

BOARD MEETING REMINDER

The **July 12, 2023**, Board meeting will begin at **10:00 a.m.** at the **Fresno Metropolitan Flood Control District**





STATE OF CALIFORNIA
Gavin Newsom, Governor

**REVISED AGENDA
as of July 1, 2023**

5469 E. Olive Avenue
Fresno, California 93727
Telephone (559) 253-7324
Fax (559) 456-3194
www.sjrc.ca.gov

SAN JOAQUIN RIVER CONSERVANCY
The San Joaquin River Conservancy Governing Board
will hold a regular meeting on
Wednesday, July 12, 2023,
commencing at 10:00 a.m.

GOVERNING BOARD

Mike Karbassi, Chairperson
Councilmember, City of Fresno

Robert MaCaulay, Vice-Chairperson
*Supervisor
Madera County Board of Supervisors*

Steve Brandau, *Supervisor
Fresno County Board of Supervisors*

Anita Evans
Councilmember, City of Madera

Carl Janzen, *Director
Madera Irrigation District*

Julie Vance, *Regional Manager
Department of Fish and Wildlife*

Kent Gresham, *Sector Superintendent
Department of Parks and Recreation*

Rebecca Fris, *Acting Executive Director
Wildlife Conservation Board*

Katherine Toy, *Deputy Secretary for
Access
Natural Resources Agency*

Jennifer Lucchesi, *Executive Officer
State Lands Commission*

Matt Almy, *Program Budget Manager
Department of Finance*

Bryn Forhan, *City of Fresno*
Daniel O'Connell, *Fresno County*
Jose Eduardo Chavez, *Madera County*
Vacant, Tribal
Vacant, Youth
Citizen Representatives

Karen Buhr
Interim Executive Officer

Board Meeting Location:
Fresno Metropolitan Flood Control District
5469 E. Olive Ave., Fresno, CA 93727
and
California Natural Resources Agency
715 P. Street, Room: NRHQ 20-105 (Farallon Room)
Sacramento, CA 95814
and via Teams

<https://events.gcc.teams.microsoft.com/event/2405b9e3-c725-4c1d-acbb-d41b2962b57d@b71d5652-4b83-4257-afcd-7fd177884564>

MEETING AGENDA

A. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

B. ROLL CALL

C. POTENTIAL CONFLICTS OF INTEREST

Any Board member who has a potential conflict of interest may identify the item and recuse themselves from discussion and voting on the matter (FPPC §97105).

D. PUBLIC COMMENT & BUSINESS FROM THE FLOOR

Ten minutes of the meeting are reserved for members of the public who wish to address the Conservancy Board on items of interest that are not on the agenda and are within the subject matter jurisdiction of the Conservancy. Speakers shall be limited to three minutes. The Board is prohibited by law from taking any action on matters discussed that are not on the agenda; no adverse conclusions should be drawn if the Board does not respond to the public comment at this time.

E. CONSENT

All items listed below will be approved in one motion unless removed from the Consent for discussion:

E-1 ACTION ITEM: Authorize the Interim Executive Officer to Reassess the Current License and Access Agreements.

E-2 INFORMATION ITEM: Review the Updated Draft Delegation of Authority to Executive Officer

E-3 ACTION ITEM: Approve the Position Description for the Executive Officer.

F. REGULAR SESSION ITEMS

F-1 ACTION ITEM: Provide Direction to Staff on the Scope of Work Changes to the San Joaquin River Conservancy Circle V Public Access Plan.

F-2 ACTION ITEM: Authorize the Interim Executive Officer to Move Forward on the Draft California Code of Regulations, San Joaquin River Parkway Public Access and Use Regulations.

F-3 ACTION ITEM: Update on Security Plans for River West and Authorize Release of an Invitation for Bid for a Security Contract to Patrol Several San Joaquin River Conservancy's Properties.

F-4 ACTION ITEM: Approve National Fish and Wildlife Foundation's Ledger Island Restoration Project and Authorize the Interim Executive Officer to Enter into a License Agreement with the National Fish and Wildlife Foundation for this Project.

F-5 INFORMATION ITEM: Status and Progress Report on River West Fresno, Eaton Trail Extension Project.

F-6 INFORMATION ITEM: Report on Enacted State Budget for the San Joaquin River Conservancy for Fiscal Year (FY) 2023-2024 and Current Status of Bond Funds.

G. ADMINISTRATIVE AND COMMITTEE REPORTS

Information Items. No action of the Board is recommended.

G-1 Organizations' Reports: If time allows, the following oral reports will be provided for informational purposes only and may be accompanied by written reports in the Board packet.

G-1a. San Joaquin River Parkway and Conservation Trust

G-1b. RiverTree Volunteers

G-1c. Other Organizations (please contact the Conservancy if you wish to Report on your Organization – Cheryl.Moxley@sjrc.ca.gov)

G-2 Deputy Attorney General Report

G-3 Executive Officer Report

G-4 Board Members' Reports and Comments

H. CLOSED SESSION

Before convening in closed session, members of the public will be provided the opportunity to comment on Executive Session agenda items.

H-1 Government Code Section 11126(c)(7)

Consultation with real property negotiators concerning the terms of transfer of jurisdiction.

Property: Milburn Pond

Fresno County (APNs 502-020-11T, 502-020-12T, 501-021-01T, and 501-021-38ST)

Negotiating Parties: John Battistoni, Department of Fish and Wildlife

Agency Negotiators: Rebecca Raus, San Joaquin River Conservancy

Daniel Vasquez, Wildlife Conservation Board (WCB)

H-2 Government Code Section 11126(c)(7)

Consultation with real property negotiators concerning the terms of transfer of jurisdiction for portions of the Willow Unit ER and Ball Ranch.

Property: Willow Unit ER and Ball Ranch

Fresno County (APNs)

Negotiating Parties: John Battistoni, Department of Fish and Wildlife

Agency Negotiators: Rebecca Raus, San Joaquin River Conservancy

Daniel Vasquez, Wildlife Conservation Board (WCB)

H-3 Government Code Section 11126(c)(7)

Consultation with real property negotiators concerning the terms of an easement.

Property: Fig Garden Golf Course

Fresno County (APNS 405-020-01S and 405-020-10S)

Negotiating Parties: Benjamin Johnson, California State Lands Commission

Agency Negotiators: Karen Buhr, San Joaquin River Conservancy

I. NOTICE OF ADVISORY AND BOARD COMMITTEE MEETINGS, OTHER PUBLIC MEETINGS RELATED TO CONSERVANCY MATTERS

J. NEXT BOARD MEETING DATE

The next Board meeting is scheduled for 10:00 a.m. Wednesday, August 2, 2023, location to be determined.

K. ADJOURN

Board meeting notices, agendas, staff reports, and approved minutes are posted on the Conservancy's website, www.sjrc.ca.gov. For further information or if you need reasonable accommodation due to a disability, please contact Rebecca Raus at Rebecca.Raus@sjrc.ca.gov.




SAN JOAQUIN RIVER CONSERVANCY
Agenda Item

Item: E-1

July 12, 2023

TO: San Joaquin River Conservancy Governing Board

FROM : Karen Buhr, Interim Executive Officer 

SUBJECT: **ACTION ITEM: Authorize the Interim Executive Officer to Reassess the Current License and Access Agreements.**

RECOMMENDATION:

It is recommended the Board approve the Interim Executive Officer to reassess the current license and access agreements and make a slate of recommendations at the next board meeting.

SUMMARY:

The Conservancy has allowed access to its properties both informally and formally for meetings, office space, restoration, education, research and a host of other reasons. It employs access agreements for temporary entry and license agreements for ongoing work. Most of the agreements the Conservancy holds with partner groups are currently expired. It is important that the Conservancy set an access policy that creates equitable and transparent access to the properties. It is also important that the Conservancy develop stipulations, guidelines and requirements for groups that access the properties including insurance, avoidance of hazards and appropriate uses.

Staff asks the Board to authorize the Interim Executive Officer to develop a policy for access and make recommendations to the board to renew/ renegotiate access and license agreements.




SAN JOAQUIN RIVER CONSERVANCY
Agenda Item

Item: E-2

July 12, 2023

TO: San Joaquin River Conservancy Governing Board

FROM : Karen Buhr, Interim Executive Officer 

SUBJECT: **INFORMATION ITEM: Review the Updated Draft Delegation of Authority to Executive Officer**

RECOMMENDATION:

This report is for informational purposes. No Board action will be taken.

SUMMARY:

The Executive Officer is the chief administrative officer of the conservancy and may delegate to other staff any part of his or her functions, powers, or authority, but the Executive Officer shall, at all times, be responsible for ensuring that the affairs of the Conservancy are fully and faithfully discharged. Between the meetings of the Conservancy Board, the Executive Officer is empowered to take necessary action on behalf of the Conservancy Board in order to manager and to conduct the business of the Conservancy.

For the Board's review, staff has updated the Delegation of Authority for the Executive Officer. The last Delegation of Authority was in January 2002. Staff will bring this item back for approval at the August 2023 board meeting.

Attachments: Draft Delegation of Authority

(Insert Date Here)

Agenda Item <Insert Item No. Here>

Delegation of Authority to the Executive Officer

The Executive Officer is the chief administrative officer of the conservancy and may delegate to other staff any part of his or her functions, powers, or authority, but the Executive Officer shall, at all times, be responsible for ensuring that the affairs of the Conservancy are fully and faithfully discharged. Between the meetings of the Conservancy Board, the Executive Officer is empowered to take necessary action on behalf of the Conservancy Board in order to manager and to conduct the business of the Conservancy.

