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2. BACKGROUND AND CONTEXT

2.1 THE SAN JOAQUIN RIVER AND WATERSHED

The San Joaquin River, emerging from the Sierra Nevada foothills, has carved its channel into a landscape of a broad floodplain flanked by bluffs varying in steepness and elevation. Below Friant Dam and Highway 99, the river serves as the boundary between the counties of Madera and Fresno, and is the principal natural feature of both the Fresno-Madera metropolitan area as well as the entire San Joaquin Valley, see Figure 2-1. On either side of the river corridor urban centers in the respective counties are growing progressively toward the river.

The river corridor is primarily designated for agricultural and open space uses in the local planning documents. Several studies, including the 1986 San Joaquin River Reconnaissance Study, have identified and documented the constraints associated with the river corridor or riverbottom lands. These constraints included flooding, riparian habitat, sand and gravel resources and operations, and topography. Development pressure in the area subjects the river corridor and remaining agriculture lands to diverse and often competing interests. Development characteristically results in the clearing of land to allow for construction, excavation, or landscaping that impinges on plant and wildlife habitat.

The San Joaquin River and many areas of the riverbottom between Friant Dam and Highway 99 offer attractive recreational opportunities and have significant natural habitat areas. Most land use jurisdictions now have policies that protect the floodplain from urban density development in the Parkway, and updated regulations that address natural resource protection, such as water quality measures. However, development pressure and a growing population still threaten to impact the habitat and recreational opportunities of the San Joaquin River. Specialized planning is still needed to identify and protect the natural resources and recreational values in the river corridor and riverbottom lands.

2.2 IMPETUS FOR ESTABLISHING A PARKWAY

The San Joaquin River is the second largest watershed in California. It serves the Fresno and Madera region's agriculture, recreation, and water supply needs. It historically provided for commercial navigation, and now provides for recreational boating. Its waters provide for unsurpassed agricultural production throughout the San Joaquin Valley. It supports important natural ecosystems, and once provided sustenance for numerous indigenous people.

