

SAN JOAQUIN RIVER CONSERVANCY RULEMAKING FILE



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CERTIFICATION

The foregoing table of contents constitutes The San Joaquin River Conservancy rulemaking file for the subject regulations. The rulemaking file as submitted is complete. The rulemaking file for the subject regulations was closed on July 15, 2025.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed at Fresno, California on July 15, 2025.

Signed:

DocuSigned by:

Cheryl Moxley

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Cheryl Moxley

Staff Parks and Recreation Specialist

Regulations Coordinator

TAB A : NOTICE OF PROPOSED ACTION

NOTICE PUBLICATION/REGULATIONS SUBMISSION

STD. 400 (REV. 10/2019)

For use by Secretary of State only

OAL FILE NUMBERS	NOTICE FILE NUMBER Z-2024-1009-01	REGULATORY ACTION NUMBER	EMERGENCY NUMBER
For use by Office of Administrative Law (OAL) only			
<div>OFFICE OF ADMINISTRATIVE LAW</div> <div>Electronic Submission</div> <div>RECEIVED DATE PUBLICATION DATE</div> <div>10/09/2024 10/25/2024</div>			
NOTICE		REGULATIONS	
AGENCY WITH RULEMAKING AUTHORITY San Joaquin River Conservancy			AGENCY FILE NUMBER (If any)

A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)


1. SUBJECT OF NOTICE San Joaquin River Parkway Use Regulations		TITLE(S) 14	FIRST SECTION AFFECTED 25015	2. REQUESTED PUBLICATION DATE 9/20/24 10/25/2024
3. NOTICE TYPE <input checked="" type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other		4. AGENCY CONTACT PERSON Kari Daniska		TELEPHONE NUMBER (559) 287-2650
FAX NUMBER (Optional)		NOTICE REGISTER NUMBER		PUBLICATION DATE
OAL USE ONLY	ACTION ON PROPOSED NOTICE <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn			

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) San Joaquin River Parkway Public Access and Use Regulations		1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S) None	
2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)			
SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)		ADOPT Sections 25015, 25016, 25017, 25018 (all sections and sub-sections listed on page 2)	
TITLE(S) See page 2		AMEND	
		REPEAL	
3. TYPE OF FILING			
<input checked="" type="checkbox"/> Regular Rulemaking (Gov. Code §11346)		<input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute.	
<input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4)		<input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h))	
<input type="checkbox"/> Emergency (Gov. Code, §11346.1(b))		<input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100)	
		<input type="checkbox"/> File & Print	
		<input type="checkbox"/> Print Only	
		<input type="checkbox"/> Other (Specify) _____	
4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)			
5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)			
<input checked="" type="checkbox"/> Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a))		<input type="checkbox"/> Effective on filing with Secretary of State	
		<input type="checkbox"/> \$100 Changes Without Regulatory Effect	
		<input type="checkbox"/> Effective other (Specify) _____	
6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY			
<input type="checkbox"/> Department of Finance (Form STD. 399) (SAM §6660)		<input type="checkbox"/> Fair Political Practices Commission	
<input type="checkbox"/> Other (Specify) _____		<input type="checkbox"/> State Fire Marshal	
7. CONTACT PERSON Kari Daniska		TELEPHONE NUMBER (559) 287-2650	FAX NUMBER (Optional)
		E-MAIL ADDRESS (Optional) kari.daniska@sjrc.ca.gov	

8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

For use by Office of Administrative Law (OAL) only

Signed by: SIGNATURE OF AGENCY HEAD OR DESIGNEE 	DATE 9/4/2024
TYPED NAME AND TITLE OF DESIGNATORY Executive Officer	

San Joaquin River Parkway Public Access and Use Regulations

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Initial


SAN JOAQUIN RIVER CONSERVANCY

NOTICE OF PROPOSED ACTION

Title 14 Natural Resources, Division 10, Chapter 2 of the California Code of Regulations

**Subject: San Joaquin River Parkway Public
Access and Use Regulations**

NOTICE IS HEREBY GIVEN that the California San Joaquin River Conservancy (Conservancy) is proposing to adopt the regulations as described below, after considering all comments, objections, or recommendations regarding the proposed action.

PROPOSED REGULATORY ACTION

The Conservancy proposes to adopt Chapter 2, §§ 25015 to 25018.10 within Title 14, Division 10, of the California Code of Regulations. The proposed regulations concern the use of lands and facilities under the Conservancy's ownership or jurisdiction.

WRITTEN COMMENT PERIOD

Any person, or their authorized representative, may submit written comments relevant to the proposed regulatory action to the Conservancy. The written comment period ends **on December 4, 2024**. The Conservancy will only consider written comments it receives by the end of the written comment period (in addition to those written comments received at the public hearing).

Written comments may be submitted by any of the following methods:

1. By email to: info@sjrc.ca.gov Conservancy requests, but does not require, that persons submitting comments by email include "**Comment – Proposed Regulations on SJRC Land**" in the subject line to facilitate timely identification and review of the comment.
2. By mail to:

San Joaquin River Conservancy
Attn: Regulations Comment
P.O. Box 28338
Fresno, CA 93729

Please note that under the California Public Records Act (Gov. Code § 7920 et seq.), your comments, attachments, and associated contact information become part of the public record and can be released to the public upon request.

PUBLIC HEARING

The Conservancy will hold a public hearing on the proposed regulatory action on **Wednesday, December 4, 2024, from 1:00-5:00 p.m.**

The public hearing will be held at the following location:

Fresno Metropolitan Flood Control District
5469 E. Olive Ave., Fresno, CA 93727

Attendees may participate via the Zoom webinar platform or connect by phone. Instructions for how to access the public hearing, including the specific Zoom link, can be found on the Conservancy's website at: www.sjrc.ca.gov/Board/.

During the public hearing, any person may present comments orally or in writing relevant to the proposed action described in this notice. The Conservancy may impose reasonable limits of up to 3 minutes on oral presentations. The Conservancy requests, but does not require, that persons who make oral comments at the hearing also submit a written copy of their testimony via email. All comments made during the virtual public hearing will be collected and recorded.

Special Accommodation Notice

If any member of the public has a disability or language needs and requires accommodation to participate in the public hearing, please contact the Conservancy at info@sjrc.ca.gov no later than five (5) working days prior to the public hearing.

AUTHORITY AND REFERENCE

Public Resources Code sections 32527 and 32529 authorizes the Conservancy to adopt these proposed regulations. The proposed regulations will implement, interpret, and make specific the provisions of Public Resources Code sections 32500 through 32538. References include Public Resources Code sections 32503, 32504, 32510, 32511, 32512, 32514, 32525, 32527, 32527.5, 32528, 32529, 32530, and 32536; Penal Code section 830 et seq; and Vehicle Code section 21113.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Summary of Existing Laws and Regulations:

Pursuant to Public Resources Code § 32510, the Conservancy shall acquire and manage lands within the San Joaquin River Parkway (Parkway) to provide a harmonious combination of low-impact recreational and educational uses and wildlife protection through the preservation of the San Joaquin River, existing publicly owned lands, the wildlife corridor, and natural reserves. The Conservancy is responsible for operation and maintenance of the Parkway, including closing its lands and facilities to the public when it is unable to maintain it in a clean and safe manner to adequately

protect the wildlife and rights of adjacent property owners from the public. (Pub. Res. Code § 32511.)

The Conservancy may adopt and enforce regulations governing the use of parkway lands and activities within the parkway; the protection and management of native riparian vegetation, wildlife, and other natural resources on parkway lands; and the protection of archaeological sites. (Pub. Res. Code §§ 32527, 32529.) Public Resources Code § 32527.5 authorizes the Conservancy to impose a penalty on any person who violates regulations adopted by the Conservancy and allows any duly authorized California peace officer to enforce the adopted regulations.

The Conservancy today owns and manages approximately 2,600 acres of both publicly open and closed properties along the San Joaquin River on both the Fresno County and Madera County sides of the river. The Conservancy must operate and maintain all its facilities to ensure public safety and health.

Effect of the Proposed Regulations

The objective of this proposed rulemaking is to enhance the Conservancy's ability to manage the lands and facilities under its control, by addressing the use of such lands and facilities by the public. The proposed regulations authorize the Conservancy to adopt and post orders and rules pertaining to specific areas and subjects and enforce the proposed regulations through penalties and ejections. The proposed regulations also establish general rules pertaining to conduct and activities allowed on Conservancy-owned property, including hours of operation, wildlife, plants and downed wood, geological features, archeological, cultural, and historical features, fires, fireworks, camping, alcohol, dogs, remotely controlled devices, commercial filming, organized games and recreational events, soliciting and commercial activities, pesticides. The proposed regulations also establish rules pertaining to conduct and activities on Conservancy-owned property related to vehicles, parking, riding pack animals, and operator-propelled devices, aquatics, and boating.

Anticipated Benefits of Proposed Regulations

The anticipated benefits of the proposed regulations include protecting public health and safety, cultural resources, and the environment. Reasonable restrictions on the hours of use of Conservancy recreation sites, and where and when vehicles may park on Conservancy land, protect the environment by reducing potential impacts to sensitive habitat and wildlife. The anticipated benefits to state property and to the public outweigh minor limitations on public access and are consistent with the Conservancy's responsibility as a land steward.

The proposed regulations will benefit the health and welfare of California residents, and the State's environment, by providing the Conservancy with additional tools to manage Conservancy-owned public lands. Specifically, the proposed regulation will benefit the health and welfare of California residents by clarifying the procedures needed to close Conservancy property to the public when risk for harm is present. The proposed regulation will benefit the State's environment by protecting natural resources within Conservancy land from damage and degradation. Better land management tools for the Conservancy will ultimately result in healthier ecosystems and a more balanced relationship between the natural environment and manmade impacts.

Determination of Inconsistency/Incompatibility with Existing State Regulations

The Conservancy has determined that the proposed regulations are not inconsistent or incompatible with existing state regulations. To date, the Conservancy has not adopted any regulations concerning the use or management of its land or facilities. Regulations adopted by other state agency land managers are not applicable to Conservancy properties.

Forms Incorporated by Reference:

None.

Comparable Federal Regulations:

The Conservancy is not aware of any federal regulations or statutes that address the specific subject matter addressed by the proposed regulations.

OTHER STATUTORY REQUIREMENTS

There are no other requirements prescribed by statute applicable to the Conservancy, or to the specific regulations or class of regulations.

DISCLOSURES REGARDING THE PROPOSED ACTION

Pursuant to Government Code § 11346.5(a)(5), (6), (7), (8), and (12), the Conservancy has made the following initial determinations:

- Mandate on local agencies and school districts: None.
- Cost or savings to any other state agency: None.
- Cost to any local agency or school district which is required to be reimbursed: None.
- Other nondiscretionary costs or savings imposed on local agencies: None.
- Cost or savings in federal funding to the state: None.

- Significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other States: None.
- Significant effect on housing costs: None.

COST IMPACTS ON REPRESENTATIVE PERSONS OR BUSINESSES

The Conservancy is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

RESULTS OF THE ECONOMIC IMPACT ASSESSMENT

Government Code § 11346.3 requires state agencies to assess the potential economic impacts on California businesses and individuals when proposing to adopt or amend a regulation. The results from the economic impact analysis:

- Creation or Elimination of Jobs within the State of California: The proposed regulations are not expected to impact jobs within the State of California.
- Creation or Elimination of Businesses within the State of California: The proposed regulations are not expected to impact businesses in the State of California.
- Expansion of Businesses Currently Doing Business within the State of California: The proposed regulations are not expected to encourage or discourage businesses from expanding their business in the State of California.
- Benefits of Regulations to Health and Welfare of California Residents, Worker Safety, and the State's Environment: The proposed regulations will benefit the health and safety of California residents, and the State's environment, by providing the Conservancy with additional tools to manage Conservancy-owned public lands. Specifically, the regulations will benefit the health and welfare of California residents by implementing rules and procedures to better allow the Conservancy to operate and maintain its lands in a clean and safe manner for the public. The proposed regulations will benefit the State's environment by protecting natural resources within Conservancy land from damage and degradation. Better land management tools for the Conservancy will ultimately result in healthier ecosystems and a more balanced relationship between the natural environment and manmade impacts/urban development/California residents.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code § 11346.5(a)(13) of the Government Code, the Conservancy must determine that no reasonable alternative it has considered or that has otherwise been identified and brought to its attention would be more effective in

carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

The Conservancy has determined that the proposed regulations are the most effective way to manage its lands and to protect public health, safety, habitat, and natural resources. The Conservancy considered not pursuing the proposed regulations and continuing to rely on local and state regulations to address land management issues, but rejected that alternative because it would be inconsistent with its responsibilities as a public land manager and the purposes for which the Conservancy was created. The Conservancy invites interested people to provide comments regarding any alternatives to the proposed regulations at the scheduled hearing or during the written comment period.

CONTACT PERSONS

Please direct inquiries concerning the proposed action or regulatory process to:
San Joaquin River Conservancy
Attn: Regulation Comments
PO Box 28338
Fresno, CA 93729
Email: info@sjrc.ca.gov

AVAILABILITY OF STATEMENT OF REASONS, TEXT OF PROPOSED REGULATIONS, AND RULEMAKING FILE

The Conservancy will have the entire rulemaking file available for inspection and review on its website. As of the date this Notice of Proposed Rulemaking (Notice) is published in the Notice Register, the rulemaking file consists of this Notice, the Text of Proposed Regulations (the “express terms” of the regulations), the Initial Statement of Reasons, and any information upon which the proposed is based. A copy of this notice, the proposed regulation text, and the Initial Statement of Reasons can be accessed through the Conservancy’s website at: <https://sjrc.ca.gov>. Please refer to the contact information listed above to obtain copies of these documents.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

After considering all timely and relevant comments received during the written comment period, the Conservancy may adopt the proposed regulations substantially as described in this notice or make modifications based on the comments. If the Conservancy makes modifications which differ, but are sufficiently related to the

originally proposed text, it will make the modified text (with the changes clearly indicated) available to the public for at least 15 days before the Conservancy adopts the regulations as revised. A copy of any modified regulation may be obtained from the agency by email request to info@sjrc.ca.gov or on the Conservancy's website at the URL provided above. The Conservancy will accept written comments on the modified regulations for 15 days after the date on which they are made available.

AVAILABILITY OF THE FINAL STATEMENT OF REASONS

Upon its completion, the Final Statement of Reasons will be available on the Conservancy's website at www.sjrc.ca.gov and may be requested from the contact person named in this notice.

AVAILABILITY OF DOCUMENTS ON THE INTERNET

Copies of the Notice of Proposed Rulemaking, the express terms, the Initial Statement of Reasons, and any information upon which the proposed rulemaking is based are available on the Conservancy's website at www.sjrc.ca.gov.

**TAB B: TEXT OF REGULATIONS ORIGINALLY
NOTICED TO THE PUBLIC**

**California Code of Regulations – Originally Noticed to the Public and
published by Office of Administrative Law 10/18/24**

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.

Authority cited: Sections 32527, 32529, Public Resources Code. Reference: 32511, 32525, Public Resources Code.

§ 25015.03. Definitions.

(a) "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.

(b) "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.

(c) "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.

(d) "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.

(e) "Permit," as used herein, is an authorization for a specified use issued by the San Joaquin River Conservancy.

(f) "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.

Authority cited: Sections 32527, 32529, Public Resources Code. Reference: 32504, 32530, Public Resources Code, 830 et seq., Penal Code.

§ 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 a bulletin board or similar structure upon which all special instructions, rules, and orders, shall be posted pertaining to specified units at its headquarters or post on its website, as well as post at the unit affected in a location convenient to the general public. 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 25015.09. 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.

Authority cited: Sections 32527, 32529, Public Resources Code. Reference: 32527.5, 32529, Public Resources Code.

§ 25015.05. 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 from the San Joaquin River Conservancy. Entry to closed units is a violation subject to enforcement and the penalties established in this Chapter, or 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.

Authority cited: Sections 32527, 32529, Public Resources Code. Reference: 32510, 32511, 32527.5, Public Resources Code.

§ 25015.06. 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 state 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.

Authority cited: Sections 32527, 32529, Public Resources Code. Reference: 32536, Public Resources Code.

§ 25015.07. 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, and the authorized representatives of their respective law enforcement agencies.

Authority cited: Sections 32527, 32529, Public Resources Code. Reference: 32525, 32527, Public Resources Code.

§ 25015.08. 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. This provision shall be enforced by any duly authorized California peace officers in any unit in which a violation of regulations may take place. 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.

Authority cited: Sections 32527, 32529, Public Resources Code. Reference: 32525, 32527, Public Resources Code.

§ 25015.9. Severability.

These sections are severally adopted. 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.

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

§ 25016. General Rules and Regulations.

§ 25016.01. 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 September, and from 6:00 p.m. to 7:00 a.m. during the months of October through March, unless developed for public camping, or otherwise posted pursuant to Section 25015.04 or authorized in writing by the San Joaquin River Conservancy. 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.

Authority cited: Sections 32527, 32529, Public Resources Code. Reference: 32510, 32511, 32529, Public Resources Code.

§ 25016.02. Wildlife.

(a) Fishing for commercial purposes is prohibited.

(b) Feeding wildlife is prohibited.

(c) No person shall willfully release any wildlife that is not native to the area, including but not limited to birds, 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.

Authority cited: Sections 32527, 32529, Public Resources Code. Reference: 32510, 32511, 32527, 32529, Public Resources Code.

§ 25016.03. 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 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 by the San Joaquin River Conservancy, 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 written authorization by the San Joaquin River Conservancy.

Authority cited: Sections 32527, 32529, Public Resources Code. Reference: 32511, 32527, 32529, Public Resources Code.

§ 25016.04. Geological Features.

(a) No person shall destroy, disturb, mutilate, or remove 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. Rockhounding, including gold panning, for commercial purposes is prohibited.

(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 written authorization by the San Joaquin River Conservancy.

Authority cited: Sections 32527, 32529, Public Resources Code. Reference: 32510, 32511, 32527, 32529, Public Resources Code.

§ 25016.05. 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.

Authority cited: Sections 32527, 32529, Public Resources Code. Reference: 32510, 32527, Public Resources Code.

§ 25016.06. 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, that no person shall light any fire of any kind in the specified portions of the units.

(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.

Authority cited: Sections 32527, 32529, Public Resources Code. Reference: 32511, 32527, 32529, Public Resources Code.

§ 25016.07. 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: Sections 32527, 32529, Public Resources Code. Reference: 32511, 32527, 32529, Public Resources Code.

§ 25016.08. 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 in writing by the San Joaquin River Conservancy. 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.

Authority cited: Sections 32527, 32529, Public Resources Code. Reference: 32511, 32527, 32529, Public Resources Code.

§25016.09. 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 by the San Joaquin River Conservancy.

Authority cited: Sections 32527, 32529, Public Resources Code. Reference: 32511, 32527, 32529, Public Resources Code.

§ 25016.10. 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) No person shall allow a dog to hunt, chase, harm, or harass wildlife.

(c) No person shall keep a noisy, vicious, or dangerous dog, 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.

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

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

(f) 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.

Authority cited: Sections 32527, 32529, Public Resources Code. Reference: 32511, 32527, 32529, Public Resources Code.

§ 25016.11. 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 shall use any remotely controlled aerial device, including but not limited to a drone or other unmanned remote-controlled aircraft, to 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.

Authority cited: Sections 32527, 32529, Public Resources Code. Reference: 32511, 32527, 32529, Public Resources Code.

§ 25016.12. Commercial Filming.

Except where authorized by the San Joaquin River Conservancy, no person shall record or shoot videos or films for commercial purposes in any unit, or portion thereof, without a permit from the California Film Commission, pursuant to Government Code section 14998.8. 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.

Authority cited: Sections 32527, 32529, Public Resources Code. Reference: 32511, 32529, Public Resources Code.

§ 25016.13. Games and Recreational Activities and Events.

Organized tournaments, races, and athletic events, occurring wholly or partially within any unit, are not allowed except as permitted by the San Joaquin River Conservancy, and provided all costs to the San Joaquin River Conservancy are reimbursed by the contractor, permittee, or licensee.

Authority cited: Sections 32527, 32529, Public Resources Code. Reference: 32511, 32529, Public Resources Code.

§ 25016.14. 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.

Authority cited: Sections 32527, 32529, Public Resources Code. Reference: 32511, 32529, Public Resources Code.

§ 25016.15. 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.

Authority cited: Sections 32527, 32529, Public Resources Code. Reference: 32511, 32529, Public Resources Code.

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

§ 25017.01. Off-Highway Vehicles.

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

Authority cited: Sections 32527, 32529, Public Resources Code. Reference: 32511, 32529, Public Resources Code.

§ 25017.02. Speed Limits.

The speed limit for vehicles operating on any San Joaquin River Conservancy unit is 15 miles per hour, unless otherwise posted. 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.

Authority cited: Sections 32527, 32529, Public Resources Code. Reference: 32511, 32529, Public Resources Code.

§ 25017.03. Parking.

The San Joaquin River Conservancy may, by posting notices, prohibit or restrict the parking or standing of vehicles in units or portions thereof, during all or certain hours of the day. 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.

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

Authority cited: Sections 32527, 32529, Public Resources Code. Reference: 32511, 32529, Public Resources Code.

§ 25017.04. 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 and posted by the pursuant to Section 25015.04 or as authorized in writing by the San Joaquin River Conservancy.

(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.

Authority cited: Sections 32527, 32529, Public Resources Code. Reference: 32511, 32529, Public Resources Code.