The foregoing delegation to the Executive Officer includes the following authority:

1. Human Resources - To appoint other Conservancy staff; to assign duties and functions to staff; to establish procedures governing staff operations; and to administer all Conservancy personnel matters.
2. Fiscal Affairs - To administer and oversee the Conservancy's budgetary and fiscal affairs, subject to the authority of the Conservancy Board to review and provide direction on the Conservancy budget.
3. Contracts and Agreements - To negotiate and execute contracts and other instruments or documents on the Conservancy's behalf, as necessary in order to carry out the resolutions of the Conservancy Board or any other authority delegated herein.
4. Consultants - procure consultant services needed to assess the feasibility of, or to develop, proposals or projects for board action. This authority may be needed to develop information on such items as they arise if there is an extended interval between meetings. Normally, however, consultant services will be used to implement resolutions of the Conservancy Board and will be described in the staff reports accompanying such resolutions, which will provide specific grants of authority.
5. Real Property - To administer and manage all real property and all personal property associated with that real property within the Conservancy's ownership or control; and to enter into agreements for the management of that property, including construction or maintenance thereof, provided that, prior to the execution of such agreements, the Conservancy Board shall have authorized the expenditure of funds for the purpose.

San Joaquin River Conservancy
Delegation of Authority to the Executive Officer
Page 2

6. Operations and Administration To lease and sub-let office space, to purchase or lease equipment, to procure other materials, supplies, and technical services associated with those Conservancy operations and administration, to dispose of such items consistent with state laws and regulations, and to enter into contracts for such purposes, in such amounts as may be necessary or appropriate to operate or administer the Conservancy.
7. Contracts for Programs or Projects. To enter into contracts or other agreements for technical or other services, as needed, for the purpose of program and project development or planning:
 - a. in amounts not to exceed \$50,000 per contract or agreement, including extensions and amendments (or such other amount as may hereafter be authorized by the Conservancy Board),
 - b. with approval from the Conservancy Chair and Vice Chair for amounts greater than \$50,000 if approval is time sensitive and the Conservancy Board meeting schedule would cause unnecessary delays or negative impacts, and
 - c. all non-administrative expenditures greater than \$10,000 will be reported to the Conservancy Board.
8. Receipt of Funds from Sources Other Than the State Budget - To apply for or receive funds for the support of programs and projects within the Conservancy's authority; to negotiate and enter into agreements to accept such funds, to make representations in support of such applications or agreements, to assign or accept the assignment of grant funds and applications, and to meet agreed conditions; provided, that
 - (a) all expenditures not previously authorized by the Conservancy Board, or within the Executive Officer's delegated authority, shall remain subject to Conservancy Board authorization; and
 - (b) any agreement which, at the time it is executed, requires further Conservancy Board authorization before it can be implemented, shall be rescindable in the Conservancy Board's sole discretion and without liability to the Conservancy.
9. Conservancy Board Meetings - To prepare and issue public notices of Conservancy Board meetings, and meeting agendas.
10. Consent Items - To place on the Conservancy Board's consent calendar (if any) matters that the Executive Officer believes to be non-controversial, subject to the right of any Conservancy Board member to remove any item from the consent calendar, and subject to such other direction as the Conservancy Board may provide from time to time.

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Delegation of Authority to the Executive Officer
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11. Conservancy Board Expenses and Compensation - To reimburse members of the Conservancy board and members of advisory boards or committees established by the Conservancy, for their actual and necessary expenses, including travel expenses, incurred in attending Conservancy Board or committee meetings.
12. CEQA Determinations - To make determinations regarding the applicability of exemptions from the requirements of the California Environmental Quality Act (CEQA); and to prepare, circulate, and file all documents that are necessary to comply with CEQA, provided, that the Conservancy Board reserves the authority to review, certify, and adopt necessary findings in connection with environmental impact reports and negative declarations.
13. Technical Assistance and Expertise - To provide and make available technical information, expertise, and other non-financial assistance to public agencies, nonprofit organizations, and tribal organizations, to support program and project development and implementation.
14. Award of Conservancy Grants – Upon approval by the Conservancy Board, award grants and enter into grant agreements consistent with the Conservancy's enabling legislation and the grant and program guidelines adopted by the Conservancy Board
15. Actions Related to Grant Awards - With respect to any grant previously authorized by the Conservancy Board, in order to carry out the purposes of the Conservancy Board authorization:
 - a. to amend and modify the terms of any such grant for minor changes to scope or deliverables, including:
 - i. increases in grant awards of up to 10 percent provided that funds are available within the budgeted appropriation to cover any such increase,
 - ii. that the original stated purpose of the grant meets the original intent of the program from which it was funded, and
 - iii. that the Conservancy Board shall be notified upon modification of such grant and the modification shall be reported on at the following Conservancy Board meeting.
 - b. to authorize Conservancy grantees to accept from or convey to other appropriate entities or parties, on appropriate terms, leases, licenses, easements, options, and similar instruments or interests.
 - c. Upon approval by the Conservancy Board, to exercise a power of termination, pursuant to Public Resources Code section 33344(e), on

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Delegation of Authority to the Executive Officer
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account of a grantee's breach of a material term or condition in a Conservancy grant for acquisition of real property; or to trigger the re-vesting of title to real property acquired through a Conservancy grant for acquisition of real property, pursuant to Public Resources Code section 33344(f), on account of the grantee organization going out of existence.

- d. **Upon approval by the Conservancy Board**, to facilitate the transfer of title to the entity which will receive an interest in real property, pursuant to the exercise of a power of termination under Public Resources Code section 33344(e) or the re-vesting of title to property under Public Resources Code section 33344(f).
 - e. To amend and modify the terms, including substantive changes to scope, deliverables, and/or purpose of such a grant, including increases in grant awards up to 10 percent, when a change in condition or change in need arises due to an emergency; provided, that the nature of the emergency requires an amendment to be made before the following Conservancy Board meeting; and provided further, that funds are available within the budgeted appropriation to cover any such increase; and provided further, that the Conservancy Board shall be notified upon modification of such grant and such modification shall be reported on at the following Conservancy Board meeting. "Emergency" as used in this provision means a sudden, unexpected occurrence involving a clear and imminent danger, demanding immediate action to prevent or mitigate loss of or damage to life, health, property, or essential public services, and includes such occurrences as fire, flood, earthquake, or other soil or geologic movements, as well as such occurrences as riot, accident, or sabotage.
16. **Rulemaking** – **Upon approval from the Conservancy Board**, prepare, certify, and file documents pertaining to the adoption, amendment or repeal of regulations, and to conduct public hearings to receive comments on proposed rulemaking, as necessary to support the rulemaking activities and actions of the Conservancy.
 17. **Reports** - To oversee the management of the Conservancy's records and to respond to requests for inspection or copies of Conservancy records under the California Public Records Act.
 18. **Representation of Conservancy Position to Others** - To represent the adopted positions of the Conservancy or, in the absence of such adopted positions, the views of the Conservancy staff, in communications with the Legislature, other public entities, and the public.
 19. **Conservancy Litigation** - In coordination with the Office of the Attorney General, or other duly approved counsel:
 - a. to defend against any legal actions brought against the Conservancy,

San Joaquin River Conservancy
Delegation of Authority to the Executive Officer
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- b. as necessary in order to protect Conservancy property or other interests against damage or loss, and with prior notification to the Conservancy Board, to file and prosecute legal actions on the Conservancy's behalf; and
 - c. to initiate or settle small claims court actions on the Conservancy's behalf, provided, that the Conservancy shall be notified of any such settlement no later than the following Conservancy Board meeting.
20. Settlement of Claims. With respect to monetary or non-monetary claims arising outside of litigation: to grant, deny, settle or compromise such claims if they are brought against the Conservancy; and to pursue, settle, or compromise such claims if they are brought on the Conservancy's behalf; subject to such dollar limits as the Conservancy Board may, by action, require for specific categories of claims; and provided, that the Conservancy Board shall be notified of any such settlement no later than the following Conservancy Board meeting.
21. Designation of Acting Executive Officer - To designate a member of the Conservancy staff to serve as Acting Executive Officer, or to designate one or more members of the staff to perform specified functions of the Executive Officer, in the event that the Executive Officer is absent or becomes unable to perform his or her regular duties. In the event of the death or incapacity of the Executive Officer, any such designation shall survive, unless it expires by its own terms, or is rescinded or modified by the Conservancy Board.

Since support services for fiscal management, personnel, contracting, purchasing, land acquisitions, bond fund accounting, and grants are provided to the Conservancy through a services agreement with the California Department of Parks and Recreation and a Memorandum of Understanding with the Wildlife Conservation Board, as applicable, the Executive Officer will consult with the appropriate entity when conducting transactions under their purview.

At each Board meeting, the Executive Officer will report on staff and administrative activities that have occurred since the previous Conservancy Board meeting.

The Board may act in the future to revise or to rescind a delegation of authority to the Executive Officer.

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Delegation of Authority to the Executive Officer
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WHEREAS, as authorized by Section 32530 of the Public Resources Code the San Joaquin River Conservancy has selected and now employs <insert name here> in the position of Executive Officer of the Conservancy; and

WHEREAS, the San Joaquin River Conservancy desires that its Executive Officer should have and should be authorized to exercise all necessary authority in order to administer the day to day operations and affairs of the Conservancy and to take all such actions on behalf of the Conservancy Board as may be necessary to manage and to conduct the business of the Conservancy during periods between scheduled meetings, including necessary actions related to litigation.

NOW, THEREFORE BE IT RESOLVED, that the San Joaquin River Conservancy hereby delegates to its Executive Officer all necessary authority, express and implied, to carry out the day-to-day administrative functions and responsibilities of the San Joaquin River Conservancy, as generally described herein, and to take all necessary actions on behalf of the Conservancy Board as may be necessary to manage and to conduct the business of the Conservancy during periods between scheduled meetings, including necessary actions related to litigation.

BE IT FURTHER RESOLVED, that the administrative functions and responsibilities of the Executive Officer shall include, but shall not be limited to, matters related to office management, budget and fiscal matters, personnel and contracts, and preparations for meetings of the Board and any committees of the Conservancy Board.