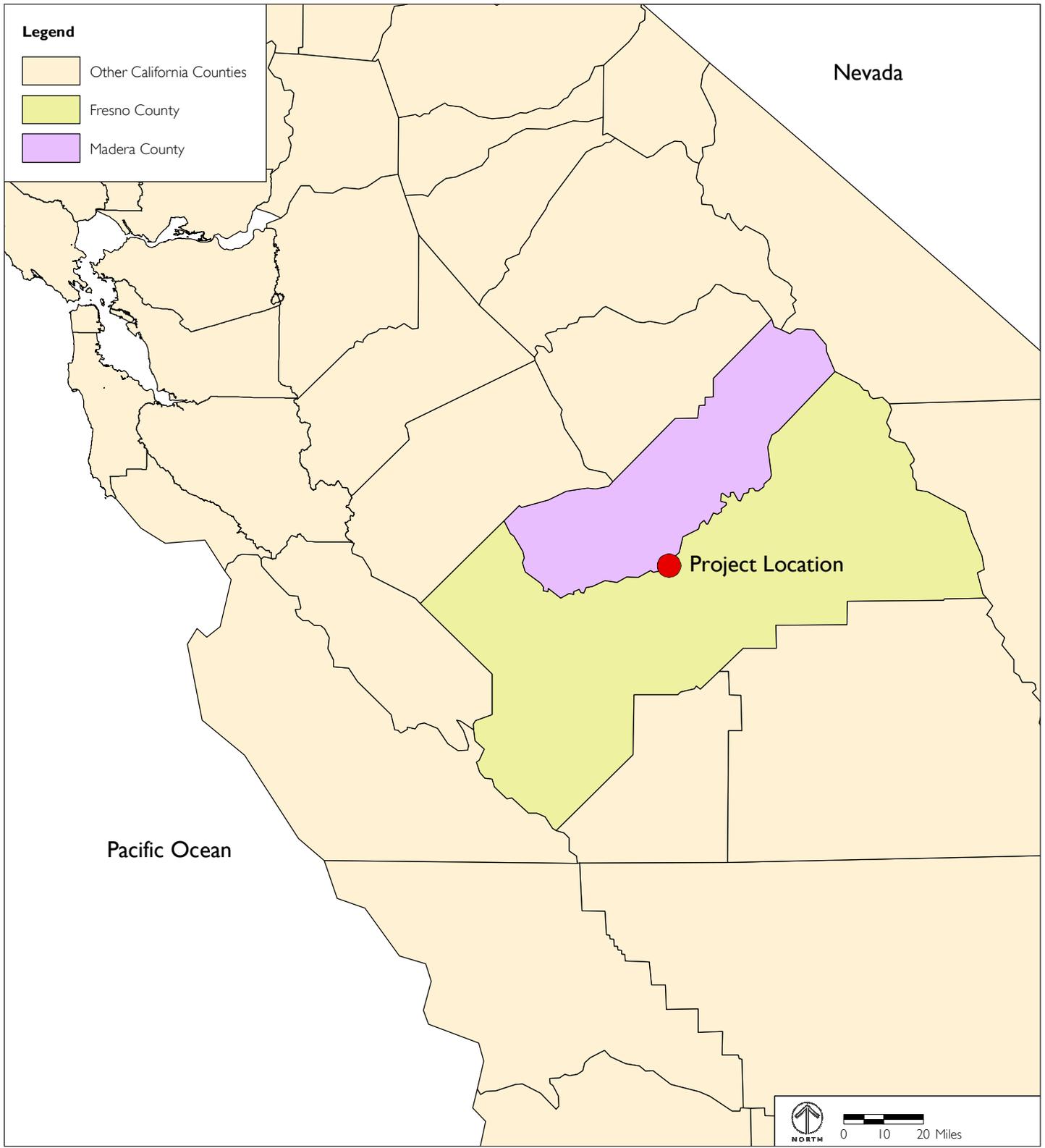


FIGURE 2-1
REGIONAL VICINITY MAP

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In 1988, people concerned with the future of the San Joaquin River formed the River Parkway Trust, a private nonprofit organization. The loss of 94 percent of the San Joaquin Valley's wetlands and the conversion of wildlife habitat into urban development provided a basis for local concern about impacted river resources; others were concerned about the lack of access for the public to recreate within and along the river. Awareness of the natural resource, recreational, cultural resource, and educational values of the river, and the need for comprehensive, multi-jurisdictional coordination and planning led to State legislative action.

The State Legislature passed Assembly Bill No. 3121 (Chapter 1025 of the Statutes of 1990), introduced by Assembly Member Jim Costa, as an urgency measure. This legislation provided funds for a San Joaquin River Parkway Task Force (Task Force) to seek community participation in the planning process to develop a plan based on general goals described in the legislation.

Task Force members included representatives of State and local governmental agencies and various organizations with interest in the river and concerns with the effects of the Parkway. The legislature directed the planning process to attain a high degree of consensus among the members of the Task Force. The final draft of the San Joaquin River Parkway Task Force Plan (Task Force Plan) was issued March 13, 1992.

2.3 THE PLANNED PARKWAY

The San Joaquin River Parkway is a planned 22-mile regional natural and recreation area primarily in the river's floodplain extending from Friant Dam to Highway 99, encompassing portions of both Fresno and Madera Counties. The adopted and proposed updated San Joaquin River Parkway Master Plan envision: a primary multi-use trail from Friant Dam to Highway 99 (22+/- river miles); contiguous and continuous wildlife habitat and movement corridors; a regional, multifaceted parkway experience for visitors, consisting of river access, low-impact recreation, and conservation education; and functional regional conservation and restoration of habitat, the watershed, and ecosystems. On full build-out the Parkway will include a multi-use trail extending the entire length, an interconnected recreational trail system, habitat conservation areas and a protected wildlife movement corridor, non-motorized boating trail, low-impact recreation areas, educational and interpretive programs and features, watershed improvements, and ancillary facilities. A detailed description of the Parkway as it exists today is in Chapter 3, and as planned is in Chapter 5.