§ 25017.05. Bicycles, Operator Propelled Devices.

(a) Unless a trail or roadway is designated by the San Joaquin River Conservancy for multiple use pursuant to section 25015.04 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 and posted 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) (2) No device may be ridden at a speed greater than 15 miles per hour. No person may exceed the speed limit for such devices as ordered by the San Joaquin River Conservancy and posted on associated bikeways or trails. 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.

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

Authority cited: Sections 32527, 32529, Public Resources Code. Reference: 32511, 32529, Public Resources Code.

§ 25018. Aquatics and Boating

§ 25018.01. Paddle Sports.

When posted no person shall engage in paddle sports, including but not limited to canoeing, kayaking, and paddle-boarding, unless in an area or unit designated and posted pursuant to Section 25015.04 or with written authorization by the San Joaquin River Conservancy.

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.

Authority cited: Sections 32527, 32529, Public Resources Code. Reference: 32511, 32529, Public Resources Code.

§ 25018.02. Diving.

No person shall dive in any body of water located in a 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.

Authority cited: Sections 32527, 32529, Public Resources Code. Reference: 32511, 32529, Public Resources Code.

§ 25018.03. Rope Swings

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

Authority cited: Sections 32527, 32529, Public Resources Code. Reference: 32511, 32529, Public Resources Code.

§ 25018.04. 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 are 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 pursuant to Section 25015.04, or otherwise authorized in writing by the San Joaquin River Conservancy.

(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: Sections 32527, 32529, Public Resources Code. Reference: 32511, 32529, Public Resources Code.

§ 25018.05. 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 designated and posted pursuant to Section 25015.04.

Authority cited: Sections 32527, 32529, Public Resources Code. Reference: 32511, 32529, Public Resources Code.

§ 25018.06. 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.

Authority cited: Sections 32527, 32529, Public Resources Code. Reference: 32511, 32529, Public Resources Code.

§ 25018.07. 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 and posted in designated units or facilities pursuant to section 25015.04.

Authority cited: Sections 32527, 32529, Public Resources Code. Reference: 32511, 32529, Public Resources Code.

TAB C: INITIAL STATEMENT OF REASONS

**CALIFORNIA SAN JOAQUIN RIVER CONSERVANCY
INITIAL STATEMENT OF REASONS**

**Title 14, NATURAL RESOURCES
DIVISION 10 SAN JOAQUIN RIVER CONSERVANCY
CHAPTER 2 SAN JOAQUIN RIVER PARKWAY PUBLIC ACCESS AND
USE REGULATIONS**

Subject: California Code of Regulations on the Use of Conservancy Land

I. INTRODUCTION

The San Joaquin River Conservancy (Conservancy) is an independent agency within the California Natural Resources Agency, established in its present form in 1992 under the San Joaquin River Conservancy Act. The San Joaquin River Conservancy Act grants the Conservancy the authority to adopt and enforce regulations. (Pub. Res. Code §§ 32527, 32529.)

The Conservancy's jurisdiction spans from Friant Dam in Friant, California to Highway 99 in Fresno and Madera, California. The San Joaquin River Conservancy was established in the California Natural Resources Agency to acquire and manage public lands within the San Joaquin River Parkway (Parkway), which shall consist of the San Joaquin River and approximately 5,900 acres on both sides of the river between Friant Dam and the Highway 99 crossing. As envisioned, the Parkway would encompass approximately 1,900 acres of land located in Madera County and 4,000 acres in Fresno County. During the Conservancy's first years it devoted energy and resources to acquiring land along the river for natural resource protection, restoration, wildlife habitat, and recreation.

The San Joaquin River Conservancy Act reads, "the conservancy shall acquire and manage these lands in the parkway to provide a harmonious combination of low-impact recreational and educational uses and wildlife protection through the preservation of the San Joaquin River, existing publicly owned lands, the wildlife corridor, and natural reserves." (Pub. Res. Code § 32510.) The Conservancy may adopt and enforce regulations governing the use of parkway lands and activities within the parkway; the protection and management of native riparian vegetation, wildlife, and other natural resources on parkway lands; and the protection of archaeological sites. (Pub. Res. Code § 32527.)

II. PROBLEM STATEMENT

The Conservancy today owns and manages approximately 2,600 acres of both publicly open and closed properties along the San Joaquin River on both the Fresno County and Madera County sides of the river. The Conservancy must operate and maintain all its facilities to ensure public safety and health. One of the largest public access sites is the

600-acre open space area referred to as Sycamore Island in Madera, California. As the population of and visitation to these public access areas increase, so does the potential for conflict between conservation uses and recreational uses.

The problem is that to date, the Conservancy has not adopted regulations to facilitate more efficient and effective operation and management of its properties. For example, the Conservancy currently lacks specific procedures to close its lands to public use when there is a risk to public health, safety, or natural or cultural resources. In contrast, public land closures are a tool regularly used by other public land managers during emergencies or unexpected situations. When there are dangerous natural phenomena, risks to public health and safety, resources, wildlife, or habitat, construction or restoration activities, or a declared state of emergency, it may be important for the Conservancy to limit the interaction between the public and the situations.

The proposed regulations further the Conservancy's goals of both ensuring public health and safety and protecting the natural environment. Additionally, there is an existing issue with people experiencing homelessness creating encampments on Conservancy properties. These undeveloped lands are not suitable or intended for camping or living conditions. A person cooking, washing, and relieving themselves on parcels results in adverse impacts to environmentally sensitive land and species, poses a potential fire threat, and interferes with the Conservancy's ability to carry out its land management responsibilities.

The Conservancy has received reports of illegal camping, illegal campfires, illegal dumping, vandalism, facility damage, wildlife disturbance, resource damage, arson attempts, and other issues that pose a risk to public safety, habitat destruction, and destruction to state property. This presents numerous management challenges as well as its threat to river water quality, native vegetation survival, cultural resources and valuable fish and wildlife habitat.

Although the Conservancy may rely on existing state statutes and local ordinances to address certain management issues that arise on Conservancy land, those are not always adequate to protect public health, safety, habitat, or natural resources. The proposed regulations will allow the Conservancy to better fulfill its responsibilities as a public land manager.

III. OVERALL PURPOSE, ANTICIPATED BENEFITS, AND EFFECT

The purpose of this proposal is to give the Conservancy additional tools and carry out its goals of operating and maintaining a balance between the region's natural landscape and its manmade environment, protecting the natural environment, and preserving the scenic beauty and recreational opportunities of the region. It will also improve the Conservancy's and law enforcement's ability to protect public health and safety. The proposal will improve the Conservancy's ability to manage its lands and facilities. The anticipated benefits of the proposed regulations include minimizing risks to visitors, neighboring landowners, public health, reducing fire risk, protecting native vegetation,

protecting the watershed and water quality in the river, protecting peaceful recreation, and protecting state facilities as well as natural and cultural resources. The overall benefits to state property and to the public outweigh minor limitations on public access and are consistent with the Conservancy's responsibility as a steward of public land.

IV. SPECIFIC PURPOSE AND NECESSITY FOR EACH PROPOSED REGULATION

Section 25015.01. Authority to Adopt Regulations

Specific Purpose: This subdivision identifies the authority of the Conservancy to adopt regulations related to lands owned, operated, or administered by the Conservancy.

Necessity: This subdivision identifies the authority of the Conservancy to adopt regulations.

Section 25015.02. Purpose

Specific Purpose: This subdivision identifies that the adoption of the proposed regulations 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.

Necessity: This subdivision identifies the purpose of the regulations.

25015.03. Definitions

Specific Purpose: This subdivision defines the definition of language and titles used within the regulations.

Necessity: This subdivision is necessary for full comprehension of the proposed regulations and to meet the clarity standard in the Administrative Procedure Act.

25015.04. Authority to Adopt Rules through Posted Orders

Specific Purpose: This subdivision identifies the authority to post rules, restrictions and hours of operation on properties to keep the resources and public safe. Additionally, it identifies the process on how to view posted orders.

Necessity: This subsection is necessary to give the Conservancy an efficient and effective tool to manage its properties and to provide the public with valuable information about the properties' rules.

25015.05. Authority to close areas to the public

Specific Purpose: This subdivision identifies that the Conservancy has the authority to close properties to the public if the property is unsafe or not managed in a clean and safe manner. It also notifies the public of the consequences of entering closed units.

Necessity: This subdivision is necessary to give the Conservancy the ability to close its properties when necessary to protect the public's health and safety, and to protect the wildlife, natural and cultural resources.

25015.06. Payment for Use of Facilities

Specific Purpose: This subdivision identifies the Conservancy's authority to charge a fee for use of their properties.

Necessity: This subdivision is necessary to improve the Conservancy's ability to operate and manage their properties. The legislature allows the Conservancy to charge reasonable fees for the use of Conservancy properties by the public.

25015.07. Enforcement

Specific Purpose: This subdivision identifies that the Conservancy or a duly authorized California Peace Officers may enforce the regulations.

Necessity: This subdivision is necessary to establish whom has authority to enforce the regulations and to improve the Conservancy's ability to operate and manage their properties.

25015.08. Ejection

Specific Purpose: This subdivision serves to notify the public of the potential consequence of violating applicable laws and regulations.

Necessity: This subdivision is necessary for ensuring public safety and for the protection of natural and cultural resources. It provides the Conservancy with the land management tools necessary to enforce applicable laws and regulations.

25015.09. Severability

Specific Purpose: This subdivision explains that if a section, subsection, sentence, clause or phrase is invalid that it does not affect the remaining portions of the regulations.

Necessity: This subdivision is necessary to protect other sections and language of the regulations if one or more parts are found invalid.

25016.01. Hours of Operation

Specific Purpose: This subdivision serves to notify the public of the hours of operations for Conservancy properties that are open to the public, unless otherwise posted. It additionally informs the public that unauthorized entry outside of the allowed hours of operation constitutes an unlawful trespass and the potential consequences.

Necessity: This subdivision is necessary give the Conservancy the land management tools to restrict hours of use of the Conservancy's properties, to establish a violation for persons found present when a property is closed, and to improve the Conservancy's ability to operate and manage their properties.

25016.02. Wildlife

Specific Purpose: This subdivision establishes prohibitions related to wildlife in units, including commercial fishing, feeding wildlife, and releasing wildlife.

Necessity: This subdivision is necessary to protect fish and wildlife as well as visitors and the ecology of natural resources.

25016.03. Plants and Downed Wood

Specific Purpose: This subdivision establishes regulations for plants and downed wood so that no person shall intentionally alter plants or vegetation in units.

Necessity: This subdivision is necessary for the protection of the Conservancy's natural and cultural resources.

25016.04. Geological Features

Specific Purpose: This subdivision establishes regulations for the disturbance of geological features, including prohibitions on destroying paleontological feature or caves, traversing over areas fenced or barricaded from use, and constructing trails, pathways, or structures without authorization.