BE IT FURTHER RESOLVED, that the Executive Officer shall administer the affairs of the Conservancy in accordance with the direction and policies of the Conservancy, the provisions of the San Joaquin River Conservancy Act (Public Resources Code § 32500 et seq.) and all applicable law and procedures.

BE IT FURTHERRESOLVED, that this delegation of authority may be amended or rescinded by the further resolution of the Conservancy.

Mike Karbassi, Chairman

Passed and adopted by
The Governing Board of the
San Joaquin River Conservancy
on <insert date here>

ATTEST:

<insert name here>




SAN JOAQUIN RIVER CONSERVANCY

Agenda Item

Item: F-1

July 12, 2023

TO: San Joaquin River Conservancy Governing Board

FROM : Karen Buhr, Interim Executive Officer 

SUBJECT: **INFORMATION ITEM: Provide Direction to Staff on the Scope of Work Changes to the San Joaquin River Conservancy Circle V Public Access Plan.**

RECOMMENDATION:

San Joaquin River Conservancy's Staff request the Board to provide direction to the US Green Building Council Central California for the San Joaquin River Conservancy Circle V Public Access Plan. Below are the different options the Board may take.

1. Direct the US Green Building Council Central California to scale back the Project design to the original or similar scope and complete CEQA for the reduced Project scope; or
2. Accept the scope of work change and current designs and direct the US Green Building Council Central California to complete the Project 65% designs and remove the CEQA task from the Project; or
3. Stop the Project and direct Conservancy Staff to determine the Project's feasibility before continuing; or
4. Accept the scope of work change and current designs and direct the US Green Building Council Central California to continue completing 65% designs and CEQA for the entire Project.

SUMMARY:

In January 2021, the Conservancy Board authorized bond funds, not to exceed \$1,050,000 to the US Green Building Council Central California (USGBC Central California) for the San Joaquin River Conservancy Circle V Public Access Plan (Project). The Project was also approved by the Wildlife Conservation Board (WCB), and the grant is managed by WCB staff. The Conservancy acquired the Circle V property in 2016 with two residential buildings, a storage shed, and swimming pool. The original scope of the Project was to reuse these existing buildings in the design of public access facilities at Circle V and develop 65% design plans for the buildings and area above the bluff and 15% design plans for access to the area below the bluff and complete CEQA compliance.

USGBC Central California in collaboration with the Advocates for Indigenous California Language Survival engaged with the Tribal community, stakeholders, and the general public on the potential uses of the Circle V property as an Indigenous and environmental resource center. The purpose of this community outreach and engagement was to develop a Final Visioning Document for public use of

Circle V and access to the San Joaquin River, and USGBC Central California also used public input to inform the Project designs.

On October 6, 2021, USGBC Central California subcontractors found that the larger of the two buildings is not structurally sound and could not be renovated for public use. At the direction of the former Conservancy Executive Officer, USGBC Central California had their architect subcontractor to design a new building to replace the dilapidated one for the plans. USGBC Central California expanded the original Project scope from a renovation of two existing buildings to a new public access campus. The current designs are not consistent with what the Conservancy Board approved in 2021.

Conservancy Staff are currently working with the California Department of General Services to demolish the dilapidated building and swimming pool separately from the Project.

PROJECT EXPENDITURES AND REMAINING BALANCE

Project Tasks	Original Budget	Budget as of 09/29/22*	Cost to Date	Remaining Balance
Project Management	\$180,000.00	\$180,000.00	\$115,760.48	\$64,239.52
Inventory and Analysis	\$51,000.00	\$74,840.00	\$73,426.00	\$1,414.00
Outreach	\$221,675.00	\$221,675.00	\$157,690.78	\$63,984.22
Design	\$410,000.00	\$410,000.00	\$114,544.44	\$295,455.56
CEQA Documentation	\$57,000.00	\$57,000.00	\$12,247.50	\$44,752.50
Indirect Costs	\$80,327.00	\$80,327.00	\$35,959.58	\$44,367.42
Contingency	\$49,998.00	\$26,158.00	\$ -	\$26,158.00
TOTAL	1,050,000.00	1,050,000.00	\$509,628.78	\$540,371.22

*WCB approved use of Contingency funds for additional unanticipated studies in Inventory and Analysis

CONSIDERATIONS FOR EACH RECOMMENDATION:

Option 1: Direct the US Green Building Council Central California to scale back the Project design to the original or similar scope and complete CEQA for the reduced Project scope.

- If selected, USGBC Central California must return the Project design to align with the scope the Conservancy Board originally approved in January 2021
- Returning the Project design to the original or similar scope may include phasing the existing designs.
- USGBC Central California may need a time extension for the WCB grant to complete the Project.
- If USGBC Central California needs additional grant funding to complete the Project, they must get approval from both the Conservancy Board and the Wildlife Conservation Board for a budget augmentation.
- The estimated construction cost for scaled back Project designs vary depending upon the design options. The cost can range from \$815,000 to \$27,000,000.

Option 2: Direct the US Green Building Council Central California to complete the Project 65% designs and remove the CEQA task from the Project.

- If selected, the Conservancy Board accepts the scope of work change and current designs, and USGBC Central California will complete the 65% designs but not CEQA compliance.
- Separating the CEQA task from this Project may allow USGBC Central California to complete the Project on time and within the original grant award.
- CEQA compliance is required before the designed improvements at Circle V can be constructed and may be completed in a separate grant project or through a Conservancy-hired contractor.
- No cost estimates have been prepared for this option.

Option 3: Stop the Project and direct Conservancy Staff to determine the Project's feasibility before continuing.

- If selected, USGBC Central California and their subcontractors must stop work on the Project, and Conservancy Staff will investigate the Project's feasibility and make recommendations to the Board for the best path forward. The Conservancy Board may resume the Project through a Board action.
- USGBC Central California would coordinate with WCB Staff to suspend the grant project.

Option 4: Accept the scope of work change and current designs and direct the US Green Building Council Central California to continue completing 65% designs and CEQA for the entire Project.

- If selected, the Conservancy Board accepts the scope of work change and current designs, and USGBC Central California may continue completing the 65% designs and CEQA for the expanded scope of the Project.
- The Conservancy Board will make no changes to the Project.
- USGBC Central California engineering subcontractor will require a change order and additional funding to accommodate the change in scope.
- If the Conservancy Board accepts the scope of work change, USGBC Central California will request WCB to shift funds within the existing budget to cover the increased engineering costs.
- If USGBC Central California needs additional grant funding to complete the Project, they must get approval from both the Conservancy Board and the Wildlife Conservation Board for a budget augmentation.
- The estimated construction cost of the current Project designs is \$40,000,000.

DocuSigned by:

Erin Aquino-Carhart

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Erin Aquino-Carhart
San Joaquin River Conservancy Program Manager
Wildlife Conservation Board




SAN JOAQUIN RIVER CONSERVANCY
Agenda Item

Item: F-2

July 12, 2023

TO: San Joaquin River Conservancy Governing Board

FROM : Karen Buhr, Interim Executive Officer 

SUBJECT: **ACTION ITEM: Authorize the Executive Officer to move forward on the draft California Code of Regulations, San Joaquin River Parkway Public Access and Use Regulations.**

RECOMMENDATION:

It is recommended the Board authorize the Executive Officer to move forward with the draft California Code of Regulations, San Joaquin River Parkway Public Access and Use Regulations.

SUMMARY:

Developing rules and regulations was a desired outcome of the January 2023 San Joaquin River Board and public input workshop. The draft copy of the San Joaquin River Parkway Public Access and Use Regulations was developed using the California State Parks and Recreation Rules and Regulations as a guide. The San Joaquin River Conservancy Technical Advisory Coordination Group has reviewed the proposed regulations and provided feedback in developing these rules and regulations that will best conform to the public needs while protecting the natural resources along the San Joaquin River Parkway. Board members on the Technical Advisory Coordination Group that assisted and can answer questions are Kent Gresham, Julie Vance, Robert Macauley, Bryn Forhan, and Mike Karbassi.

If approved to move forward the next steps will include:

1. Legal review. Legal counsel will make necessary edits of the draft language and add penal codes as a cross reference were applicable.
2. The Conservancy will prepare an Economic Impact Assessment (EIA) on the effect of the regulations, STD 399 form.
3. The Conservancy will prepare an Initial Statement of Reasons (ISOR) and a Notice of Proposed Action (NOPA).
4. Publication of the NOPA.

DocuSigned by:

Cheryl Moxley

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Cheryl Moxley
Staff Parks and Recreation Specialist

Attachment: Draft California Code of Regulations, San Joaquin River Parkway Public Access and Use Regulations

California Code of Regulations

Title 14 Division 10 Chapter 2 Section 25015 et seq.

TITLE 14. NATURAL RESOURCES DIVISION 10. SAN JOAQUIN RIVER CONSERVANCY

CHAPTER 2. SAN JOAQUIN RIVER PARKWAY PUBLIC ACCESS AND USE REGULATIONS

§ 25015. General Provisions

§ 25015.01. Authority to Adopt Regulations.

All sections of Chapter 2 are adopted pursuant authority established by Sections 32527 and 32529 of the Public Resources Code and apply to all lands owned, operated, or administered by the San Joaquin River Conservancy under its jurisdiction within the San Joaquin River Parkway pursuant to Public Resources Code Sections 32512 and 32513 unless otherwise indicated. Where the San Joaquin River Conservancy contracts with other entities or agencies for services on lands within its jurisdiction pursuant to Public Resources Code Sections 32535 and 32538(b), it reserves and retains all authorities over its lands established under this Chapter.

Authority cited: Sections 32527, 32528, and 32529, Public Resources Code.

§ 25015.02. Purpose.

The San Joaquin River Conservancy finds that the adoption of the provisions of this Chapter are necessary to provide additional enforcement authority to protect public health and safety, protect natural and cultural resources, protect public and neighboring private property, and provide for effective management of San Joaquin River Conservancy lands pursuant to Public Resources Code Sections 32527, 32528, and 32529.