2.4 SAN JOAQUIN RIVER CONSERVANCY

The San Joaquin River Conservancy came into existence in 1992 through the passage of the San Joaquin River Conservancy Act (Public Resources Code §32500 et seq., Appendix A), to promote, develop, and manage the proposed Parkway. The Conservancy was initiated by citizens, advocacy groups, State and local agencies, and created by the State legislature to address the long-term future of the San Joaquin

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River's unique natural resources—its wildlife habitat, recreational opportunities, and beautiful park-like setting—as the pressures of urban growth from Fresno and Madera Counties accelerated.

The Conservancy adapted an interim plan derived from the San Joaquin River Parkway Task Force Plan in 1995, certified a programmatic Environmental Impact Report in accordance with the California Environmental Quality Act, and approved the Interim San Joaquin River Parkway Master Plan in December 1997.

The State of California created conservancies with the explicit purpose to execute the State's conservation goals through collaborative partnerships at the local and regional levels. Multi-agency state conservancies were created to accomplish accountability, sustain close relationships with local agencies, ensure transparency, give constituents a greater voice, and provide for integrated resources conservation/land use planning among state and local governments. With a State presence within the conservancies' governing bodies and state fiscal support, local agencies and regional interests have additional tools to effectively protect significant resources and to collaborate in sustainable development. The State, as well as local governments, have a compelling interest in protecting threatened resources in the rapidly growing, diverse, and evolving economy of the San Joaquin Valley.

2.4.1 SAN JOAQUIN RIVER CONSERVANCY ACT

MISSION

San Joaquin River Conservancy Act (Public Resources Code § 32500 et seq.) sets forth the statutory mission and authorities of the Conservancy. In the Act's introductory sections, "The Legislature hereby finds and declares that the San Joaquin River, its broad corridors, and its prominent bluffs constitute a unique and important environmental, cultural, scientific, agricultural, educational, recreational, scenic, flood water conveyance, and wildlife resource that should be preserved for the enjoyment of, and appreciation by, present and future generations." "The Legislature further finds and declares that the San Joaquin River Parkway Task Force, representing diverse state and local interests, has developed a San Joaquin River Parkway Plan which, in concept, outlines and provides a structural framework for ideas for establishing the San Joaquin River Parkway. It is the intent of the Legislature in enacting this division to implement the task force recommendation for a managing entity for the proposed Parkway."

AUTHORITIES

The following are key Conservancy authorities provided in the Act:

"The conservancy may determine acquisition priorities and may acquire real property or any interest in real property within the parkway from willing sellers and at fair market value or on other mutually acceptable terms [emphasis added]. The conservancy may acquire the property, itself, or may coordinate the acquisition through a member agency or other public agencies with appropriate responsibility and

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available funding or land to exchange. The conservancy does not have powers of eminent domain.” (PRC §32532)

“The conservancy shall be responsible for operation and maintenance of the parkway. The conservancy shall close to the public any lands or facilities which it is unable to maintain in a clean and safe manner and to adequately protect the wildlife and rights of adjacent property owners from the public, including areas downstream from the Highway 99 crossing affected by the use of the parkway.” (PRC §32511)

The Act provides: “The conservancy may adopt and enforce regulations governing the use of parkway lands and activities within the parkway; the protection and management of native riparian vegetation, wildlife, and other natural resources on parkway lands; and the protection of archaeological sites.” (PRC §32527)

“The conservancy may undertake site improvement projects; regulate public access; revegetate and otherwise rehabilitate degraded areas, in consultation with other public agencies with appropriate jurisdiction and expertise; upgrade deteriorating facilities; and construct new facilities as needed for outdoor recreation, nature appreciation and interpretation, and natural resource protection. These projects may be undertaken by the conservancy itself or by member agencies, with the conservancy providing overall coordination through setting priorities for projects and assuring uniformity of approach.” (PRC §32533)

The Conservancy is an agency of the State of California. The Conservancy must comply with all laws, regulations, manuals, policies, and directives that apply to State agencies, including requirements for budgeting, accounting, and fiscal management; contracting and purchasing; public records; etc. The Conservancy Board procedures, meetings, and actions must comply with the Brown Act.