Necessity: This subdivision is necessary to protect natural and cultural resources as well as public safety.

25016.05. Archaeological, Cultural and Historical Features

Specific Purpose: This subdivision establishes regulations related to archaeologic, cultural and historical features, including prohibiting the removal, defacing, or destroying of any object of archaeological, cultural, or historical interest or value.

Necessity: This subdivision is necessary for the protection of natural and cultural resources.

25016.06. Fires

Specific Purpose: This subdivision establishes regulations related to the allowable uses of fires and fire-related items, including but not limited to barbeques, stove, ovens, or heaters, on Conservancy units.

Necessity: This subdivision is necessary to protect the public and the Conservancy's natural resources from fires and wildfires.

25016.07. Fireworks

Specific Purpose: This subdivision prohibits the use possession, storing, discharge or fireworks and fireworks-related materials, including explosives and other pyrotechnics, on Conservancy units.

Necessity: This subdivision is necessary to protect the public and the Conservancy's natural resources from the harms associated with fireworks, fires, and wildfires.

25016.08. Camping

Specific Purpose: This subdivision establishes regulations related to the allowable times and locations for camping on Conservancy units.

Necessity: This subdivision is necessary to improve the Conservancy's ability to operate and manage their properties.

25016.09. Alcohol

Specific Purpose: This subdivision establishes that the use and possession of alcohol is prohibited on Conservancy units unless expressly allowed.

Necessity: This subdivision is necessary for public safety purposes.

25016.10. Dogs

Specific Purpose: This subdivision establishes the regulations relating to dogs on Conservancy units, including requiring to be on a leash or under the immediate control of a person, prohibiting allowing dogs to hunt or harass wildlife, and requiring person to clean up and properly dispose of excrement left by a dog in their possession.

Necessity: This subdivision is necessary for public safety purposes and natural resource protection.

25016.11. Remotely Controlled Aerial Devices

Specific Purpose: This subdivision identifies regulations related to the use of remote-controlled aerial devices, including drone and other remote-controlled aircraft.

Necessity: This subdivision is necessary for the protection of, and to not disturb, wildlife. In addition, this subdivision is necessary for visitors' enjoyment.

25016.12. Commercial Filming

Specific Purpose: This subdivision identifies the regulations relating to commercial filming, including that filming shall only be allowed with permit and will not damage or impair the natural resources.

Necessity: This subdivision is necessary for the protection of natural resources and visitors' enjoyment, and to improve the Conservancy's ability to operate and manage their properties.

25016.13. Games and Recreational Activities and Events

Specific Purpose: This subdivision identifies provisions related to engaging in organized tournament, organized games, recreational activities, and events, and includes the need for prior approval and permit from the Conservancy.

Necessity: This subdivision is necessary for crowd control, for the protection of natural resources, and for public safety.

25016.14. Soliciting and Commercial Activities

Specific Purpose: This subdivision identifies regulations regarding solicitation and commercial activities, provisions that no person shall conduct for-profit or commercial business unless with prior approval has been obtained from the Conservancy.

Necessity: This subdivision is necessary to improve the Conservancy's ability to operate and manage their properties.

25016.15. Pesticides

Specific Purpose: This subdivision identifies regulations related to the use of pesticides on units and prohibits the public from dispersing chemicals onto the air, water, vegetation or natural lands.

Necessity: This subdivision is necessary for the protection of natural resources, water quality, and public safety.

25017.01. Off-Highway Vehicles

Specific Purpose: This subdivision prohibits the operation of off-highway vehicles on units except for use by the Conservancy

Necessity: This subdivision is necessary for public safety purposes, erosion control, cultural resources protection and natural resource protection.

25017.02. Speed Limits

Specific Purpose: This subdivision identifies vehicle speed limits on units as 15 miles per hour and includes the prohibiting the operation of a vehicle or bicycle in an endangering manner.

Necessity: This subdivision is necessary for public safety purposes, dust pollution control, and natural resources protection.

25017.03. Parking

Specific Purpose: This subdivision identifies public parking regulations in units, including stopping or leave standing any vehicle as well as restricting parking at certain areas and hours for the day.

Necessity: This subdivision is necessary for safe management of lands, erosion control, water quality, dust management, and public safety.

25017.04. Riding or Pack Animals

Specific Purpose: This subdivision identifies regulations related to the riding, hitching, and attending to animals in units and prohibits the riding of animals in such a manner that may endanger another person, animal or property.

Necessity: This subdivision is necessary for wildlife protection, public safety, and natural resource protection.

25017.05. Bicycles, Operator Propelled Devices

Specific Purpose: This subdivision identifies the regulations related to bicycles and operator propelled devices, and electric bicycles. This subdivision includes the use and speed limits of electric bicycles and other motorized propelled devices and includes that no device may be ridden at a speed which endangers the safety of any persons or risk damage to property.

Necessity: This subdivision is necessary for the protection of public safety and visitors' enjoyment.

25018.01. Paddle Sports

Specific Purpose: This subdivision identifies the regulations in relation to paddle sports in units, including the mandatory use of a US Coast Guard-approved floatation device when engaging in paddle.

Necessity: This subdivision is necessary for public safety, wildlife protection and natural resources protection.

25018.02. Diving

Specific Purpose: This subdivision identifies that diving is prohibited on any body of water located on Conservancy property.

Necessity: This subdivision is necessary for public safety purposes.

25018.03. Rope Swings

Specific Purpose: This subdivision identifies that attachment or use of rope swings is prohibited.

Necessity: This subdivision is necessary for public safety purposes, vegetation protection, water quality protection and natural resource protection.

25018.04. Boats, Watercraft, and Vessels

Specific Purpose: This subdivision identifies provisions relating to the use of boats, watercraft and vessels within units. This subdivision includes provisions related to beached and abandoned vessels and the registered owner's responsibility to remove.

Necessity: This subdivision is necessary for public health and safety as well as water quality and natural resource protection.

25018.05. Launching Areas

Specific Purpose: This subdivision identifies the provisions for beaching and launching watercraft and jet-skis.

Necessity: This subdivision is necessary for public safety, erosion control, natural and cultural resource protection.

25018.06. Boat and Watercraft Speed Limits

Specific Purpose: This subdivision identifies the provisions for posting and setting boat and watercraft speed limits and includes provisions on safe user operation.

Necessity: This subdivision is necessary for public safety, wildlife protection, and natural resource protection.

25018.07. Operating Boats During Nighttime

Specific Purpose: This subdivision identifies provisions for operating boats during nighttime.

Necessity: This subdivision is necessary for public safety purposes.

V. ECONOMIC IMPACT ASSESSMENT – GOV. CODE § 11346.3(b)(1)(A) – (D)

The Conservancy does not anticipate that these proposed regulations will have any impact in creating or eliminating jobs within the State of California, creating or eliminating businesses within the State of California, or any impact on the expansion of businesses within the State of California. The proposed regulations will benefit the health and welfare of California residents, and the State's environment, by providing the Conservancy with additional tools to manage Conservancy-owned public lands. Specifically, the proposed regulations will benefit the health and welfare of California residents by clarifying the procedures needed to close Conservancy property to the public when risk for harm is present and limiting potentially dangerous activities. The proposed regulations will benefit the State's environment by protecting natural resources within Conservancy land from damage and degradation. More effective land management by the Conservancy will ultimately result in healthier ecosystems and a more balanced relationship between the natural and man-made environment.

VI. DOCUMENTS RELIED UPON

The Conservancy relied on its decades of experience as a public land manager to draft the proposed regulations. The Conservancy did not relief upon any technical, theoretical, or empirical studies, reports, or documents in proposing these regulations.

VII. REASONABLE ALTERNATIVES TO THE PROPOSED REGULATIONS AND THE REASONS FOR REJECTING THOSE ALTERNATIVES

The proposed regulations would improve the Conservancy's ability to manage its lands and to protect public health, safety, habitat, and natural resources. The Conservancy considered not pursuing the proposed regulations and continuing to rely on local and state regulations to address land management issues, but rejected that alternative because it would be inconsistent with its responsibilities as a public land manager and the purposes for which the Conservancy was created. The Conservancy invites and will consider all public comments on alternatives to the proposed regulations.

VIII. REASONABLE ALTERNATIVES TO THE PROPOSED REGULATIONS THAT WOULD LESSEN ANY ADVERSE IMPACT ON SMALL BUSINESS

The proposed regulations are not expected to have any significant adverse impact on small business.

IX. REASONABLE ALTERNATIVES TO THE PROPOSED REGULATIONS THAT WOULD BE LESS BURDENSOME AND EQUALLY EFFECTIVE IN ACHIEVING THE PURPOSES OF THE REGULATION IN A MANNER THAT ACHIEVES THE PURPOSES OF THE STATUTE OR OTHER LAW BEING IMPLEMENTED

The Conservancy believes that there are no reasonable alternatives to the proposed regulations. However, the Conservancy invites and will consider all public comments on alternatives to the proposed regulations that may be less burdensome and equally effective.

X. PRESCRIPTIVE STANDARD OR PERFORMANCE STANDARD

The proposed regulations do not mandate the use of specific technologies, equipment, actions, or procedures.

XI. EVIDENCE SUPPORTING DETERMINATION OF NO SIGNIFICANT ADVERSE ECONOMIC IMPACT ON BUSINESS

Since the proposed regulations do not impose any requirements on businesses and only affect the management of Conservancy lands and actions by the public on such lands, there will no be significant adverse economic impact on business.

XII. EFFORTS TO AVOID UNNECESSARY DUPLICATION OR CONFLICTS WITH THE CODE OF FEDERAL REGULATIONS

The Conservancy reviewed the Code of Federal Regulations and based on this review, found that the proposed regulations neither conflict with nor duplicate Federal regulations. There are no comparable Federal regulations applicable on Conservancy lands.

XI. REGULATIONS MANDATED BY FEDERAL LAW OR REGULATIONS

The proposed regulations does not contain any regulations that are identical to any corresponding federal regulation.

**TAB D: WRITTEN COMMENTS SUBMITTED
DURING 45-DAY COMMENT PERIOD**

Proposed regulations on sticker

From bryans.clark@yahoo.com <bryans.clark@yahoo.com>

Date Wed 12/4/2024 2:41 PM

To Info@SJRC <Info@sjrc.ca.gov>

You don't often get email from bryans.clark@yahoo.com. [Learn why this is important](#)

I love riding at sycamore and I'm 65, we are responsible people who vote and pay taxes to use public land

Bryan Clark

[Sent from Yahoo Mail for iPhone](#)

proposed regulations on SJRC LAND

From Clark Bryan MTMO-US <Bryan.Clark@mt.com>

Date Wed 12/4/2024 2:35 PM

To Info@SJRC <Info@sjrc.ca.gov>

You don't often get email from bryan.clark@mt.com. [Learn why this is important](#)

Please do not shut down mountain bikes. I'm 65 and this is my favorite hobby

Bryan Clark

Get [Outlook for iOS](#)

Comment – Proposed Regulations on SJRC Land

From Carly Tex <cj.tex2014@gmail.com>

Date Wed 12/4/2024 10:11 AM

To Info@SJRC <Info@sjrc.ca.gov>

You don't often get email from cj.tex2014@gmail.com. [Learn why this is important](#)

Regarding the language of the proposed regulations, Chapter 2, §§ 25015 to 25018.07, the Conservancy has good intentions with its efforts to allow Tribal organizations to gather cultural resources, but the language included in the proposed regulations does not include "Tribes." It only says "Tribal organizations," which are different from a Tribe. Not including "Tribes" has potential to alienate those Tribes and their members.