§ 25015.03. Definitions.

(a) "San Joaquin River Conservancy" as used herein, means the State of California, San Joaquin River Conservancy established in the Public Resources Code, Section 32500 et seq.

(b) "San Joaquin River Conservancy governing board", as used herein, means the board established in the Public Resources Code, Section 32500 et seq.

(c) "Executive Officer," as used herein, means the Executive Officer of the San Joaquin River Conservancy, who, under the policy direction of the San Joaquin River Conservancy governing board, is, among other duties, responsible for the management of lands owned, operated, or administered by the San Joaquin River Conservancy, or the Executive Officers designee.

(d) "Facility," as used herein, means any structure or combination of structures, improvement, or any land feature modified by humans for human use and/or resources

conservation, including but not limited to buildings, trails, docks, parking lots, and roadways.

(e) "Unit" or "units," as used herein means any portion of any land, open space, or facility under the jurisdiction and management authority of the San Joaquin River Conservancy pursuant to Public Resources Code Sections 32512 and 32513, including any areas that are not open to the public.

(f) "Person," as used herein, shall be construed to mean and include natural persons, firms, sole proprietorships, partnerships, limited liability companies, cooperatives, corporations, clubs, and all associations or combinations of persons whenever acting for themselves or as an agent, servant, or employee.

(g) "Permit," as used herein, is an authorization for a specified use issued by the San Joaquin River Conservancy pursuant to Section 25015.05.

(h) "Commercial purposes," as used herein, is for-profit use of any unit or portion thereof, facility, or plant, wildlife, fish, or other resource within a unit by any person. Commercial use does not include the charging of a fee for use by the San Joaquin River Conservancy, or business or services conducted by contractors or operators on behalf of the San Joaquin River Conservancy pursuant to Public Resources Code Section 32536.

(i) "Peace Officer," as used herein, is any duly authorized California Peace Officer as defined in California Penal Code, Title 3, Chapter 4.5, Sections 830 et seq., and the authorized representatives of their respective law enforcement agencies, with concurrent jurisdiction.

§ 25015.04. Authority to Adopt Rules through Posted Orders.

In addition to the General Rules and Regulations in Section 25016 the San Joaquin River Conservancy governing board shall have the discretion to adopt and post orders defining special instructions, designations, and rules pertaining to specific units, areas, or subjects, including but not limited to special hours of operation, swimming and boating restrictions, fishing and camping restrictions, parking restrictions, and special prohibitions or restrictions. The San Joaquin River Conservancy shall maintain at its headquarters or post on its website, as well as post at the unit affected, in a location convenient to the general public, a bulletin board or similar structure upon which all special instructions, rules, and orders, shall be posted pertaining to specified units. Proof of posting shall be filed in the San Joaquin River Conservancy office. Such orders shall be enforceable under this Chapter, carrying the same penalties established in Section 25015.08. Special regulations for a unit, area, or a subject may explicitly supersede a specific rule or requirement in the General Rules and Regulations in Section 25016, but do not preclude the application of all other rules or regulations.

§ 25015.05. Authority to Execute Operating Agreements and Require and Issue Special Event Permits, Activity Permits, and License Agreements.

(a.) Consistent with existing state policies and laws, the San Joaquin River Conservancy governing board shall have the discretion to approve, condition, or deny **Special Event Permits, Activity Permits, License Agreements, and concession, lease, and/or operating agreements,** for activities otherwise restricted or prohibited by this Chapter.

Upon finding that the proposed activity: would benefit the San Joaquin River Conservancy and the public; and would not substantially interfere with visitors' use; risk harm to wildlife, natural or cultural resources; create injury or damage in violation of this Chapter; or be otherwise inconsistent with the unit's approved uses and environmental protection, the San Joaquin River Conservancy governing board may deny, grant, suspend, revoke, or condition such permits and agreements at its sole discretion.

The governing board may grant such permits or agreements to public agencies and non-governmental organizations or other sponsors deemed appropriate, for the benefit of the San Joaquin River Conservancy and the public, including but not limited to non-profit organizations, cultural organizations, educational and research institutions, environmental stewardship and recreation organizations, volunteer groups, indigenous people and Tribal organizations, grantees and their agents. The expressed terms and conditions of such permit or agreement shall prevail where inconsistent with the General Rules and Regulations in Section 25016; except where expressly indicated, the General Rules and Regulations shall apply. The San Joaquin River Conservancy governing board may delegate to the Executive Officer, in whole or in part, authority to grant, deny, condition, revoke, or suspend such permits and agreements.

(1) **Special Event Permits.** Special Event Permits may be issued by the San Joaquin River Conservancy governing board for specific events when the permit is found to be in the best interest of the San Joaquin River Conservancy, the public, and the conservation of natural resources and the event is conducted by an appropriate sponsor at no net expense to the State. Special Event permits are required for any activity which occur wholly or partially within or on any unit owned, operated, or administered by the San Joaquin River Conservancy and which meets any of the following criteria: when fees are charged by the event sponsor beyond any regular use fee, when the San Joaquin River Conservancy has determined the event will create a greater potential hazard or liability to the State than incurred through typical operations, when the activity will require the exclusive use of an area within the unit, when the activity interferes significantly with the public's use of a unit, when additional staffing or staff time is required, or where items or services are sold. Upon a finding by the San Joaquin River Conservancy governing board that a special event is consistent with the unit's use and the mission and policies of the agency, a Special Event permit may be issued for such use.

(2) **Activity Permits.** Permits for educational, recreational, tribal, and resource management activities otherwise restricted by this Chapter may be granted, by the San Joaquin River Conservancy governing board to appropriate permittees, including but not limited to permits allowing the limited collection, removal, treatment, disturbance, or destruction of plants, wildlife, alteration of property, and presence in closed areas or after-hours.

(3) **License Agreements.** License Agreements may be executed with any appropriate group, organization, business, or agency in order to allow their agents and participants to enter units, including that are otherwise closed to the public, to conduct activities and programs for educational, recreational, tribal, and resource management and similar beneficial public service purposes by the San Joaquin River Conservancy governing board.

(b) **Letter Permits.** Consistent with existing state policies and laws, the San Joaquin River Conservancy Executive Officer has the discretion to approve, condition, or deny a

letter permit for activities otherwise restricted or prohibited by this Chapter. Upon finding that the proposed activity: would benefit the San Joaquin River Conservancy and the public; and would not substantially interfere with visitors' use; risk harm to wildlife, natural or cultural resources; create injury or damage in violation of this Chapter; or be otherwise inconsistent with the unit's approved uses and environmental protection, the San Joaquin River Conservancy **Executive Officer** has the discretion to deny, grant, suspend, revoke, or condition such **letter permits**.

Letter permits may only be issued for short term (fewer than 30 days in a calendar year) for access to San Joaquin River Conservancy properties for activities that include but are not limited to research, mapping, surveying, education, environmental stewardship, and other similar beneficial public services. The Executive Officer may grant letter permits to public agencies and non-governmental organizations or other sponsors deemed appropriate, including but not limited to non-profit organizations, cultural organizations, educational and research institutions, environmental stewardship and recreation organizations, volunteer groups, indigenous people and Tribal organizations, grantees and their agents.

(c) **Operating, concession, lease, and other agreements** may be entered into by the San Joaquin River Conservancy **governing board** pursuant to Public Resources Code Section 32538 and consistent with state policies and laws.

(d) A copy of the Permit or Agreement must be maintained on the site during the activity by the person leading the activity, and such person shall display the document upon request of any officer, employee, or agent of the San Joaquin River Conservancy or any peace officer.

(e) No person shall violate any provision or restriction of a Special Event Permit, Activity Permit, Agreement, or Letter Permit issued pursuant to these regulations. Such violation is subject to enforcement and the penalties established in this Chapter. Any person who has been properly granted and has complied with a Special Event Permit, Activity Permit, or License Agreement shall to that extent not be liable for prosecution for violation of this Chapter. The Executive Officer shall oversee contractors', licensees', and permittees' compliance with the agreement and permits issued pursuant to Section 25015.05, and may suspend, revoke, or further condition said permits or agreements.

§ 25015.06. Authority to close areas to the public.

The San Joaquin River Conservancy shall close to the public any lands or facilities which it is unable to maintain in a clean and safe manner adequate to protect the wildlife, natural and cultural resources, public health and safety, and the rights of adjacent property owners pursuant to Public Resources Code Section 32511. Such closures shall be implemented by the Executive Officer and may be permanent or temporary, emergency or non-emergency. No person shall use or be present in any portion of a unit that is closed to public use without the expressed written authorization, via letter permit, event permit, activity permit, agreement, or license from the San Joaquin River Conservancy pursuant to Section 25015.05. Entry to closed units is a violation subject to enforcement and the penalties established in this Chapter, and in Section 602 of the California Penal Code, and any other lawful remedies. To the extent practicable, closed units shall be posted to inform the public that violation constitutes trespass and violation of this Chapter.

§ 25015.07. Payment for Use of Facilities.

No person shall use or be present in any unit for which a use fee has been established by the San Joaquin River Conservancy or its authorized operators, pursuant to Public Resources Code 32536, without paying such fee. Nonpayment of the required fee is a violation subject to enforcement and the penalties established in this Chapter. This provision shall not apply to officers, employees, contractors, or agents conducting official business under the direction or request of, or after obtaining prior written approval from, the San Joaquin River Conservancy. The San Joaquin River Conservancy board may waive or discount the payment of use fees for specific activities for reasons consistent with the purposes, mission, and objectives of the San Joaquin River Conservancy.

San Joaquin River Conservancy has the authority to set a fee schedule and charge for the use of facilities as well as charge for entry into properties.

§ 25015.08. Enforcement.