MANAGEMENT AND REGULATORY JURISDICTION

The area under management and regulatory jurisdiction of the Conservancy consists of the land acquired or leased by the Conservancy for the Parkway; other public lands managed by the Conservancy on behalf of another public agency through written mutual agreement; and private lands that are in a land mitigation bank or that are adjacent to the Parkway and downstream from the Highway 99 crossing and for which the owner desires the Conservancy's management and protection services or which are subject to a voluntary resource management agreement entered into with the Conservancy. (PRC §32512 and 32513) State-owned land managed under the Conservancy's jurisdiction may be referred to as Conservancy land or property herein. State lands are not generally subject to local land use regulation.

All zoning and land use regulations over other lands in the Parkway Plan Area remain the exclusive authority of the local land use agencies.

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2.5 PARKWAY PLANNING AREA

The area eligible for Parkway planning and development by the Conservancy, described herein as the Parkway Planning Area, is comprised of lands on both sides of the river from Friant Dam to Highway 99, see Figure 2-2. The Parkway Planning Area includes portions of Fresno County, Madera County, and the City of Fresno. This area is approximately 22-miles long, from river mile 267.6 at the face of Friant Dam to State Highway 99 at river mile 243.2, on both sides of the river. The Parkway Planning Area varies in width from a narrow wildlife corridor where the river bluff is steep and close to the river to extensive floodplains of several hundred acres that may be suitable for a natural reserve or recreation area, or are already used as parklands.

Generally floodplain lands below the river's bluffs are the focus of Parkway planning; however, other lands, access roads, parking and staging areas, overlooks, and connections to community trails (among other possible appurtenant facilities) are eligible for acquisition, improvement, and incorporation into the Parkway. The Legislature intended that the Parkway would eventually encompass 5,900 acres, "of which 1,250 acres were already in public ownership" in 1992 (PRC §32510).

The Parkway Planning Area includes properties that are candidates for acquisition or Parkway management in order to connect existing Parkway elements, to improve the ecological values of the Parkway, or to provide for additional recreation opportunities. Indicating the general planning area of the Parkway on a map or describing it in this Plan is for planning purposes only. It does not and is not intended to initiate or to represent possible property acquisition activity. Future actions and negotiations with willing sellers will determine the ultimate configuration of the Parkway and the land and water areas included within it.

2.6 KEY PARTNERSHIPS

2.6.1 AGENCIES

The Conservancy is governed by a board consisting of representatives of:

- Six State agencies: The California Natural Resources Agency, California Department of Finance, California Department of Fish and Wildlife (CDFW), California Department of Parks and Recreation (DPR), Wildlife Conservation Board (WCB), and State Lands Commission (SLC);
- Six local agencies: Elected officials from the City of Fresno, City of Madera, County of Fresno, and County of Madera, as well as board members or designees from the Madera Irrigation District and Fresno Metropolitan Flood Control District; and
- Three local residents nominated by local agencies and appointed by the State Governor. (PRC §32515)