It is my understanding that culture bearers must provide financial liability insurance if they are to be on the Conservancy properties gathering cultural resources. This requirement further alienates those culture bearers who may not have liability insurance. It limits access only to those who have the financial means or the membership to an organization that provides the insurance.

For context, when Native American culture bearers gather resources, there is usually no notice given to their tribal leadership or to an organization that they are planning to go. They just go. Usually on a weekend or after work hours. If this language is put into the regulations, does "written authorization" cover the after-hours or weekend during which they will make use of the resources, or will it also require they have someone on Conservancy staff open a gate or accompany them? Our traditional practices may not occur within normal working hours of your staff. This would hinder us from actually making use of those resources. Putting written authorization on it may be more challenging to implement and feels discriminatory. Tribes should not need permission to gather on their own ancestral lands.

It behooves the Conservancy to continue to meet with Tribes and tribal organizations relevant to the local area with ancestral ties to the San Joaquin River through investment into outreach. I believe outreach has declined and the Conservancy has lost trust and disrespects the tribes by not keeping them apprised of the projects that may affect their culturally relevant archaeological sites and cultural resources. It requires that there be consistent communication with them about River projects if you are to achieve quality tribal outreach and it is the responsibility of a state agency to inform them.

My suggestion is to invest in a tribal outreach liaison whose purpose is to bridge the communication gap with the tribes and to help the Conservancy learn more about the needs and develop more collaborative solutions. Although there is an open tribal position on the board, it is not that person's responsibility to facilitate outreach. Invest in this role and keep up the momentum of government to government relations. It will benefit all River projects and assuage that broken trust.

Original language:

(b) With written authorization by the San Joaquin River Conservancy, Tribal organizations may collect culturally utilized materials, including but not limited to nontimber plants and fungi, including agave, grasses, redbud, sedge, sumac, and willow.

Suggested language:

(b) ~~With written authorization by the San Joaquin River Conservancy,~~ Tribes and Tribal organizations may collect cultural resources ~~culturally utilized materials,~~ including but not limited to nontimber plants and fungi, including agave, grasses, redbud, sedge, sumac, and willow.

Comments on California Code of Regulations

San Joaquin River Parkway Public Access and Use Regulations

§ 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 a bulletin board or similar structure upon which all special instructions, rules, and orders, shall be posted pertaining to specified units at its headquarters or post on its website, as well as post at the unit affected in a location convenient to the general public. 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 25015.09**. 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.
Authority cited: Sections 32527, 32529, Public Resources Code. Reference: 32527.5, 32529, Public Resources Code.

Comment: This section refers to “carrying the same penalties established in Section 25015.09.” In the document, Section 25015.09 refers to Severability and does not include any established penalties. Other than the Ejection clause, the regulations document does not adequately inform the public of the penalties for being out of compliance with any of the regulations outlined.

§ 25016.01. 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 September, and from 6:00 p.m. to 7:00 a.m. during the months of October through March, unless developed for public camping, or otherwise posted pursuant to Section 25015.04 or authorized in writing by the San Joaquin River Conservancy. 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.

Comment: The River Parkway Trust suggests that it would be prudent to maintain the same seasonal hours of operation for currently open properties operated for the Conservancy by the River Parkway Trust to avoid public confusion.

§ 25017.05. 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.

Comment: Which section does the highlighted clause refer to? Which trails and roadways are currently designated as multiple-use? Without knowledge of the current list, cyclists will not have adequate information to determine if they can legally ride within units.

§ 25018.01. Paddle Sports.

When posted no person shall engage in paddle sports, including but not limited to canoeing, kayaking, and paddle-boarding, unless in an area or unit designated and posted pursuant to Section 25015.04 or with written authorization by the San Joaquin River Conservancy.

§ 25018.04. 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 are 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 pursuant to Section 25015.04, or otherwise authorized in writing by the San Joaquin River Conservancy.

§ 25018.05. 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 designated and posted pursuant to Section 25015.04.

Authority cited: Sections 32527, 32529, Public Resources Code. Reference: 32511, 32529, Public Resources Code.

Comment: We believe the above sections are in conflict with the CA Department of Justice and the CA State Lands Commission's legal guide to the Public's Rights to Access and Use California's Navigable Waters.

SJRC proposed rules and regulations

From Marisa Sigala <marisa@sigalainc.com>

Date Wed 12/4/2024 2:35 PM

To Info@SJRC <Info@sjrc.ca.gov>; Bybee, Ashley@SJRC <Ashley.Bybee@sjrc.ca.gov>

Some people who received this message don't often get email from marisa@sigalainc.com. [Learn why this is important](#)

I joined the meeting late, but I wanted to add my comments. Please continue to allow public access to Sycamore, Van Buren, Ball Ranch and other trails where bike riding occurs. Public access to all users should be paramount to the mission of the SJRC. Mountain bike riders and gravel riders utilize many of these areas and this provides health utilization of public lands and an appreciation of these spaces. Please do not limit bicycling use to these areas. We coexist peacefully with hikers. We utilize bells and there really are very few areas where sight lines are not open.

I would also like to encourage more of the creative thinking mentioned in the meeting. For instance, if there is maintenance occurring in an area (which it sounds mainly like road maintenance), this should not close the trails to hikers and bikers, which can be utilized the areas without the roads. Or maybe only close certain roads at a time. Blanket closures are very limiting of use and impact users of these spaces greatly.

I am fortunate to ride with many bikers in the area and know that many are invested in assisting with trail days and would be happy to offer suggestions for utilization.

Thank you for your consideration,

Marisa Sigala
(559)999-2484

Comment regarding today's PACE meeting

From thomas.zimoski@icloud.com <thomas.zimoski@icloud.com>

Date Wed 12/4/2024 2:39 PM

To Info@SJRC <Info@sjrc.ca.gov>

[You don't often get email from thomas.zimoski@icloud.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

I was able to attend much of the PACE meeting online this afternoon. With regard to the Willow Unit portion of the San Joaquin River Ecological Reserve one commenter suggested a possible land swap that would allow public access to that section of the Reserve that borders on the Sumner Peck property and Ball Ranch.

Little Dry Creek, I believe, forms a more natural boundary to the Reserve than the fence that now extends from Little Dry Creek to the Sumner Peck property. Perhaps that part of the Reserve could just be transferred to the Conservancy - no swap required. I know that some money and effort was involved in surveying and fencing that area but that should not be a concern.

Tom Zimoski
718 E Sierra Ave
Fresno, CA

SJRC 2024 Regulations Public Comment

From Julie Tex <jdicktex@hotmail.com>

Date Wed 12/4/2024 3:33 PM

To Bybee, Ashley@SJRC <Ashley.Bybee@sjrc.ca.gov>

You don't often get email from jdicktex@hotmail.com. [Learn why this is important](#)

My name is Julie Dick Tex and I am a Mono Indian. I am submitting my comments in regard to the regulations that include the following language:

(b) With written authorization by the San Joaquin River Conservancy, 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 written authorization by the San Joaquin River Conservancy.

I do not think your tribal outreach for review of these regulations was sufficient, and without thorough consultation with the tribes, **there should be no adoption of regulations.** The SJRC board needs a real and meaningful dialogue with local TRIBES and tribal communities, not isolated audiences via member-based organizations and word-of-mouth outreach.

Our trust is broken and all I can see is social injustice because we are the only ethnic group included in these regulations.

Proposed Regulations on SJRC Land

From David Sieperda <davesieperda@gmail.com>

Date Wed 12/4/2024 3:54 PM

To Info@SJRC <Info@sjrc.ca.gov>

You don't often get email from davesieperda@gmail.com. [Learn why this is important](#)

Hello, I have read the Notice of Proposed Action from the San Joaquin River Conservancy and would like to offer these comments.

1. The value of the SJRC is immense as it now has the ability to manage a very precious and beautiful part of the San Joaquin Valley.
2. I only see more regulation on the usage of the SJRC properties in this document, I see no discussion of improving access to the public.
3. In the section where benefits from the proposed regulations are listed; you list an improvement to public health. The benefit to public health is greatest to those that use these areas for exercise and education. There is no mention of improving access or improving the recreational opportunities, I think there should be.
4. The proposed regulations include terms like "reasonable hours", "authorize the Conservancy to adopt orders and rules pertaining to specific areas and subjects" and "close areas to the public". These are very general statements and I see nothing in the proposal which assures the public that they have a voice to direct the actions of the Conservancy in these regulations.
5. The Conservancy has given me, a Fresno resident and tax payer, no reason to believe that they should further restrict the public use of this property for the reasons given. Show us, the public, that you can actually manage the property and improve it. Also show us how you will improve recreational and educational activities. The second action item on the Conservancy's mission statement is "developing, operating, and managing those lands for public access and recreation..... Remember there is balance in your mission statement between public access, and protection and restoration. I believe both can be achieved in unison.

Thank you for your consideration.

David Sieperda
541-602-5124

Comment-Proposed Regulations on SJRC Land

From Carmen Moreno <jassocarmen75@gmail.com>

Date Wed 12/4/2024 12:54 PM

To Info@SJRC <Info@sjrc.ca.gov>

You don't often get email from jassocarmen75@gmail.com. [Learn why this is important](#)

Good Day,

Regarding the language of the proposed regulations, Chapter 2, §§ 25015 to 25018.07, My name is Carmen Moreno and have been participating with the on-going SJRC & Tribal Partners meetings. I appreciate the on-going efforts from SJRC & WildlifeConservation.

The wording stating tribes I had mentioned in the past it would be better using Inter-tribal reason being is the Native Community there are Federal & Non-Federally Recognized tribes. This way it covers everything in an umbrella phrase.

The Tribal organization wording reflects as a group. In the community some use the term a Cultural Practitioner Bearer that can cover anyone from Basketweaver, land steward of plants, Cultural gathering for other plants or materials for culture practices.

Side Note:There was discussion prior about a Native American Liaison to help with the communication between the Local Native Community and the SJVC.

Although we have great conservations I feel this is still a good idea. Reason being is that person can focus on local tribes to have a one on one outreach also compesatinging them for their time.

I hope these suggestions might be helpful.