This Chapter may be enforced by the San Joaquin River Conservancy pursuant to its authority under Public Resources Code Sections 32527, 32527.5, and 32529, or by any duly authorized California Peace Officer as defined in California Penal Code, Title 3, Chapter 4.5, Section 830 et seq., and the authorized representatives of their respective law enforcement agencies with concurrent jurisdiction. This Chapter may also be enforced through the law enforcement powers of any federal, state or local government agency pursuant to a duly executed joint powers agreement with the San Joaquin River Conservancy pursuant to the California Government Code, Title 1, Division 7, Chapter 5, Section 6500 et seq.

§ 25015.09. Penalties.

In addition to any other penalties and remedies authorized by law, a person who violates any of the regulations established and authorized by this Chapter is guilty of an infraction punishable by a fine not exceeding the amount authorized in the Public Resources Code Section 32527.5.

§ 25015.10. Ejection.

The privilege of any person to be present in any unit under jurisdiction of the San Joaquin River Conservancy is hereby expressly conditioned upon compliance by that person with all applicable laws and regulations including but not limited to this Chapter. In addition to other penalties prescribed by law, violation of any law or regulation shall subject the violator to ejection from the unit in which the violation occurs. A peace officer may eject from any unit any person who violates any provision of this Chapter or other law or regulation or is reasonably believed by the officer to be violating this Chapter or other law or regulation. A person may in the peace officer's sole discretion be ejected from the unit in lieu of being cited for the violation; however, ejection will not preclude the person from being cited or arrested for conduct in violation of this Chapter or other provisions of law. No person being ejected pursuant to this Section shall refuse or fail to leave as ordered, nor shall any person who has been so ejected return to the same unit during the calendar day in which that person was ejected.

§ 25015.11. Other Laws and Regulations.

Nothing contained in this Chapter shall be construed to authorize or prohibit any act or acts which are expressly authorized or prohibited by state or federal statute or regulation or by ordinance of a local government with concurrent jurisdiction over a unit or units controlled by the San Joaquin River Conservancy.

§ 25015.12. Titles.

A title, where used in this Chapter, does not limit the text or content of a section.

§ 25015.13. Severability.

If any section, subsection, sentence, clause, or phrase of this Chapter is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Chapter.

§ 25015.14. Aiding and Abetting.

For all acts or omissions made unlawful by this Chapter, causing, allowing, permitting, aiding, abetting, suffering, or concealing the fact of the act or omission shall also be unlawful.

§ 25016. General Rules and Regulations.**§ 25016.01. Applicability**

(a) The General Rules and Regulations in this Section are established for all units within the jurisdiction of the San Joaquin River Conservancy. The General Rules and Regulations may be superseded from time to time and from place to place by adopted and posted orders defining special instructions, designations, and rules pertaining to specific units, areas, or subjects, pursuant to Section 25015.04.

(b) The General Rules and Regulations in this Section do not apply to lawful, properly approved and permitted activities and programs undertaken by the San Joaquin River Conservancy or other local, state, or federal resource management agencies with concurrent jurisdiction.

§ 25016.02. Hours of Operation.

Units available for public use (that is, are not generally closed pursuant to Section 25015.06) shall be closed to the public: from 10:00 p.m. to 6:00 a.m. during the months of April through October, and from 6:00 p.m. to 7:00 a.m. during the months of November through March, unless developed for public camping or otherwise posted pursuant to Section 25015.04 or authorized pursuant to Section 25015.05. No person shall be present in or remain in or upon units during hours the units are closed. Any person present during hours the unit is closed is in violation of the Chapter and his or her presence also constitutes unlawful trespass.

§ 25016.03. Wildlife.

(a) Fishing. Fish and bait may be taken in accordance with state laws and regulations unless the San Joaquin River Conservancy has adopted and posted, more restrictive limitations pursuant to Section 25015.04. Fishing for commercial purposes is prohibited.

(b) Protection. No person shall molest, hunt, disturb, harm, touch, tease, spotlight, injure, trap, take, net, poison, or kill any kind of animal life, including but not limited to bird, mammal, fish, reptile, amphibian, mollusk, or crustacean, or so attempt, except in accordance with subdivision (a) or pursuant to special scientific collection permits authorized by Fish and Game Code Sections 1002, 1002.5 and 1003. Taking of wildlife shall have the same meaning as is defined in the California Fish and Game Code Section 86. Feeding wildlife is prohibited.

(c) No person shall willfully release any wildlife that is not native to the area, including but not limited to bird, mammal, fish, reptile, amphibian, mollusk, crustacean, or domesticated animals or pets in or upon any unit. No person shall willfully release native wildlife without the written permission of the San Joaquin River Conservancy pursuant to Section 25015.05.

(d) Falconry, "game hawking", or using birds of prey for the sport of hunting, or for practice thereof, is prohibited.

§ 25016.04. Hunting Prohibited.

Hunting of any kind is prohibited in all units at all times.

§ 25016.05. Firearms, Weapons and Traps.

(a) No person shall carry, possess or discharge across, on or into any portion of any unit any weapon, firearm, air gun, paintball weapon, spear, sling shot, bow and arrow, trap, net, or gunpowder, air, or spring-powered device capable of injuring or killing any person or animal, firing a projectile, capturing any animal, or damaging any public or private property. The San Joaquin River Conservancy may allow an exception to this prohibition in recreational archery ranges designated and posted by the San Joaquin River Conservancy pursuant to Section 25015.04 or temporary ranges for special use by law enforcement or short-term public events pursuant to Section 25015.05.

(b) Firearms not having a cartridge in any portion of the mechanism, other unloaded weapons or devices such as traps, nets, and bows and arrows may be possessed within a vehicle, recreational vehicle, or camper when such implements are rendered temporarily inoperable or are packed, cased, locked, or stored in a manner that will prevent their ready use, and when possessed in compliance with all other laws and regulations.

§ 25016.06. Plants and Downed Wood.

(a) No person shall willfully or negligently pick, dig up, cut, mutilate, destroy, injure, disturb, move, molest, burn, or carry away any tree or plant or portion thereof, including but not limited to fungi, flowers, foliage, berries, fruit, grass, turf, humus, shrubs, cones, seeds, and dead wood. However, plant and seed collection, wood and vegetation removal for fuel reduction, and non-native species removal may be specifically

authorized by the San Joaquin River Conservancy pursuant to Section 25015.05 or otherwise conducted by the San Joaquin River Conservancy, its agents, or other agencies. Plant or wood removal or collecting for commercial purposes is prohibited.

(b) With written authorization pursuant to Section 25015.05 Tribal organizations may collect culturally utilized materials, including but not limited to non-timber plants and fungi, including agave, grasses, redbud, sedge, sumac, and willow.

(c) No person shall intentionally plant seeds, cuttings, seedlings, trees, plants, or shrubs of any kind on any unit without the written agreement, authorization, grant, or permit of the San Joaquin River Conservancy pursuant to Section 25015.05.

§ 25016.07. Geological Features.

(a) No person shall destroy, disturb, mutilate, or remove earth, sand, gravel, oil, minerals, paleontological features, or features of caves.

(b) Rockhounding, defined as the recreational gathering of stones and minerals found occurring naturally on the undisturbed surface of the land, including hobby panning for gold in the natural water-washed gravel of streams, is allowed for personal use only, unless prohibited by posted order pursuant to Section 25015.04. Rockhounding, including gold panning, for commercial purposes is prohibited. No person conducting rockhounding shall create conditions that pose a threat to personal or public health and safety, or violate other provisions of this Chapter, such as harming wildlife, disturbing plants, or damaging facilities.

(c) No person shall traverse on foot, horse or other animal, bicycle, motor or nonmotorized vehicles, areas fenced or otherwise barricaded from use, to prevent erosion, stabilize, or repair streambanks, slopes, or bluffs, or to otherwise protect public safety and natural and cultural resources.

(d) No person shall construct any type of trail, pathway, bike route, structure, dwelling, tent, hut, lean-to, shelter, cave, pit, pond, canal or levee on any unit without the written agreement, contract, authorization, grant, or permit of the San Joaquin River Conservancy pursuant to Section 25015.05.

§ 25016.08. Archaeological, Cultural, and Historical Features.

No person shall remove, injure, disfigure, deface, alter, paint with graffiti, or destroy any object of archaeological, cultural, or historical interest or value.

§ 25016.09. Fires.

(a) No person shall build, light, use, or maintain an outdoor fire, campfire, barbeque, or portable stove, oven, or heater within any unit except in areas designated and posted by the San Joaquin River Conservancy pursuant to Section 25015.04, or in public campfire or barbeque facilities provided, maintained, and designated for such purpose by the San Joaquin River Conservancy or an operating entity. Stoves, heaters, and ovens fully enclosed within recreational vehicles are permitted.

(b) Any allowed fires shall at all times be attended and maintained safely away from flammable grass, trees, and other vegetation, and in a safe condition that does not endanger any person, structure, facility, or natural resource, and shall be fully extinguished when not attended or in use.

(c) Upon a finding of extreme fire hazard by the San Joaquin River Conservancy governing board it shall be posted to the extent practicable pursuant to Section 25015.04, or by any fire protection agency with concurrent jurisdiction, no person shall light any fire of any kind.

(d) This section does not apply to fire response agencies or San Joaquin River Conservancy employees and contractors carrying out training, fire suppression, or resource management activities approved by the San Joaquin River Conservancy.

§ 25016.10. Vandalism.

Vandalism, damaging property, destroying, or defacing any real property, facilities, units, signs, or vegetation is prohibited. Tampering, modifying, cutting, blocking, or destroying any real property or waterbody is prohibited, including but not limited to altering fencing, gates, locks, irrigation systems, irrigation devices, vegetation, electrical systems, lighting, wells, restrooms, pipelines, ponds, docks, or levies.

§ 25016.11. Smoking.

Smoking any substance is prohibited throughout all units and facilities, including but not limited to parking areas and campgrounds. Smoking prohibitions also apply to all employees, agents, permittees, licensees, contractors, and operators of the San Joaquin River Conservancy and those of local, state, and federal agencies. This section does not apply to smoking which may be a part of a cultural ceremony by Tribal organizations with written permission pursuant to Section 25015.05.

