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SB-256 Parklands: City of Davis. (2023-2024)

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Senate Bill No. 256

CHAPTER 305

An act to add Section 5915.5 to the Public Resources Code, relating to parklands.

[Approved by Governor October 04, 2023. Filed with Secretary of State October 04, 2023.]

LEGISLATIVE COUNSEL'S DIGEST

SB 256, Dodd. Parklands: City of Davis.

The California Wildlife, Coastal, and Park Land Conservation Act (conservation act), an initiative bond measure approved by the voters at the June 7, 1988, statewide primary election, authorizes grants to be made by the Department of Parks and Recreation to cities, counties, districts, and nonprofit organizations for specified purposes, including purposes related to parks. As part of the conservation act, the City of Davis was appropriated moneys for acquisition of, or for grants from the city to nonprofit organizations for acquisition of, wildlife and riparian habitat, wetlands, and potential wetlands within the 1987 Davis General Plan Study Area. The conservation act requires property acquired, developed, rehabilitated, or restored pursuant to the conservation act to be used only for purposes of the conservation act and prohibits any other use of the property, except as authorized by the Legislature.

This bill would authorize the City of Davis to convey conservation easements, leases, or licenses for habitat conservation projects located on, the geologic storage of carbon dioxide in the pore spaces in the geologic reservoir located below, monitoring wells or any other equipment or facilities that are required by law for the geologic storage of carbon dioxide and that are located on, and agricultural activities that provide wildlife habitat and are located on, specified parcels acquired by the city with a grant made pursuant to the conservation act, as specified. The bill would require the city, in the conveyance of these easements, leases, or licenses, to maintain the scenic, recreational, and wildlife values of the real property.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 5915.5 is added to the Public Resources Code, to read:

5915.5. (a) For purposes of this section, the following definitions apply:

(1) "City" means the City of Davis.

(2) "Parcel" means one of the following parcels acquired by the city with a grant made pursuant to subparagraph (S) of paragraph (3) of subdivision (b) of Section 5907, as identified by the assessor of the County of Yolo:

(A) 033-260-004.

(B) 033-260-005.

(C) 033-260-010.

(D) 033-130-031.

(E) 033-130-052.

(F) 033-130-035.

(G) 033-130-037.

(H) 033-130-051.

(3) "Plan" means the "Yolo Habitat Conservation Plan/Natural Community Conservation Plan."

(b) Consistent with paragraph (2) of subdivision (a) of Section 5919, the city may convey a conservation easement, lease, or license for any of the following purposes:

(1) A habitat conservation project that is consistent with the plan and located on a parcel.

(2) (A) The geologic storage of carbon dioxide in the pore spaces in the geologic reservoir located below a parcel specified in subparagraphs (F) to (H), inclusive, of paragraph (2) of subdivision (a).

(B) A monitoring well or any other equipment or facility that is required by federal, state, or local law for the geologic storage of carbon dioxide, as described in subparagraph (A), and that is located on a parcel specified in subparagraphs (F) to (H), inclusive, of paragraph (2) of subdivision (a).

(C) Subdivision (b) of Section 5919 applies to any change to the use of the surface of a parcel specified in subparagraphs (F) to (H), inclusive, of paragraph (2) of subdivision (a).

(D) This paragraph does not authorize the injection of carbon dioxide into a geologic reservoir located below a parcel specified in subparagraphs (F) to (H), inclusive, of paragraph (2) of subdivision (a) from an injection point located on the surface of a parcel specified in subparagraphs (F) to (H), inclusive, of paragraph (2) of subdivision (a).

(3) An agricultural activity that provides wildlife habitat, consistent with the plan, and is located on a parcel.

(c) Any revenue received by the city from conveying a conservation easement, lease, or license on a parcel, as authorized pursuant to this section, shall be used to preserve, protect, maintain, or enhance wildlife and riparian habitat, wetlands, and potential wetlands within the Davis Planning Area, consistent with this division.

(d) In the conveyance of an easement, lease, or license pursuant to subdivision (b), the city shall maintain the scenic, recreational, and wildlife values of that real property.

(e) This section does not exempt the city or any other party from any law that would otherwise apply to the conveyance of a conservation easement, lease, or license pursuant to subdivision (b) or to a project or activity described in subdivision (b).