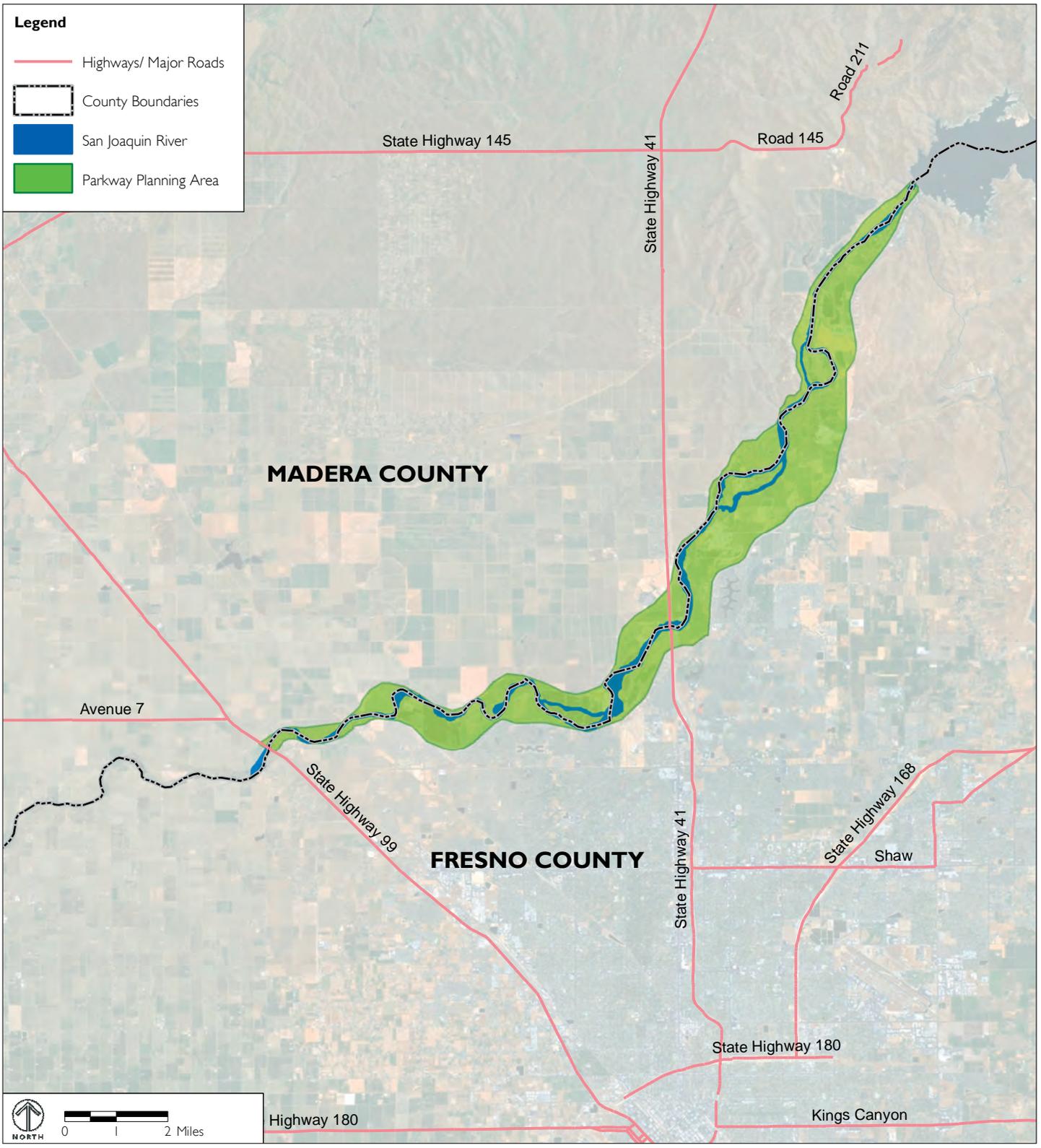


FIGURE 2-2
PARKWAY PLANNING AREA

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The State and local agencies represented on the board are often referred to as the “member agencies.” Parkway partnerships among the member agencies are strong, as demonstrated by the following examples:

- The local member agencies have incorporated the Parkway Master Plan in relevant portions of their land use plans. The local agencies have partnered with the Conservancy in Parkway plans, projects, and management. The County of Madera Planning Department has provided contractual planning assistance, including the River West Madera Master Plan and the River Vista Plan. The City of Fresno operates and maintains the Lewis S. Eaton Trail, Riverside Trail, and Tom MacMichael Sr. Trail. They have partnered on several planning projects, including the on-going River West Fresno, Eaton Trail Extension Plan. The County of Fresno owns and operates Lost Lake Park.
- DPR provides administrative and operational services through agreements with the Conservancy, and actively participates in project development. They provide contract services to operate Friant Cove.
- WCB assists with Conservancy in administering bond fund capital improvements and land acquisitions. They provide professional support and bond fund accountability through a Memorandum of Understanding with the Conservancy.
- CDFW collaboratively manages its San Joaquin River Ecological Reserve in a manner that benefits Parkway purposes and provides visitor services at the San Joaquin Fish Hatchery.
- The State Lands Commission (SLC) has jurisdiction and management control over State sovereign lands, including the beds of navigable rivers such as the San Joaquin River. The SLC manages these lands for the benefit, use and enjoyment of all the people of the State, subject to the Public Trust.
- The California Department of Finance serves on the Conservancy board to provide oversight and direction related to State fiscal resources.
- The California Natural Resources Agency provides an umbrella for the ten State conservancies to partner in developing conservation policies and support.

The San Joaquin River Restoration Program (SJR Restoration Program), lead primarily by the State departments of Water Resources and CDFW, and the federal Bureau of Reclamation and National Marine Fisheries Service, has placed a priority on river and floodplain habitat enhancement within the Parkway and created the opportunity for interagency collaboration to achieve common goals. The San Joaquin River’s wildlife habitat and fishery resources have been severely impacted by human activities. In 2006, San Joaquin River water users and environmental groups arrived at a historic settlement agreement to restore the river. The State, federal government, Friant Water Users Authority, and environmental entities sponsoring the SJR Restoration Program will implement watershed-wide projects to change river flows and regimes, modify channel and floodplain configurations, restore aquatic and riparian habitat, and restore salmon in the river. Habitat restoration projects on Conservancy properties may be eligible for cooperative funding and joint project planning with the federal, State, and other entities.

Various public agencies may also sponsor smaller habitat restoration projects within the Parkway to meet mitigation requirements.

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2.6.2 NON-GOVERNMENTAL ORGANIZATIONS

The Parkway has strong nonprofit advocacy, stewardship, and educational organizations with diverse memberships.

The River Parkway Trust is the primary advocacy and fundraising nonprofit organization with a specific mission to develop and support the Parkway. The River Parkway Trust has over 3,000 members, logs contributions of 22,000 volunteer hours per year, and educates approximately 10,000 children in its programs each year. The River Parkway Trust has secured private donations and grants totaling millions of dollars invested in the Parkway. The River Parkway Trust has agreements with the Conservancy to operate the Conservancy's Sycamore Island, Camp Pashayan, and Ball Ranch. The River Parkway Trust is involved in several Conservancy grants, including current habitat restoration projects on the Conservancy's River West Fresno (Spano) property and Jensen River Ranch. The River Parkway Trust owns and operates the Coke Hallowell River Center, Owl Hollow, and the Hidden Homes trail.

The River Parkway Trust, the Trust for Public Land, and the American Farmland Trust have actively worked with property owners within the Parkway area to help achieve the goals of open space and habitat preservation. Their primary role is to secure land for ultimate acquisition by the Conservancy or other public agencies, or to secure conservation easements.

The Conservancy collaborates with Parkway stewardship and educational programs. The River Parkway Trust, RiverTree Volunteers, City of Fresno PARCS Department, Fresno State, Many Lightnings American Indian Legacy Center, Fresno County Office of Education, Friends of Lost Lake Park, San Joaquin River Stewardship Program, River Partners, and Revive the San Joaquin, among others, are actively involved in native plant restoration, invasive species management, litter cleanup, environmental education, canoe and kayak excursions, nature walks, and other programs and services involving students, volunteers, and members of the public.

The Fresno County Office of Education operates Scout Island, an outdoor education center open to organized school groups within the Parkway.