§ 25016.12. Fireworks.

No person shall possess, store, discharge, ignite, set off, or cause to be discharged, in, upon, or into any portion of a unit any firecrackers, flares, sparklers, torpedoes, rockets, fireworks, explosives, other pyrotechnic devices, or any substances that may cause fires or be harmful to the life or safety of persons.

Authority cited: Section 5003, Public Resources Code. Reference: Section 5008, Public Resources Code.

§ 25016.13. Camping.

No person shall be present in or remain in or upon units during hours the units are closed pursuant to Section 25016.02. No person shall camp or stay overnight in any unit except in developed facilities designated and posted by the San Joaquin River Conservancy for that purpose, unless otherwise authorized pursuant to Section 25015.05. Camping in designated facilities may require a user fee and permit and shall be subject to any special rules and regulations adopted and posted by the San Joaquin

River Conservancy pursuant to Section 25015.04.

§ 25016.14. Recreational Equipment and Occupancy.

(a) Arrangement and Numbers. The San Joaquin River Conservancy may specify and post the size, type, arrangement and use of recreational equipment and the number of persons permitted in any unit or portion thereof. No person shall otherwise introduce, keep, use, arrange equipment or otherwise exceed established occupancy limitations.

(b) Food Storage. No person shall store food, lawfully taken fish, garbage or equipment with food residue, other than in the sealed compartment of a vehicle or food storage unit incapable of being opened by wild animals, or in accordance with posted instructions. This restriction does not apply to food that is actively being carried, consumed or prepared for human consumption or pets.

§25016.15. Alcohol.

The use and possession of alcohol is prohibited unless expressly allowed in units or facilities pursuant to adopted and posted San Joaquin River Conservancy orders pursuant to Section 25015.04, or as allowed in licenses, permits, and agreements issued pursuant to Section 25015.05.

§ 25016.16. Dogs.

(a) No person shall bring a dog into, permit a dog to enter or remain, or possess a dog in any unit or portion thereof unless the dog is on a leash of no more than six feet in length and under the immediate control of a person, or confined in a vehicle. "Immediate control" means the degree of control that prevents any uninvited contact between the dog and any person. The fact of the dog being on-leash does not excuse the obligation to exercise immediate control.

(b) Pursuant to Section 25015.04, the San Joaquin River Conservancy may designate units, portions of units, or facilities where dogs are prohibited, and no person shall bring or allow a dog to enter any such area.

(c) No person shall allow a dog to hunt, chase, harm, or harass wildlife.

(d) No person shall keep a noisy, vicious, or dangerous dog or animal or one which is disturbing other persons, in any unit and remain therein after he or she has been asked by a peace officer to leave with the dog.

(e) No person shall fail to clean up and properly dispose of any excrement left by a dog in their possession.

(f) No person shall be in possession of more than three dogs at any time.

(g) The prohibition in subdivision (b) shall not apply to trained service dogs used to guide and assist persons with disabilities, or dogs that are being trained for that purpose.

§ 25016.17. Remotely Controlled Aerial Devices.

It is prohibited to operate a remotely controlled aerial device or drone on or over any unit or facility. No person, using any remotely controlled aerial device, including but not limited to a drone or other unmanned remote-controlled aircraft, shall take off, fly over, or land on any unit if not specifically developed and approved for such use by the San Joaquin River Conservancy, with specific rules adopted and posted pursuant to Section 25015.04. This section does not apply to enforcement, emergency response, or search and rescue operations.

The operation of commercial, research, and public agency remotely controlled aerial devices within any unit or facility is prohibited unless specifically authorized in writing from the San Joaquin River Conservancy to operate pursuant to Section 25015.05.

§ 25016.18. Commercial Filming.

No person shall record or shoot videos or films for commercial purposes in any unit, or portion thereof, without a permit or license agreement pursuant to Section 25015.05, or other written agreement from the San Joaquin River Conservancy. The San Joaquin River Conservancy shall only permit commercial filming when the filming will not damage or impair the unit's natural resources, nor unreasonably interfere with visitors' use and enjoyment, and provided all costs to the San Joaquin River Conservancy are reimbursed by the permittee or licensee.

§ 25016.19. Organized Games and Recreational Events.

No person shall engage in, lead, sponsor, or otherwise have control over games or recreational activities, such as organized tournaments, races, and athletic events, occurring wholly or partially within any unit, except as permitted by the San Joaquin River Conservancy pursuant to Section 25015.05, and provided all costs to the San Joaquin River Conservancy are reimbursed by the contractor, permittee, or licensee.

§ 25016.20. Assembly.

No person shall organize, conduct, or publicize an assembly or public demonstration in any unit except by written permission of the San Joaquin River Conservancy pursuant to Section 25015.05, and provided that all costs to the San Joaquin River Conservancy are reimbursed by the contractor, permittee or licensee.

Unlawful assembly is prohibited, pursuant to California penal code 408.

§ 25016.21. Soliciting and Commercial Activities.

No person shall solicit, sell, hawk, or peddle any goods, wares, merchandise, services, liquids, or edibles for human consumption, conduct any for-profit or commercial business, or distribute circulars in any unit, except as authorized in writing by the San Joaquin River Conservancy pursuant to Section 25015.05.

§ 25016.22. Noise.

(a) No person shall make, cause, or suffer or permit to be made or caused upon any unit or portion thereof any sound or noise which causes discomfort or annoyance to any

reasonable person of normal sensitivity present in the area. The provisions of this section shall apply to, but shall not be limited to, the control, use, and operation of: radios, air horns, musical instruments, music players, electronic media players, television sets, or other machines or devices used for sound production or reproduction; shouting or screaming, except during emergencies; and machinery or equipment, such as fans, pumps, air conditioning units, engines, turbines, compressors, generators, motors or similar devices, equipment, or apparatus.

(b) The use of electronic or mechanical sound amplification equipment, including public address systems, horns, and amplified speakers, for non-commercial as well as commercial purposes, is prohibited unless permitted in writing by the San Joaquin River Conservancy pursuant to Section 20515.05.

§ 25016.23. Litter and Dumping.

No person shall leave or deposit bottles, broken glass, ashes, wastepaper, cans, or other litter or other wastes of any kind in a unit except in a receptacle designated for that purpose. No person shall import from other places and deposit any litter, vegetation, tires, soil, rock, construction debris, waste oils or liquids, or wastes of any kind into or onto any unit, including depositing refuse generated off-site into waste receptacles or bins maintained on a unit.

§ 25016.24. Glass Containers.

No person shall possess or use a glass container, bottle, jar, tumbler, or vessel of whatever nature, empty or not, except where authorized in designated campgrounds by order of the San Joaquin River Conservancy pursuant to Section 25015.04, and except that persons may pick up glass containers left or discarded by others and remove or deposit same in an approved trash receptacle.

§ 25016.25. Sanitation.

(a) No person shall deposit waste, water, sewage or effluent from sinks, portable toilets, and other plumbing fixtures directly upon or into the surface of the ground or water.

(b) No person shall deposit any body-waste in or on any portion of any comfort station or other structure except into fixtures provided for that purpose.

(c) No person shall place any bottle, can, cloth, rag, metal, wood, paper, or stone substances in any plumbing fixture in such a manner as would interfere with the normal operation of such fixture.

§ 25016.26. Pesticides.

(a) No person shall disperse or otherwise apply any pesticide within any unit or portion thereof, whether to the air, water, ground, or vegetation.

(b) This section shall not pertain to the use of common commercially available insect repellants for personal use and dispensed through hand-held aerosol, pump spray or similar dispensers.

(c) This section shall not pertain to the management activities of the San Joaquin River Conservancy, its employees, agents, and contractors, or to the properly licensed activities of government agencies, including local mosquito abatement districts.

§ 25016.27. Loitering or Peering in Restrooms.

No person shall loiter, prowl, or wander about in a restroom, shower, or changing facility, nor peek into the doors, windows, or other openings of such facilities when occupied, without visible or lawful business with the occupants thereof.

§ 25016.28. Nudity.

No person shall appear nude while in any unit except in authorized areas, such as dressing rooms, restrooms, and showers, set aside for that purpose by the San Joaquin River Conservancy. The word nude as used herein means unclothed or in such a state of undress as to expose any part or portion of the pubic or anal region or genitalia of any person or any portion of the breast at or below the areola thereof of any female person.

§ 25017. Vehicles, Aircraft, Horses, and Operator-Propelled Devices

§ 25017.01. Reference to Vehicle Code.

The provisions of the Vehicle Code relating to traffic upon highways shall be applicable to San Joaquin River Conservancy units, except as provided by San Joaquin River Conservancy regulations in Title 14 herein, and as such regulations contain the special conditions referred to in Section 21113 of the Vehicle Code.?? Request that Jackie V. review with vehicle code.

§ 25017.02. Off-Highway Vehicles.

No person shall operate an off-highway vehicle on San Joaquin River Conservancy property. This section does not apply to the use of off-highway vehicles for the purposes of operations and maintenance by the San Joaquin River Conservancy property by its employees, agents, grantees, contractors, permittees and licensees or law enforcement and emergency response vehicles.

Authority cited: Section 23128, Vehicle Code.

§ 25017.03. Speed Limits.

The speed limit for vehicles operating on any San Joaquin River Conservancy unit is 15 miles per hour, unless otherwise posted. Furthermore, speeds traveled that are greater than reasonably safe for the given condition or circumstances are prohibited. In no event may anyone operate a vehicle within any unit at a speed which endangers the safety of any person or risks damage to property.

§ 25017.04. Dangerous Vehicle Operation.

No person shall operate any vehicle, motor vehicle, off-highway vehicle, or bicycle negligently or willfully in such a manner as to pursue, harass, endanger, or injure any person, animal, or cause nuisance or damage prohibited under Sections 25016.