Carmen Moreno

Comment- Proposed Regulations on SJRC Land

From gary bowser <reswobg@att.net>

Date Wed 12/4/2024 12:51 PM

To Info@SJRC <Info@sjrc.ca.gov>

You don't often get email from reswobg@att.net. [Learn why this is important](#)

Conservancy Board Members

After reviewing all related documents for the proposed Rules and Regulations I find that some of these rules will further limit the public's access to our river. Access is a key element in the Master Parkway Plan. By overlooking the types of activities that the general public desires and focusing on what a small committee decides is unfortunate and does not serve the public interests.

I would ask the Conservancy to delay implementing these Rules and Regs and find ways to engage the public. We are out there enjoying what our river has to offer. Come see us.

Gary Bowser

Proposed Regulations on the SJRC Land

From Joanne Kovac-Roberts <ecco1@sti.net>

Date Wed 12/4/2024 1:44 PM

To Info@SJRC <Info@sjrc.ca.gov>

You don't often get email from ecco1@sti.net. [Learn why this is important](#)

Dear SJRC Board,

I am writing to let you know how much I appreciate the vital work the SJRC does to protect and manage our natural resources. Your efforts play a crucial role in preserving our region's beauty and ecological integrity, ensuring these landscapes remain vibrant for generations to come. However, as a person who values these resources and utilizes them for hiking and biking several times each month, I would like to highlight the importance of public access to conservation lands. While the primary mission of these lands may be environmental protection, allowing responsible access to them provides significant benefits to human health and well-being.

Spending time in nature has been shown to reduce stress, improve mental health, and encourage physical activity, which are all critical components of a healthy lifestyle. Public trails, open spaces, and recreational opportunities on conservation lands provide safe and accessible ways for people of all ages to connect with the outdoors. These experiences foster a sense of stewardship and inspire community members to become advocates for conservation efforts themselves.

Additionally, accessible conservation lands contribute to the local economy by encouraging outdoor recreation, tourism, and environmental education programs. This kind of engagement not only promotes individual well-being but also strengthens community ties and enhances support for ongoing conservation initiatives. By implementing sustainable management practices—such as designated trails, clear signage, and public education about responsible use—the district can ensure these lands remain protected while continuing to allow people to enjoy and benefit from them.

I hope the SJRC will continue to prioritize public access as an integral component of its mission. By doing so, you ensure these lands are not only conserved but celebrated and cherished by the community.

Thank you for considering this perspective. I am happy to discuss further or assist in promoting initiatives that balance public access with conservation goals.

Sincerely,

Joanne Kovac-Roberts

Co-Executive Director

Episcopal Conference Center Oakhurst

[43803 Highway 41](#)

[Oakhurst, CA 93644](#)

(559) 683-8162

www.ECCOyosemite.org



Proposed Regulations on SJRC Land

From Mandy macias <mandy_marine@hotmail.com>

Date Wed 12/4/2024 4:44 PM

To Info@SJRC <Info@sjrc.ca.gov>

[You don't often get email from mandy_marine@hotmail.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

My name is Mandy Macias and I am Western Mono. I am descended from Casson, Maidu, and Ohlone as well and utilize the river for various resources.

As a member of the local tribal community I feel that the adoption of guidance is premature. At one point there was a concerted effort to identify, consult and even coordinate with local tribal members, but that seems to have dissolved into the reliance of word-of-mouth information sharing. Unfortunately two of the organizations you're relying on to share news are membership or service based and hold a limited audience. I urge the delay or suspension of adopting any language or guidance specific to tribal communities or tribal use of the landscape. This information was shared in trust and I feel that the tribal knowledge shared has been weaponized and is now being used against us. Resources were identified, and collection practices were coordinated in good faith, and I feel that trust is broken with the guidance your considering adopting. Tribes have struggled to secure safe and healthy gathering places within tradition landscapes and by adopting a protocol that would require the securing of liability insurance, you've managed to put our resources out of reach.

I don't think you have sufficient consultation to establish tribal guidelines. In fact, I'm not sure why you need to establish tribal guidelines when there don't seem to be guidelines for any other ethnic groups foraging and harvesting off the land. It's ironic that a fisherman can kill fish, but a tribal person needs liability insurance to pull a root out of the sand!

I feel your intent to adopt and implement guidance specific to tribal use is premature and you should put the effort into dedicating staff to improve the outreach and dialogue with the greater community before adopting any such measures.

-MM

Proposed San Joaquin River Parkway Regulation

From Barry Lockton <BLockton@earthlink.net>

Date Fri 11/22/2024 3:38 PM

To Bybee, Ashley@SJRC <Ashley.Bybee@sjrc.ca.gov>

Hello Ashley,

I was reviewing Section 25016.10, Dogs, Subdivision (f) pertaining to service dogs being exempted from complying with Subdivision (b) and wondered if there wasn't an error because Subdivision (b) prohibits a person from allowing a "dog to hunt, chase, harm or harass wildlife."

Was this intentional or an error, or am I misunderstanding it?

On somewhat a separate subject, is there any possibility that language could be added to permit off-leash dogs in designated areas since so many people like to take their dog(s) to the river to run and for off-leash training?

You're most welcome to contact me at (559) 284-3001 to discuss further.

Sincerely,

Barry

Barry Lockton

p.s. My Vizsla in training, wearing his Garmin GPS tracking collar with vibrate and tone capability for recall.





Comment – Proposed Regulations on SJRC Land

From John McDaniel <mandomac@comcast.net>

Date Mon 12/2/2024 10:31 AM

To Info@SJRC <Info@sjrc.ca.gov>

Cc Daniska, Kari@SJRC <Kari.Daniska@sjrc.ca.gov>; Sharon Weaver <Sweaver@riverparkway.org>

You don't often get email from mandomac@comcast.net. [Learn why this is important](#)

Commissioners:

I am submitting the following comments concerning the proposed San Joaquin River Parkway Public Access and Use Regulations. I am unlikely to be able to attend the hearing on Wednesday.

Over the past five years my wife and I have had the pleasure of visiting nearly every park and publicly accessible stretch of land from the San Joaquin River Gorge to the Highway 99 bridge, including all publicly accessible lands held by the San Joaquin River Conservancy. I have visited Conservancy properties more than 175 times since I became familiar with their existence.

I have comments and concerns about two of the proposed regulations.

Section 25016.10 Dogs.

The presence of dogs on Conservancy properties is inconsistent with the goals of maintaining safe open spaces for public access and protected habitat for wildlife. Reliance upon leash requirements is unrealistic.

My wife and I, as well as others who have spent significant time on Conservancy properties, have been witness to instances of flagrant disregard of dog restrictions, hostility and even outright belligerence by dog owners when requested to contain their pets.

In one instance, we saw a dog being unleashed in order to attack and kill ground squirrels on the Van Buren Unit.

Last summer an individual unleashed his dog and actively coaxed it to rush into the marsh at Jensen River Ranch, flushing numerous waterfowl and disturbing habitat which up until that moment had been the home to Great Egret, Green Heron, Sora, Virginia Rail, Mallards, and at least a half dozen other bird species. The owner refused to retake control his animal despite protest from several individuals.

On another occasion on the Van Buren unit, a dog owner was claiming that he was not required to leash his "service animal" whereupon his dog lunged at and bit at an elderly birder.

Other visitors to Parkway and Conservancy properties have reported similar hostile reactions to requests that dogs remained on leash in city and county parks where leash laws already exist and dog restrictions are posted, such as is the case in River West.

I have owned dogs. I have hiked with dogs. My children own dogs. Ironically, it was not until we became frequent visitors to SJRC properties that we became aware of just how bad the problem is with a significant minority of individuals who willingly disregard posted regulations and basic civility. Sadly, too many people simply cannot be trusted to obey passive restrictions. Ongoing extensive patrolling of SJRC properties, together with extensive conspicuous signage would be required in order to even attempt to provide effective enforcement of the proposed dog restrictions. Those resources don't exist. Numerous state, federal and local parks prohibit dogs and such should be the case here as well.

Section 25017.02 Speed Limits/Section 25017.05 Bicycles, etc.

The regulations appear satisfactory. My concern is more administrative. The Riverfront Trail on the Van Buren site should receive special attention in terms of speed regulation. The trail is narrow, winding, and proceeds mostly along an elevated berm with limited line of sight at certain locations. Cyclists, particularly those with electric motors, often come through the passageways at speeds that risk collision with pedestrians, particularly in areas with reduced sight lines. A lower speed limits and installation of caution signage are clearly indicated for that trail.

I appreciate your consideration of these comments. Please feel free to contact me should you have any questions or desire anything further.

Thank you very much.

John McDaniel
440 E Terrace Ave
Fresno CA 93704
(559) 779-7186
mandomac@comcast.net

**TAB E: PUBLIC HEARING SIGN IN SHEET
AND TRANSCRIPT**

**PUBLIC HEARING SIGN IN SHEET
DECEMBER 4, 2025**

[illegible]

**SAN JOAQUIN RIVER CONSERVANCY
PROPOSED REGULATIONS
PUBLIC HEARING TRANSCRIPT
DECEMBER 4, 2025**

41:45

I'd like to call the meeting to order at 1:40 PM.

41:49

And let's commence with the Pledge of Allegiance.

41:52

Please, everyone, stand ready.

41:58

Salute.

41:59

I pledge allegiance to the flag of the United States of America and to the Republican permission.

42:05

It stands one nation and the indivisible, with liberty and justice for all.

42:18

Yes, OK, I'm going to go see the whole board, even though they're not here.

San Joaquin River Conservancy Board - Role Call

42:24

Mr.

42:24

McCauley, Miss Austin?

42:27

Mr.

42:28

Karbasi?

42:29

Mr.

42:29

Brando?

42:31

Mr.

42:31
Garcia?

42:32
Miss Hudson.

42:35
OK, Sorry.

42:37
Miss Norris.

42:39
Miss Sandoval.

42:40
Miss Vance here, Mr.

42:43
Gresham here, Mr.

42:45
Benson, Miss Forhan here, Mr.

42:48
O'Connell here, Mr.

42:50
Chavez here, Miss Ruiz here.

42:53
We have a quorum, hopefully, if we can go on to item C for potential conflicts of interest.

43:01
Any board member who has a potential conflict of interest may identify the item and recuse themselves from discussion and voting on the matter.

43:11
Seeing none, we'll proceed with the which is public comment and business from the floor.

43:17
10 minutes of the meeting are reserved for members of the public who wish to address the Conservancy Board on items of India that are not on the agenda and are within the subject matter jurisdiction of the Conservatives.

43:30
Speakers shall be limited to 3 minutes.

43:32

The Board is prohibited by law from taking any action on matters discussed that are not on the agenda.

43:37

No adverse conclusion should be drawn if the Board does not respond to public comments at this time.

43:44

Are there any standard?

43:51

Yeah, Bargain is it, If it's in regards to the regulations, it'll be next separate.

43:57

Yes, Yes.

