicted on 1951 USGS 15'
6 "Gasquet" topographic map to the confluence with
7 Diamond Creek; Still Creek from its source in Section 11
8 T18N R1E as depicted on 1952 USGS 15' "Crescent City"
9 topographic map to the confluence with the North Fork
10 Smith River; North Fork Diamond Creek from the
11 California-Oregon state boundary to the confluence with
12 Diamond Creek; High Plateau Creek from its source in
13 Section 26 T18N R2E as depicted on 1951 USGS 15'
14 "Gasquet" topographic map to northern boundary
15 Section 23 T18N R2E; High Plateau Creek from the
16 northern boundary Section 23 T18N R2E to the
17 confluence with Diamond Creek; the Siskiyou Fork from
18 its source about 0.7 miles southeast of Broken Rib
19 Mountain as depicted on 1956 USGS 15' "Preston Peak"
20 topographic map to the confluence with the South
21 Siskiyou Fork; the Siskiyou Fork from its confluence with
22 the South Siskiyou Fork to the confluence with the
23 Middle Fork; the South Siskiyou Fork from its source
24 about 0.6 miles southwest of Buck Lake as depicted on
25 1956 USGS 15' "Preston Peak" topographic map to the
26 confluence with the Siskiyou Fork; the South Fork from
27 its source about 0.5 miles southwest of Bear Mountain as
28 depicted on 1956 USGS 15' "Preston Peak" topographic
29 map to Blackhawk Bar; the South Fork from Blackhawk
30 Bar to the confluence with the Middle Fork; Williams
31 Creek from its source in Section 31 T14N R4E as depicted
32 on 1952 USGS 15' "Ship Mountain" topographic map to
33 the confluence with Eight Mile Creek; Eight Mile Creek
34 from its source in Section 29 T14N R4E as depicted on
35 1955 USGS 15' "Dillon Mountain" topographic map to the
36 confluence with the South Fork; the Prescott Fork from
37 its source about 0.5 miles southeast of Island Lake as
38 depicted on 1955 USGS 15' "Dillon Mountain"
39 topographic map to the confluence with the South Fork;
40 Quartz Creek from its source in Section 31 T16N R4E as



1 depicted on 1952 USGS 15' "Ship Mountain" topographic
2 map to the confluence with the South Fork; Jones Creek
3 from its source in Section 36 T16N R3E as depicted on
4 1952 USGS 15' "Ship Mountain" topographic map to the
5 middle of Section 5 T15N R3E; Jones Creek from the
6 middle of Section 5 T15N R3E to the confluence with the
7 South Fork; Hurdygurdy Creek from its source about 0.4
8 miles southwest of Bear Basin Butte as depicted on 1956
9 USGS 15' "Preston Peak" topographic map to the
10 confluence with the South Fork; Gordon Creek from its
11 source in Section 18 T16N R3E as depicted on 1951 USGS
12 15' "Gasquet" topographic map to the confluence with
13 the South Fork; Coon Creek from the junction of the
14 two-source tributaries in the southwest quadrant of
15 Section 31 T17N R3E as depicted on 1951 USGS 15'
16 "Gasquet" topographic map to the western boundary
17 Section 14 T16N R2E; Coon Creek from the western
18 boundary Section 14 T16N R2E to the confluence with the
19 South Fork; Craigs Creek from its source in Section 36
20 T17N R2E as depicted on 1951 USGS 15' "Gasquet"
21 topographic map to the confluence with the South Fork;
22 Buck Creek from its source at Cedar Camp Spring as
23 depicted on 1952 USGS 15' "Ship Mountain" topographic
24 map to the confluence with the South Fork; Muzzleloader
25 Creek from its source in Section 2 T15N R3E as depicted
26 on 1952 USGS 15' "Ship Mountain" topographic map to
27 the confluence with Jones Creek; Canthook Creek from
28 its source in Section 2 T15N R2E as depicted on 1952 USGS
29 15' "Ship Mountain" topographic map to the confluence
30 with South Fork.

31 (d) Eel River. The main stem from 100 yards below
32 Van Arsdale Dam to the Pacific Ocean; the South Fork of
33 the Eel from the mouth of Section Four Creek near
34 Branscomb to the river mouth below Weott; Middle Fork
35 of the Eel from the intersection of the river with the
36 southern boundary of the Middle Eel-Yolla Bolly
37 Wilderness Area to the river mouth at Dos Rios; North
38 Fork of the Eel from the Old Gilman Ranch downstream
39 to the river mouth near Ramsey; Van Duzen River from



1 Dinsmores Bridge downstream to the river mouth near
2 Fortuna.

3 (e) American River. The North Fork from its source to
4 the Iowa Hill Bridge; the Lower American from Nimbus
5 Dam to its junction with the Sacramento River.

6 (f) (1) West Walker River. The main stem from its
7 source to the confluence with Rock Creek near the town
8 of Walker; Leavitt Creek from Leavitt Falls to the
9 confluence with the main stem of the West Walker River.

10 (2) Carson River. The East Fork from the Hangman's
11 Bridge crossing of State Highway Route 89 to the
12 California-Nevada border.

13 (3) The Legislature finds and declares that, because
14 the East Fork Carson River and West Walker River are
15 interstate streams, and a source of agricultural water and
16 domestic water for communities within the counties of
17 Alpine and Mono where they originate, it is necessary
18 that the following special provisions apply:

19 (A) Nothing in this subdivision shall be construed to
20 prohibit the replacement of diversions or changes in the
21 purpose of use, place of use, or point of diversion under
22 existing water rights, except that (i) no such replacement
23 or change shall operate to increase the adverse effect, if
24 any, of the preexisting diversion facility or place or
25 purpose of use, upon the free-flowing condition and
26 natural character of the stream, and (ii) after January 1,
27 1990, no new diversion shall be constructed unless and
28 until the secretary determines that the facility is needed
29 to supply domestic water to the residents of any county
30 through which the river or segment flows and that the
31 facility will not adversely affect the free-flowing
32 condition and natural character of the stream.

33 (B) Nothing in this chapter shall be construed as
34 quantifying or otherwise affecting any equitable
35 apportionment, or as establishing any upper limit,
36 between the State of California and the State of Nevada
37 of the waters of these streams.

38 (g) (1) The South Yuba River: From Lang Crossing to
39 its confluence with Kentucky Creek below Bridgeport.



1 (2) Nothing in this subdivision shall prejudice, alter,
2 delay, interfere with, or affect in any way, the existing
3 rights of the Placer County Water Agency, the
4 implementation of those rights; any historic water use
5 practices; the replacement, maintenance, repair,
6 operation, or future expansion of existing diversions,
7 storage, powerhouses, or conveyance facilities or other
8 works by the Placer County Water Agency; or changes in
9 the purpose of use, places of use, points of diversion, or
10 ownership of those existing water rights; nor shall
11 anything in this subdivision preclude the issuance of any
12 governmental authorization needed for utilization of
13 those rights, except that no changes shall operate to
14 increase the adverse effect, if any, of the preexisting
15 facilities or places, or the purposes of use upon the
16 free-flowing and natural character of the river segment
17 designated herein.

18 (3) This subdivision shall become operative on
19 January 1, 2001.

20 (h) Other rivers ~~which~~ *that* qualify for inclusion in the
21 system may be recommended to the Legislature by the
22 secretary.

