

AMENDED IN ASSEMBLY MAY 4, 2017
AMENDED IN ASSEMBLY MARCH 23, 2017
CALIFORNIA LEGISLATURE—2017–18 REGULAR SESSION

ASSEMBLY BILL

No. 975

Introduced by Assembly Member Friedman
(Coauthor: Senator Allen)

February 16, 2017

An act to amend Sections 5093.50 and 5093.52 of the Public Resources Code, relating to wild and scenic rivers.

LEGISLATIVE COUNSEL'S DIGEST

AB 975, as amended, Friedman. Natural resources: wild and scenic rivers.

Existing law establishes that it is the policy of the state that certain rivers that possess extraordinary scenic, recreational, fishery, or wildlife values shall be preserved in their free-flowing state, together with their immediate environments, for the benefit and enjoyment of the people of the state.

This bill would revise that policy to specify that certain rivers that possess scenic, recreational, fishery, wildlife, historical, cultural, geological, ~~ecological, hydrological, botanical,~~ or other similar values shall be preserved in their free-flowing state, together with their immediate environments, for the benefit and enjoyment of the people of the state, and would revise the definition of “immediate environments,” and define the term “extraordinary value” for purposes of that policy.

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 5093.50 of the Public Resources Code
2 is amended to read:

3 5093.50. It is the policy of the State of California that certain
4 rivers that possess extraordinary scenic, recreational, fishery,
5 wildlife, historical, cultural, geological, ~~ecological, hydrological,~~
6 ~~botanical~~; or other similar values shall be preserved in their
7 free-flowing state, together with their immediate environments,
8 for the benefit and enjoyment of the people of the state. The
9 Legislature declares that such use of these rivers is the highest and
10 most beneficial use and is a reasonable and beneficial use of water
11 within the meaning of Section 2 of Article X of the California
12 Constitution. It is the purpose of this chapter to create a California
13 Wild and Scenic Rivers System to be administered in accordance
14 with the provisions of this chapter.

15 SEC. 2. Section 5093.52 of the Public Resources Code is
16 amended to read:

17 5093.52. As used in this chapter, the following terms have the
18 following meaning:

19 (a) “Secretary” means the Secretary of the Natural Resources
20 Agency.

21 (b) “Resources Agency” means the Natural Resources Agency
22 and any constituent units of the Natural Resources Agency that
23 the secretary determines to be necessary to accomplish the purposes
24 of this chapter.

25 (c) “River” means the water, bed, and shoreline of rivers,
26 streams, channels, lakes, bays, estuaries, marshes, wetlands, and
27 lagoons, up to the first line of permanently established riparian
28 vegetation.

29 (d) “Free-flowing” means existing or flowing without artificial
30 impoundment, diversion, or other modification of the river. The
31 presence of low dams, diversion works, and other minor structures
32 does not automatically bar a river’s inclusion within the system.
33 However, this subdivision does not authorize or encourage future
34 construction of those structures on any component of the system.

35 (e) “System” means the California Wild and Scenic Rivers
36 System.

37 (f) “Land use regulation” means the regulation by any state or
38 local governmental entity, agency, or official of any activities that

1 take place other than directly on the waters of the segments of the
2 rivers designated in Section 5093.54.

3 (g) “Director” means the Director of Fish and Wildlife.

4 (h) “Immediate environments” ~~means~~ *means, notwithstanding*
5 *the special treatment areas defined in subdivision (i)*, the corridor
6 of land within one-quarter mile of the segments of the rivers
7 designated in Section 5093.54.

8 (i) “Special treatment areas” means, for purposes of this chapter,
9 those areas defined as special treatment areas in Section 895.1 of
10 Title 14 of the California Code of Regulations, as in effect on
11 January 1, 2004, as that definition applies to wild and scenic river
12 segments designated from time to time in Section 5093.54, and
13 also includes areas within 200 feet of the watercourse transition
14 line of a state-designated recreational river segment designated in
15 Section 5093.54 that may be at risk during timber operations.

16 (j) “Board” means the State Board of Forestry and Fire
17 Protection.

18 (k) “Extraordinary value” means a ~~natural, cultural,~~ *scenic,*
19 *recreational, fishery, wildlife, historical, cultural, geological,* or
20 similar value that is outstanding or remarkable in a local, regional,
21 or statewide context.