2.7 HISTORY OF THE SAN JOAQUIN RIVER PARKWAY MASTER PLAN

2.7.1 1997 MASTER PLAN

The Conservancy Board certified a Program EIR and approved the Interim Parkway Master Plan in December 1997. Relevant portions were incorporated or referenced in local general plans. The goals, objectives, and policies of the Master Plan, and the mitigation measures and commitments of the

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Program EIR were recompiled in a concise planning document, the Recompiled San Joaquin River Parkway Master Plan (2000). The Interim Parkway Master Plan, Recompiled Master, Draft EIR, Final EIR, Mitigation Monitoring Plan, resolution certifying the EIR, findings of fact, and statement of overriding considerations can be reviewed at www.sjrc.ca.gov.

The Interim Parkway Master Plan presents goals, objectives, and policies, and envisions future uses, improvements, features, facilities, and management measures. The plan does not delineate the location of specific improvements, since Parkway land had not yet been acquired. The Plan sets forth numerous factors to be considered in locating and developing improvements.

The 1997 Interim Parkway Master Plan and Program EIR continue as the foundation for the phased implementation, and tiered site- and project-specific CEQA review of future Parkway projects.

2.7.2 PURPOSE OF THE MASTER PLAN UPDATE

Over the years since the plan was approved, a number of issues necessitated review and revision of the Master Plan and evaluation pursuant to CEQA. The Master Plan Update focuses on those elements of the Interim Master Plan that are clearly out of date. Goals, objectives, policies, commitments, and mitigation measures that are not outdated remain substantially as-is and unchanged. The Master Plan Update can now be more specific about plans for Parkway public lands and many of the originally proposed facilities and features.

The Master Plan Update and EIR provide practical guidance for implementing phased, incremental site- and project-specific environmental review for future Parkway projects. Future projects include, but are not limited to: land and easement acquisitions; habitat restoration and enhancement; public access and low-impact recreation improvements; education and interpretive improvements; non-motorized boat launches and boating rest stops; maintenance and management facilities; ancillary facilities; and associated grants, agreements, operations, services, and programs.

The Master Plan Update is intended to protect the river's environmental, wildlife, cultural, scientific, agricultural, educational, recreational, scenic, and flood conveyance resources, which are of regional and statewide significance. The Parkway promotes public use, while it conserves, enhances, and educates visitors about natural resources that are sensitive and often negatively affected by humans' activities. Many efforts are underway to conserve and restore the river's natural resources, including the SJR Restoration Program's activities and improvements to restore Chinook salmon migration and breeding.

The following are the primary environmental, regulatory, policy, and management changes since 1997 that affect Parkway planning:

- The federal Flood Insurance Rate Maps (FIRM) for the San Joaquin River were revised in 2001;
- The Central Valley Flood Protection Plan;
- The spread of invasive species, primarily scarlet wisteria;

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- Adoption by the County of Fresno, County of Madera, and City of Fresno of General, Specific, and Community Plan policies that support the Parkway;
- CEQA regulatory changes, including requirements to address climate change;
- The SJR Restoration Program;
- More recently protected and listed species within the Parkway, including in particular the California Tiger Salamander;
- The Central Valley Vision, a planning document developed by the California Department of Parks and Recreation; and
- The Master Plan Update includes digitized map layers to illustrate key elements of the updated plan.

2.8 KEY TERMS USED IN THIS DOCUMENT

The following definitions clarify key terms and abbreviations used in this Master Plan Update.

- **San Joaquin River Conservancy (Conservancy):** The California agency created by the State Legislature to develop and manage the San Joaquin River Parkway.
- **San Joaquin River Parkway (Parkway):** Public lands that are acquired, developed, and managed to provide a harmonious combination of low-impact recreation, natural and cultural resources conservation, and educational uses. It is envisioned that the Parkway will eventually be linked from Friant Dam to State Route 99 by a 22 mile-long multiple use trail and contiguous wildlife corridor.
- **San Joaquin River Parkway Interim Master Plan and EIR 1997 (existing, or 1997 Parkway Master Plan):** The San Joaquin River Parkway Interim Master Plan and Environmental Impact Report approved by the Conservancy in 1997. The Plan and EIR's goals, policies, and mitigation measures guide the development of the Parkway.
- **San Joaquin River Parkway Master Plan Update (The Proposed Project or Proposed Plan):** This document presents the proposed updated Parkway Master Plan, and is the Proposed Project to be reviewed in the EIR.
- **San Joaquin River Parkway Planning Area (Parkway Plan Area):** The area eligible for Parkway planning and development by the Conservancy, comprised of lands on both sides of the river from Friant Dam to State Route 99. Floodplain lands below the river's bluffs are the focus of Parkway planning; however, adjoining lands for appurtenant facilities are also eligible for acquisition, improvement, and incorporation into the Parkway.
- **Conservancy Lands:** The lands, or properties, owned by the State of California under the management jurisdiction of the Conservancy.
- **Member Agencies:** Any of the 12 agencies represented on the Conservancy board.