43:58

So this is any items separate from that, right.

44:02

Other comments?

44:02

No.

44:04

OK, then we can.

44:05

So this is all the comments other than the regulation, right?

44:10

Yes.

44:10

That's not agenda.

44:12

Did you have any?

44:13

Yes, please.

44:14

OK, sure.

44:14

Go ahead.

44:15

Hey, my name is Barry Lockton.

44:17

I have, I've been here for 37 years and been extensive on the river canoeing.

44:25

I keep fly fishing, enjoying the area.

44:29

And so it's very much at heart to me and my wife and I want to press our appreciation to the boards and the staff and the volunteers of the Conservancy and the Trust for all you've done today and what you're proposing.

44:55

And we want you to know that there's a lot of us, you know, really behind you in support of you and appreciative of your efforts.

45:04

I would like to add is that, you know, to me, the big goal is public access.

45:12

And I don't know, you know, how things have been prioritized, but public access is what as Sharon addressed, you know, as far as access across the bridge and so on is what people really are interested in.

45:27

And of course, safety also becomes to but so the what what we'll call the Ledger Island Bridge and access to Ledger Island is very important.

45:40

And I hope to emphasize that for everybody, you know, future priorities and decision making.

45:48

The second thing is, you know, the closed area for the ecological preserve that happened to walk an area where a lot of people walk and you can do nice walks along the river and then all of a sudden you get that fenced off here.

46:08

You got to turn around and go back.

46:11

Maybe there's some way possible to trade that offer something because really if I look at it and and portions of that area they burned even.

46:25

Maybe it would be better if there's some way to do a trade and put an equal preserve to the South of that because that area is especially to the West of the Creek that comes from the batch plant.

46:44

Very few people access that.

46:47

And that's where my dog stood.

46:51

Buddy, the coyote always This Is Us.

46:55

And so that, you know, maybe there's some options like that where there could be some.

47:01

And actually as far as an ecological preserve, that would be far more beneficial than I think the current location.

47:11

So, so those are a few of the the items and then I'll have a couple comments on the regulations that are provides.

47:19

But again, thank you very much.

47:21

We're very appreciative.

47:24

Great.

47:24

Is there anyone else that has my name is Ray Falterberg and you're there of the San Joaquin River Pkwy and Conservation Trail.

47:39

And I just like to acknowledge the hard work that the leadership of the Parkway has been given as as given to the opening of the branch property.

47:59

It just provides more access to the room and in terms of access to the river, taking back what I just talked about earlier with regard to Ledger Island, in my opinion, Ledger Island is one of the more spectacular operates in the conservation in the service.

48:33

And I encourage people involved in this process of figuring this out in terms of access to that area.

48:46

I encourage people to be proactive because these kind of things that just languish, nobody takes action, nobody takes responsibility and I don't have the answer.

49:06

There's a lot of potential issues to be dealt with, but unless people involved the board and and others in this in this group take a proactive approach, it's not going to happen.

49:29

So, so many things followed by the wayside in the past with regard to moving forward with organizations like this.

49:42

And I encourage again, a, a, a that that could be made a priority.

49:52

Otherwise, that beautiful area is not going to be enjoying the public ever.

49:59

Ever.

50:03

Thank you.

50:04

Anyone else?

50:06

We have a hand raised online.

50:08

OK.

50:08

OK.

50:12

All right.

50:12

Mr.

50:13

Bowser, maybe.

50:24

Can you hear me now?

50:28

Hello.

50:30

Yes, we can hear you.

50:32

Thank you.

50:34

My question is also in regards to Ledger Island and the current status being that it is that it is closed, I'm wondering, I'm wondering how that property, property maintained and operated and if it's not able to be accessed, could we remove it from the agreement that the Conservancy made with the Parkway Trust?

51:06

Without access for anyone at this time, there's really no point in operating and maintaining a property.

51:15

I just want to make sure that we've reviewed that agreement that was made a couple years back for Ball and Lecher and possibly eliminate Ledger from that agreement and reduce the contracted amount.

51:32

Also, I'm wondering if they've checked into other ways to enter the property either through Sumner Hill or through Tesoro Viejo property or the private ranch property that's to the north of the Ledger Island.

51:51

That's my comments.

51:54

Thank you.

51:56

Thank you.

51:57

And anybody else online.

51:59

Nope, I can be great.

52:01

We'll move on to item E for discussion.

52:04

This is the main event for today's public hearing, which is great.

52:09

I am so excited here at this point, frankly, all the public, the use public use regulations.

52:16

It is E 1 is the item Public information hearing to receive public comments on proposed San Joaquin River Conservancy regulations.

52:25

Any interested person or his or her authorized representative may present, either orally or in writing, comments regarding the proposed regulations.

52:36

Speakers shall be limited to 3 minutes.

52:39

The Board is not required to respond to comments at the hearing.

52:42

No adverse conclusion should be drawn if the Board does not respond to the public comment at this time.

52:53

Anyone here that would like to provide so they can hear my mind?

Beginning of Public Comments

Barry Lockton Comments

53:15

I'm Barry Lockton.

53:17

We OK now Yeah or am I finding out that's for the people on remote people online.

53:24

Just hold that up.

53:26

OK, I'm Barry Lockton in and I'm addressing the proposed regulations for the Stan Joaquin River Conservancy units and properties.

53:39

The and so I'm going to move on to the item section pertaining to dogs and start out saying that there's a section C says no person shall keep noisy, vicious, dangerous dogs on any unit unless asked by a police officer to leave the dog.

54:11

Well, for me, your staff to have the ability and authority to use do the same thing and to remove people.

54:22

So I'm hoping that the wording of that could be broadened to permit the staff who are managing these properties because it's really hard to have to call law enforcement in for someone who might cooperate require that level of authority.

54:43

The second item is section FF as in frank underdogs.

54:50

It reads the prohibition and subdivision B shall not be applied to train service dogs used to guide assist people.

55:01

And section that it refers to subsection B and subsection B says no versions shall allow a dog to hunt, chase, farmer grass, wildlife.

55:15

So I think there was and that this was overlooked when you had the the proposed regulations a year ago and then finally came up with this proposal.

55:32

So basically with the way this reads is if I had a service dog, I would be exempted and I could allow it to chase farming or as wildlife under Section B.

55:45

And I'm sure you don't want that.

55:48

The third item is, I'm hoping, you know, when we look at the river, there's a lot of people who will take their dogs off leash.

55:59

Now there's some problems associated with that, but there's also a lot of benefits depending upon the dogs and help you to manage them.

56:09

My dog, I have a Garmin tracker on them and I can actually tone or vibrate and he returns to me.

56:15

But I'm hoping some language could be put in here that would allow you in the future the ability to possibly designate some off leash permitted areas because so many people take advantage of it and it's so much better than going to the dog park.

56:36

The I'll move on to games and recreational activities and advance.

56:44

And that's three minutes.

56:48

I know that the issue of your indemnification is not brought up and I presume that's somewhere else in your regulation, but that's important and again I appreciate away from three minutes we'll over a couple more items if everybody agrees I'm just quickly go I don't think we have OK, go with the additional top go ahead.

57:16

OK.

57:18

Under bicycles, you know, there's groups have gone in and set up, you know off road trails for mountain bikes and so on.

57:31

And under bicycles operated propelled devices section A and address multi or multiple use pursuant to the section.

57:43

And some of those trails really don't want to have multiple use, meaning pedestrians and bicycles.

57:50

It should probably be single use designated because you don't want to be walking on a trail and all of a sudden being confronted as it comes around the turn of a fast moving mountain bike.

58:06

The the other thing is on Parrot 2 below that it limits bicycles to no more than 15 mph And while I'm at my age 81 years old, I no longer ride my mountain bike down there.

58:24

I did a year or so ago but I doubt if I will be but 15 miles an hour is pretty slow.

58:31

A mt. biker.

58:33

The other one below that is paddle sports.

58:38

And while there's certain prohibitions, I have a question or maybe I'll have to ask out that is the river itself covered by the Conservancy regulations for just the beaches and units and land off the actual river channel.

59:04

And I think same thing for boats and watercraft.

59:08

So I thought that's it for my comments and questions.

59:14

And again, I appreciate your work on this and I would appreciate, you know, if if there is a change or there was some misunderstanding under dogs with regards to the language, I would appreciate being notified of that.

59:31

Thank you.

End of Barry Lockton comments.

Wendy Ericson comment

59:32

Thanks.

59:33

Yeah, yeah, this.

59:46

Otherwise, the people online can't hear you.

59:49

So I would just like to say from a, you know, bikers field, we go out to Ball Ranch, we go to Sycamore, I think we go to Wild Wildwood, all these areas.

1:00:03

I know all of us.

1:00:05

Remember during COVID, you couldn't, couldn't really do anything.

1:00:08

The kids were told to stay indoors.

1:00:10

You know, you're yourself, you, you had to stay in.

1:00:14

We weren't, we didn't have anything to do.

1:00:16

You may go for a walk or something.

1:00:19

During COVID, people went and bought bikes.

1:00:22

People got outside, got on the trails.

1:00:25

That's fresh air.

1:00:26

You know, people took their bikes out in these areas and rode them and made new friends.

1:00:32

And I'll tell you, that was a, you know, that was a start for a lot of people, people that you would have never gotten on about.

1:00:39

Couples, you know, grandmas, you know, young kids, everyone got back outside these areas.

1:00:48

Taking them and making them private would take away from a lot of what that did, you know, getting more people outside, seeing these areas, walking them, taking their kids, taking their kids fishing.

1:01:01

We see it all.

1:01:02

I work at Palm and Nees and I can take my mountain bike out at lunch and I just go down the hill and go right in there and I see people with their dogs or or kids just walking through it and get to see the bunnies and whatnot.

1:01:17

And nobody's hurting the property, you know, like we're not damaging yet.

1:01:22

We're not getting hurt.

1:01:24

I'm not concerned that if I get hurt, I'm going to call on the Conservatives, say, hey guys, there was a big rock in my way kind of dealt.

1:01:35

I just would like it said closing it off and making it private where it's only used for certain events doesn't help anything.

1:01:45

Everyone should be able to enjoy that bridge.

1:01:48

You ask your community to get out and help with it or do something or contribute to it.

1:01:53

They would do it.

1:01:54

That's how it is.

1:01:55

That's that's what's changed since COVID.

1:01:59

People do want to, you know, be a community and we definitely want to ride our bikes.

1:02:06

That's all right.

1:02:07

Then give us your name.

1:02:08

Just for the I'm so sorry.

1:02:09

Wendy Ericsson.

1:02:11

Wendy Ericsson.

End of Wendy Ericson Comment

1:02:11

Thank you.

1:02:12

Thanks, Sarah.

1:02:12

Wait, I'll have to hear.

1:02:21

OK.

1:02:22

You're rounding her around this people.

1:02:24

Thank you.

1:02:25

And I'll just, I'll sit over here.