§ 25017.05. Vehicle Operation.

No person shall operate, drive, use, leave, park, place or stop a vehicle except on a designated road or parking area in any unit or a portion thereof. No person shall operate, drive, use, leave, park, place or stop a vehicle in violation of the conditions, limitations, or restrictions in such unit or portion thereof or in violation of any regulation contained in or authorized by this Chapter.

§ 25017.06. Removal of Vehicles and Vessels.

(a) Any peace officer is authorized to cause the removal of a vehicle from a unit under the provisions of the Vehicle Code including, but not limited to, Section 22659, when such vehicle is parked or left standing in violation of the Vehicle Code or regulation contained in this Chapter or has been left standing for 72 hours.

(b) Any peace officer is authorized to cause the removal of a vessel from any unit owned, operated, or administered by the San Joaquin River Conservancy, under the provisions of the Harbors and Navigation Code including, but not limited to, Section 523, when such vessel is left in violation of the Harbors and Navigation Code.

§ 25017.07. Parking.

The San Joaquin River Conservancy may, by posting notices, prohibit or restrict the parking or standing of vehicles in units or portions thereof. No person shall stop, park, or leave standing any vehicle upon any unit under the control of the San Joaquin River Conservancy except upon, and subject to, any posted parking regulation sign. Parking control signs include, but are not limited to, designated parking area, parking for disabled persons, no parking, no stopping, and no unauthorized vehicle use signs.

Parking, standing or idling of vehicles is prohibited in all areas of the units other than in designated parking areas.

This section does not apply to vehicle or equipment parking for San Joaquin River Conservancy employees, agents, contractors, permittees or licensees, or for operations, maintenance, research, surveying, repairs, or improvements, or for law enforcement or emergency response vehicles.

§ 25017.08. Aircraft.

No person, using any aircraft, including but not limited to a parachute, balloon, ultralight, helicopter, glider, hang glider, parasail, or any powered, unpowered, or towed device that is used or intended to be used to carry a person in the air; shall land, taxi on, or take off from any unit if not specifically developed and approved for such use by the San Joaquin River Conservancy, with specific rules adopted and posted pursuant to Section 25015.04. No person shall operate aircraft above land under San Joaquin River Conservancy jurisdiction unless in compliance with all applicable laws and regulations. The operation of unmanned and remotely controlled aircraft is generally prohibited as set forth in Section 25016.16.

§ 25017.09. Riding or Pack Animals.

(a) No person shall ride, drive, lead, or keep a saddle or pack animal in a unit, or portion thereof, except on such roads, beaches, trails, or areas so designated by the San Joaquin River Conservancy pursuant to Section 25015.04 or as authorized pursuant to Section 25015.05.

(b) No saddle or pack animal shall be hitched to any tree, shrub, or structure in any manner that might cause damage thereto.

(c) No person shall ride any animal in a manner that might endanger life or limb of any animal, person or property.

(d) No person shall allow their animal to stand unattended or insecurely tied.

§ 25017.10. Bicycles, Operator Propelled Devices.

(a) Unless a trail or roadway is designated by the San Joaquin River Conservancy for multiple use pursuant to section (b), no person shall operate a bicycle, or operator-propelled, or gravity-propelled device within any unit.

(b) Where the San Joaquin River Conservancy has issued an order pursuant to section 25015.04 authorizing such activity:

(1) Bicycles and propelled-assisted devices, limited to “class 1” or “low-speed pedal-assisted electric bicycle” and “class 2 electric bicycle” or “low-speed throttle-assisted electric bicycle” are allowed. Class 3 electric bicycles, segways, electric unicycles, and propelled devices that are solely motorized are prohibited on all units and trails. Electric bicycle classes as used herein are defined in the California Vehicle Code Section 312.5(a). Propelled devices with a gas or internal combustion engine are prohibited in all units and on all trails.

(2) No device may be ridden at a speed greater than 20 miles per hour. Furthermore, no person may exceed a speed greater than reasonable or safe for the given trail conditions and circumstances, and in no event may operate at a speed which endangers the safety of any persons or risk damage to property. No person may exceed a speed limit for such devices as ordered by the San Joaquin River Conservancy and posted on associated bikeways or trails.

(c) This section does not apply to the use of ADA compliant motorized wheelchairs and other power-driven mobility devices.

§ 25018. Aquatics and Boating.

§ 25018.01. Swimming.

No person shall swim or wade in any pond or waterbody within any unit, unless authorized by the San Joaquin River Conservancy governing board pursuant to Section 25015.05. Said permit or agreement shall require any swimming area to be bounded by buoys placed no greater than twenty (20) feet apart, among other conditions.

No person shall operate any motorized boat, watercraft, or vessel within any authorized swimming area or within fifty (50) feet of the boundary of any designated swimming area.

§ 25018.02. Paddle Sports.

No person shall engage in paddle sports, including but not limited to canoeing, kayaking, and paddle-boarding, unless an area or unit is designated and posted pursuant to Section 25015.04 or with the written permission of the San Joaquin River Conservancy pursuant to Section 25015.05.

No person shall engage in paddle sports unless wearing the appropriate size and proper type of United States Coast Guard-approved floatation device for the activity.

Entering the water associated with paddle sport activity is allowable.

§ 25018.03. False Drowning Alarm.

No person shall give or transmit a false signal or a false alarm of drowning in any manner or mode.

§ 25018.04. Diving.

No person shall dive in any water located in San Joaquin River Conservancy unit. As used in this section, dive means to plunge from any height, especially, but not limited to, headfirst into water.

§ 25018.05. Rope Swings

The attachment or use of rope swings attached to any tree, trestle, bridge bluff or other structure for the purpose of jumping or diving into any water in any unit is prohibited.

§ 25018.06. Boats, Watercraft, and Vessels.

(a) Operation of any boat, watercraft or vessel is prohibited on all units unless designated and posted by the San Joaquin River Conservancy pursuant to Section 25015.04. Watercraft operation, where allowed by the San Joaquin River Conservancy in ponds isolated from the river shall be limited to paddle and electric motors; gas and internal combustion engines shall be prohibited.

(b) No person shall beach, land, launch, moor, dock or berth a vessel, watercraft, boat, jet-ski or any other object overnight except in units so designated and posted by the San Joaquin River Conservancy pursuant to Section 25015.04, or otherwise authorized pursuant to Section 25015.05.

(c) Beached or abandoned vessels, watercraft, boats, jet-ski or any other objects are to be removed by the registered owner from any San Joaquin River Conservancy unit within twenty-four (24) hours of notification. The last registered owner of record is responsible and is thereby liable for the cost of removal and disposition of the vessel, watercraft, boat, jet-ski or other object beached or abandoned.

Authority cited: Section 5003, 5005.6 and 5008, Public Resources Code.

§ 25018.06. Launching Areas.

No person shall launch, beach, weigh anchor, or cast off a boat, watercraft, or jet-ski except where the San Joaquin River Conservancy has authorized the same pursuant to Section 25015.04. Any such order shall prescribe the time and area in which it is in effect.

§ 25018.07. Boat and Watercraft Speed Limits.

Where allowed, no person shall operate a boat or any type of watercraft in a unit at speeds in excess of the posted speed limit. A safe speed shall always be maintained so that boat can stop at a safe distance and have time to maneuver from obstacles. Boat speed limits shall not exceed a speed safer than conditions allow or that is safe for other water users, or otherwise endangers people or property.

§ 25018.08. Operating Boats During Nighttime.

The operation of any vessel or watercraft within a unit from one hour after sunset until one hour before sunrise is prohibited unless authorized in designated units or facilities as pursuant to section 25015.04.

§ 25018.09. Disposal of Waste from Boats.

Any boat must be so constructed or equipped that all wastes, including but not limited to shower water and human waste, are discharged into a holding tank. Such wastes shall only be discharged in onshore disposal facilities.

§ 25018.10. Inspections.

Any peace officer may inspect any vessel or boat at any time for compliance with all applicable laws, rules, and regulations. Any person who refuses to allow such inspection shall immediately remove his/her vessel from the waters of the San Joaquin River Conservancy unit.



SAN JOAQUIN RIVER CONSERVANCY
Agenda Item

Item: F-3

July 12, 2023

TO: San Joaquin River Conservancy Governing Board

FROM : Karen Buhr, Interim Executive Officer

SUBJECT: **INFORMATION ITEM: Update on Security Plans for River West and Authorize Release of an Invitation for Bid for a Security Contract to Patrol Several San Joaquin River Conservancy's Properties.**

RECOMMENDATION:

It is recommended the Board authorize staff to release an Invitation for Bid (IFB) to secure a security contract for several Conservancy properties. After release of the IFB and evaluation of bids, staff will return to the Board to approve a three-year contract with the selected bidder.

SUMMARY:

Staff anticipates the IFB will be prepared and released late this summer, bids will be evaluated in the, and an agreement executed by September. The Conservancy will request the following services:

- Provide a visual presents on the selected properties;
- Report when property maintenance issues such as, but not limited to, malfunctioning park equipment, vandalism, excess debris, graffiti, improper campfire activity, suspicious activity, etc. are observed;
- Shall notify local law enforcement authorities for assistance if safety issues arise; and
- Providing visitor with information about the Conservancy and the San Joaquin River Parkway.

Rebecca Raus
Staff Services Manager I




SAN JOAQUIN RIVER CONSERVANCY

Agenda Item

Item: F-4

July 12, 2023

TO: San Joaquin River Conservancy Governing Board

FROM : Karen Buhr, Interim Executive Officer 

SUBJECT: **ACTION ITEM: Approve National Fish and Wildlife Foundation's Ledger Island Restoration Project and Authorize the Interim Executive Officer to Enter into a License Agreement with the National Fish and Wildlife Foundation for this Project.**

RECOMMENDATION:

It is recommended the Board approve the Interim Executive Officer to sign the letter of commitment to National Fish and Wildlife Foundation.