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- **State Sovereign Lands:** The area of the river between the low water marks, which is in state fee title ownership. These lands are under the jurisdiction of the State Lands Commission.
- **Other Public Parkway Lands:** The lands dedicated to public Parkway purposes and uses, including Parkway lands owned by other State agencies, local agencies, and nonprofit organizations.
- **Natural Reserves:** Natural Reserves, as used in this plan, are specific Conservancy lands or other Parkway public lands designated and managed for habitat conservation, habitat enhancement, with minimal public recreation infrastructure.
- **Ecological Reserves:** Ecological Reserves, as used in this plan, refer to specific CDFW lands designated as units of the San Joaquin River Ecological Reserve managed to provide habitat for a rich diversity of fish, wildlife, and plant species endemic to the region.
- **Restoration:** Restoration, as used in this plan, refers to any effort to enhance or conserve an area in order to provide improved habitat or natural ecosystem functions, especially to disturbed, degraded or poor areas and that involve the use of native vegetation.
- **Low-Impact Recreation:** Low impact recreation is public recreational use compatible with natural and cultural resource protection, as more thoroughly described in this plan. Generally, extensive infrastructure dedicated to more active types of recreation commonly provided in urban parks are not envisioned in areas focusing on “low-impact” recreation.
- **Parkway Multi-Use Trail; Other Trails:** The Parkway multi-use trail is intended to be a continuous, multi-use trail for pedestrian, bicycle, and equestrian uses extending the entire 22-mile length of the Parkway. For continuity, the Parkway multi-use trail will need to cross the river in various locations. It is to be a paved surface trail with a parallel unpaved equestrian trail to support relatively intensive levels of use providing recreation, transportation, and health benefits. In the City of Fresno, the Parkway multi-use trail is referred to as the Lewis S. Eaton Trail.

In addition, the Parkway trail system includes hiking trails, nature trails, spur trails, other multi-use trails, and segments that are Americans with Disabilities Act-compliant. These trails provide internal loops, access routes, and connectivity to and between Parkway features as well as other regional trail and bikeway systems.

- **Sensitive Habitat:** Sensitive habitat includes areas of special biological significance that provide habitat for locally unique biotic species/communities and/or are adjacent to essential habitats of rare, endangered or threatened species. In the Parkway, sensitive habitats are mostly wetland and riparian areas, or any natural community that is vulnerable to the environmental effects of projects.

The following abbreviations are used in the Master Plan Update:

ADA – Americans with Disabilities Act

BMPs – Best Management Practices

CDFW – California Department of Fish and Wildlife

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cfs – cubic feet per second

DPR – California Department of Parks and Recreation, also referred to as “State Parks”

DWR – California Department of Water Resources

EIR – Environmental Impact Report (DEIR – Draft EIR)

ER – A unit of the San Joaquin River Ecological Reserve

FCOE – Fresno County of Education

PRC – Public Resources Code

RV – recreational vehicle

SJRC – San Joaquin River Conservancy (Conservancy)

SJRPCT – San Joaquin River Parkway & Conservation Trust (River Parkway Trust)

SLC – State Lands Commission

SJRRP – San Joaquin River Restoration Program (SJR Restoration Program)

USBR – United States Bureau of Reclamation

WCB – Wildlife Conservation Board

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