SUMMARY:

In October 2022, the National Fish and Wildlife Foundation (NFWF) presented to the Conservancy board about a potential project on Ledger Island. The proposed project is part of the National Fish and Wildlife Foundation's Sacramento District California In-Lieu Fee Program (<https://www.nfwf.org/mitigating-impacts/sacramentodistrict-california-lieu-fee-program>).

NFWF has created a conceptual design, based on site visits, aerial photography, the River's hydrologic record, and input for technical experts working on various programs related to salmon restoration and river hydrogeomorphic functions. They have reached a point in their work where NFWF would like to enter into an agreement with the Conservancy to hold this location for them and to not entertain a similar project in the same location.

As part of the In-Lieu Fee Program, this project would be developed at no cost to the Conservancy. The Conservancy will be asked to allow access, provide an assurance that the site will maintain its ecological function in perpetuity, and work with NFWF as needed in project development and implementation.

Staff recommends that the Board direct the Interim Executive Officer to sign a letter of commitment with NFWF to develop this project on Ledger Island.




SAN JOAQUIN RIVER CONSERVANCY

Agenda Item

Item: F-5

July 12, 2023

TO: San Joaquin River Conservancy Governing Board

FROM : Karen Buhr, Interim Executive Officer 

SUBJECT: **INFORMATION ITEM: Status and Progress Report on River West Fresno, Eaton Trail Extension Project.**

RECOMMENDATION:

This report is provided for informational purposes. No action of the Board is recommended.

SUMMARY:

In September 2021, the Conservancy Board authorized bond funds, not to exceed \$3,104,831.00, to the City of Fresno to begin and complete final engineering designs and secure permits for the River West Fresno Eaton Trail Extension Project. The project will extend the existing Lewis S. Eaton Trail approximately 2.4 miles, starting at the Perrin Avenue alignment near Highway 41 and ending at the City of Fresno's Spano Park. The trail will be 22 feet wide, with a 12-foot-wide paved surface, a parallel eight-foot-wide hard natural surface for equestrian use, and a two-foot shoulder. In addition to the trail system, the project will include three access points with parking lots - Perrine Avenue, Riverview Drive, and North Palm Avenue.

On November 18, 2021, the Wildlife Conservation Board approved the project and a grant agreement with the City of Fresno. A notice to proceed with the grant agreement was issued on January 7, 2022.

In April of 2022, the City of Fresno released a Request for Qualifications for the River West Fresno Eaton Trail Extension Project. The City of Fresno received Statement of Qualifications from three engineering firms that have been interviewed. On September 29, 2022, the City Council approved entering into a contract with Provost and Pritchard Consulting Group for the River West Fresno, Eaton Trail Extension Project.

In October of 2022, staff attended the "kick-off" meeting and were introduced to the leads for the contracted firm. For November's Conservancy Board meeting, the City of Fresno's staff gave a progress report and introduced their consultant Provost and Pritchard.

At the March 2023 board meeting, City of Fresno staff and their consultants, Provost and Pritchard and Urban Diversity Design, presented several design alternatives for the River West Fresno Project to the Board. At this meeting, several board members expressed their concerns regarding the changes in the design of the parking lot for Alternative 5b and the bus route/turnaround. The motion made by the Board stated that legal counsel would ensure that the proposal did not conflict with the signed

settlement agreement and stated that there be a mandated addendum to ensure CEQA compliance. Also, it was recommended that flexibility and Board discretion be given regarding the various design alternatives.

On April 28, 2023, Conservancy staff attended a meeting with the City of Fresno staff and members from the San Joaquin River Access Corporation and legal counsel. At this meeting, it was discussed that the settlement agreement would need to be amended, and an addendum would need to be filed for the Environmental Impact Report (EIR) for the River West Project to allow the alternate parking lot design and bus route and turnaround. The San Joaquin River Access Corporation requested that if the alternate parking lot was chosen that improvements would be made to their parcel such as, a kayak/canoe drop off area, picnic benches and trash cans, landscape, and having the trail continue onto the property.

On June 15, 2023, the Conservancy's Technical Advisory Coordination Group met and discussed the design options for the parking lot at the Palm Avenue Access location. The Technical Advisory Coordination Group directed the Interim Executive Officer that the City of Fresno staff and their consultant should move forward with designing the original parking lot described in the EIR. The group chose this option based on the motion the Board made at the March 2023 board meeting.

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Rebecca Raus
Staff Services Manager I




SAN JOAQUIN RIVER CONSERVANCY

Agenda Item

Item: F-6

July 12, 2023

TO: San Joaquin River Conservancy
Governing Board

FROM: Karen Buhr, Interim Executive Officer 

SUBJECT: **INFORMATION ITEM: Report on Enacted State Budget for the San Joaquin River Conservancy for Fiscal Year (FY) 2023-2024 and Current Status of Bond Funds.**

RECOMMENDATION:

This report is for informational purposes. No Board action will be taken.

SUMMARY:

Operations and Program Delivery:

Main Support Budget: The proposed main support budget totals \$413,000 for FY 23-24. This is funded by an allocation from the Environmental License Plate Fund. It funds two staff and associated office, support, administrative, and supply costs. The Conservancy also funds California Department of Parks and Recreation and legal support services from this budget unit.

San Joaquin River Conservancy Fund: In FY 23-24 \$190,000 is proposed for the San Joaquin River Conservancy Fund. These funds are used for basic property management services. The source of the funding is revenue generated by three long term leases on Conservancy properties, and to a lesser extent by two rentals and a concession. The funds pay for contract services to operate Wildwood Park and Friant Cove, maintain rental properties, perform fire abatement services, pay utilities associated with Conservancy properties, perform repairs, and cleanups.

Program Delivery Budget: The proposed appropriation for FY 23-24 for program delivery for Proposition 40 is \$13,000 and for Proposition 84 is \$512,000, a combined total of \$525,000. This funds one Conservancy position, one Wildlife Conservation Board (WCB) position, and associated office and support costs, to assist with the workload of implementing the bond-funded land acquisition and capital improvement programs. The bond funds for the Conservancy's land acquisitions, capital improvements, and multi-benefit watershed grant program are appropriated in the WCB budget; appropriations and unexpended balances are adequate to continue implementing these programs.

General Fund Budget:

FY 21/22: The Conservancy received \$15 million through the Budget Act of 2021-22.

Provisions:

- The amount appropriated in Schedule (1) shall be available for operation and maintenance of conservancy-owned lands.
- These funds shall be available for encumbrance or expenditure until June 30, 2024, and for liquidation until June 30, 2026.

\$15 Million Budget	
Beginning Balance	\$15,000,000.00
Contract and Agreements	-\$8,067,437.97
SJRC Staff	-\$560,000.00
Supplies	-\$43,620.30
Total Spent	\$8,671,058.27
Remaining Balance	\$6,328,941.43

FY 21/22: \$1.3 million for local assistance that was included the Climate Resilience Package.

Provisions:

- The amount appropriated in this item shall be available for climate resilience, wildfire prevention, community access, and natural resource protection.
- The amount appropriated in this item is available for capital outlay or local assistance until June 30, 2024.
- Up to 5 percent of the amount appropriated in this item may be used for administrative costs.

\$1.2 million has been allocated to the City of Fresno for the construction of a traffic light at Del Mar and Audubon. The administrative cost of \$65,000 will be used for an Interagency Contract with the California Natural Resources Agency for administrative services.

FY 22/23: \$1.5 million was provided through the Budget Act of 2022-23 for local assistance projects.

Provisions:

- Funds appropriated in this item shall be available for expenditure, encumbrance, or liquidation until June 30, 2027, to fund programs and activities that advance multi-benefit and nature-based solutions.
- The funds appropriated in this item shall be available for support or local assistance.
- No more than 5 percent of the amount appropriated in this item may be used for administrative support costs.

The Conservancy is using the 5% that is appropriated for administrative support costs for an interagency contract with the Sacramento-San Joaquin Delta Conservancy for the acting Interim Executive Officer.

FY 23/24: \$1.0 million for local assistance that was included in the Wildfire and Forest Resilience Package.

- The Conservancy is waiting on the final budget for the provisions.

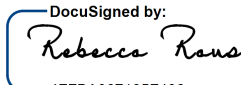
Bond Funding for Parkway Capital Improvements:

These funds are appropriated in WCB's budget to be directed to projects at the Conservancy Board's discretion for land acquisition, and habitat enhancement, public access, and recreation capital improvements within the Parkway.

The Conservancy currently has available a balance of approximately \$12 million in voter-authorized bond funds to invest. The bond funds are authorized for acquisition, development, rehabilitation, restoration and protection of land and water resources to achieve the mission of the Conservancy.

- The Conservancy has \$206,028.05 in bond funds from the Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Bond Act (Proposition 40, 2002)
- The Conservancy has \$548,197.01 in bond funds from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act (Proposition 84, 2006)
- The Conservancy has \$5,550,000.00 in Bond funds from the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access for All Act of 2018 (Proposition 68, 2018)
- The Conservancy has \$5,781,088.43 Bond Funds from the Water Quality, Supply, and Infrastructure Improvement Act of 2014 (Proposition 1, 2014) – Competitive grant program.
 - Fund to be used for multi-benefit ecosystem and watershed protection and restoration projects.

Account	Beginning Balance	Projects	Amount Available
Prop 40 (6029)	\$4,991,881.05	-\$4,785,853.00	\$ 206,028.05
Prop 84 (6051)	\$9,850,261.51	-\$9,302,064.50	\$ 548,197.01
Prop 68 (6088)	\$5,550,000.00	\$0	\$ 5,550,000.00
Prop 1 (6083)	\$9,300,000.00	-\$3,518,911.57	\$5,781,088.43
Total Amount	\$ 29,692,142.56	- \$17,606,829.07	\$12,085,313.49

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 Rebecca Raus
 Staff Services Manager I