Sarah Parks Comments

1:02:28

Hi everybody.

1:02:29

Sarah Parks, this is the director for the San Juan River Pkwy and Conservation Chest.

1:02:34

And I have just a couple of comments.

1:02:36

I'll just go through the sections quickly.

1:02:38

The 1st is Section 25015.04, Authority to adopt rules through positive orders.

1:02:46

The section refers to has a phrase carrying the same penalties established in section 25015.09 in the document.

1:02:56

Section 25015.09 refers to severability and does not include any established penalties.

1:03:03

And from my reading, other than the ejection clause which comes just before that, the document doesn't adequately inform the public of what the penalties for being out of compliance with the regular regulations are.

1:03:16

Next is hours of operation, which is 25016 . 01 and we would suggest that it would be helpful to maintain the same seasonal hours of operation for currently open properties operated for the Conservancy by the River Pkwy Trust.

1:03:34

So that would be Sycamore Island and Ball Ranch to avoid public confusion.

1:03:38

So what's included in the regulations is a little bit different than what is currently happening next.

1:03:44

I also have a comment on bicycles.

1:03:46

So 25017. 05A says unless the trail or roadway is designated by the Conservancy for multiple use pursuant to section, there's no number there.

1:03:59

So I had a question about what section that's referring to.

1:04:03

And is there currently a list of which trails and roadways are currently designated as multiple use?

1:04:10

Without knowledge of the current list, I think cyclists will not have adequate information to determine if they can legally ride within the units.

1:04:18

And I can assure you that I will hear about that professionally and personally because I have a lot of cyclists in my life.

1:04:26

Next, referring to several of the paddling and boating sections for paddle sports boats, watercraft and vessels and launching areas.

1:04:35

And we are concerned that these sections are in conflict with the State Lands Commissions Legal Guide to the public's right to access and use California's navigable waters.

1:04:46

And those are my comments.

1:04:47

Thank you.

End of Sarah Parks Comments

1:04:49

Thank you.

1:04:50

Anyone else on anyone else in person?

1:04:57

Anyone else?

1:04:58

Yeah.

1:05:02

Does anyone online have a comment?

1:05:07

Laura.

Laura Gromis Comments

1:05:08

Laura.

1:05:14

Thank you.

1:05:18

So looking through this, it's obviously an attempt to establish a lot of rules and have something to go off for insurance reasons and to cover kind of like the basics.

1:05:32

Generally.

1:05:33

I'm with Wendy and think, you know, we really should have access to the river.

1:05:37

Our society is so disconnected from nature.

1:05:40

This is kind of like one of the only untamed pieces of nature, even though it is pretty tamed as we all know that people have access to here locally.

1:05:50

When I work with students here use, you know, there's so many that have no access to nature and really not a concept for this.

1:06:01

And I'm sure when Julie and Kent were little kids, they would go to the river and play and collect, you know, little stones and, and maybe some leaves or things like that and got their love of nature through some of those experiences.

1:06:19

And I'm sure there's many of you that have been in that same situation.

1:06:23

So under section 25016.03 , there are plants and downward it seems like it's not allowed to carry away any parts of plants and any trees and anything that is around there.

1:06:41

And I feel like I'm worried that this might restrict access to people that really need to connect to nature.

1:06:50

I think whenever we meet here.

1:06:53

But if we, if we would have like a big word cloud, the word access would be the biggest.

1:06:57

And we need that access for so many reasons, the cultural one, other health reasons, right?

1:07:03

So I really would like you guys to look at that very deeply and think about what this would prevent.

1:07:10

And then on the sections on bicycles, again, like Wendy says, if people need to move outside and it's so important, we, we talk about, you know, we have such high health costs in this on country.

1:07:26

And one thing that is not really dealt with by our health system, but it's so crucial is the health and exercise.

1:07:34

Our health departments are investing in that, right?

1:07:37

And it's walking and biking and I, I'm, I don't want to see so many restrictions in keeping people from using bikes.

1:07:46

And I would more encourage you to have some regulations that say, well, if there's fees, you know, people that walk and bike to the properties are excluded from those fees.

1:07:56

Like think about how you can encourage that.

1:07:59

I know this is an asset that is very worse and important to protect and there's a lot of wildlife considerations as well, but we can only get people to care about nature and about wildlife if they see something that's in it for them and if they develop kind of that love by interacting with it.

1:08:19

So please review that a little bit and think about what drives you to be involved with the river with this decision making.

1:08:28

Because you you probably all have your own story of why the river is important to you.

1:08:33

And you've been in meetings where people asked us, you know, why do you, are you on the board of the River Conservancy?

1:08:38

Why do you want to do that?

1:08:40

And it probably is related to something with having access to nature.

1:08:44

And we have so many kids and so many people here that don't have that opportunity.

1:08:49

They don't even know about it.

1:08:50

When we have cleanups, I always have a lot of students that come out with me and say, oh, I, I didn't know that you can go to the river.

1:08:57

I didn't even know we had a river.

1:08:58

So let's think about how we can foster that culture of love for nature and with the right guidance, there's a lot of great groups that can help create that guidance, but a little bit less on you're not allowed to do that

because that just leads to a society where we are so disconnected from nature that in the end it's going to get as folded through.

1:09:18

And we don't because we just don't care because we don't know.

1:09:22

Thank you.

End of Laura Gromis comments

John Halpin Comments

1:09:29

Yeah, my name is John Halpin.

1:09:30

I'm a volunteer with the Conservancy and the Trust.

1:09:35

I do a lot of nature walks out on the Parkway.

1:09:38

And one of the first things I tell, especially the kids, because the first thing they want to do when they get out there is pick up rocks and start throwing them in the river or in the ponds.

1:09:48

And I tell them, I say, hey, you're out here in nature.

1:09:51

Everything that's out here belongs here.

1:09:54

We want you to be curious.

1:09:55

We want you to pick things up and take a look at them.

1:09:59

But when you're done with them, you put them back where you found them or somewhere nearby.

1:10:04

Because I think it was Chief Seattle who said take only memories, leave only footprints.

1:10:12

And I think we have to do that and we have to teach the public and, and especially children to do that so that we preserve everything that's out there.

1:10:22

So that's my common to you.

1:10:23

You can put in charge of the marketing.

1:10:27

That sounded very convincing.

1:10:28

No, you know, I have to do those nature blocks.

1:10:31

So I fill them in.

End of John Halpin Comments

1:10:33

Do we have anybody online or is there anyone else that has OK online?

1:10:43

See, they're not responding to speaking.

1:10:48

OK.

1:11:04

They're in the back or they can e-mail them to, I think, please.

1:11:07

Yeah, yeah, yeah.

1:11:12

So what you can do if you don't want to provide the comment verbally, you're welcome to fill out one of the cards in the back with your written comment that we can take.

1:11:23

In addition, you can also e-mail to us and I believe the e-mail address is that provided is at the info or mine.

1:11:33

OK, Do you want to see until 5:00?

1:11:35

Yeah, until 5:00.

1:11:36

So do you want to take the e-mail address?

1:11:38

Yeah, the e-mail address is info@sjrc.ca , and it's in the NOPA.

1:11:51

All in bikes on the same trails.

1:11:53

Most bikes have a bell.

1:11:55

So when you, you know, you get people on the mountain bike trail, the heads up that you're coming.

1:11:58

But people are really good with each other.

1:12:00

You know, it's mountain bike's not quiet.

1:12:03

So when it's coming, you hear everybody watches out for each other.

1:12:07

No one's tossed into the trails.

1:12:15

So we just remain at this point.

1:12:19

So that will end the oral comment, and then we can pause it in both ways, OK.

1:12:23

So this will conclude this meeting from the standpoint of receiving public comment here verbally.

1:12:32

And we will now pause it because we will keep it open until written comments open.

1:12:37

Written comments open OK until 4:30, 5 o'clock 5:00 and we can now go back to the pace needs that's useful and continue to get that.

1:12:51

Sorry, I'm going to just correct from the thing.

1:12:54

So if new people come in or we get new people that join, they can still give their oral comments until 5:30, 4:30, 4:30.

1:13:01

Sorry.

End of Oral Comments – No additional Oral Comments were received.

**TAB F: NOTICE OF MODIFICATION OF TEXT OF
PROPOSED REGULATION**

TEXT OF MODIFIED REGULATIONS

**STATE OF CALIFORNIA
SAN JOAQUIN RIVER CONSERVANCY
10637 N LANES ROAD, FRESNO CA, 93730
PO BOX 28338, FRESNO, CA 93729**

CALIFORNIA CODE OF REGULATIONS
TITLE 14, NATURAL RESOURCES
DIVISION 10. SAN JOAQUIN RIVER CONSERVANCY
CHAPTER 2. SAN JOAQUIN RIVER PARKWAY PUBLIC ACCESS AND USE
REGULATIONS

Adoption of Section 25015 et seq.

NOTICE OF MODIFICATION TO THE TEXT OF PROPOSED REGULATION

Pursuant to the requirements of Government Code section 11346.8(c) and section 44 of title 1 of the California Code of Regulations, the San Joaquin River Conservancy hereby provides notice of changes made to proposed regulation section 25015 et seq., which was the subject of a public hearing on December 4, 2024. The text of the regulation with proposed modifications is attached to this Notice.

The Board will accept written comments on the proposed changes from May 30, 2025 to June 16, 2025.

Comments may also be submitted by email to:
info@sjrc.ca.gov

Written comments may be submitted by mail to:
San Joaquin River Conservancy
Attention: Regulations comments
PO Box 28338
FRESNO, CA 93729

All written comments received by June 16, 2020, which pertain to the indicated changes will be reviewed by the San Joaquin River Conservancy and will be summarized and responded to in the Final Statement of Reasons. Please limit your comments to the modifications to the text.

TITLE 14. SAN JOAQUIN RIVER CONSERVANCY PROPOSED REGULATION

Regulations proposed during the 45-day comment period are shown in single underline. Proposed changes for this 15-day comment period are shown in double underline for additions and double-strikethrough for deletions.

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.

Authority cited: Sections 32527, 32529, Public Resources Code. Reference: 32511, 32525, Public Resources Code.

§ 25015.03. Definitions.

(a) "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.

(b) "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.

(c) "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.

(d) "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.

(e) "Permit," as used herein, is an authorization for a specified use issued by the San Joaquin River Conservancy.

(f) "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.

Authority cited: Sections 32527, 32529, Public Resources Code. Reference: 32504, 32530, Public Resources Code, 830 et seq., Penal Code.

§ 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 a bulletin board or similar structure upon which all special instructions, rules, and orders, shall be posted pertaining to specified units at its headquarters or post on its website, as well as post at the unit affected in a location convenient to the general public. 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 25015.097. 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.

Authority cited: Sections 32527, 32529, Public Resources Code. Reference: 32527.5, 32529, Public Resources Code.

§ 25015.05. 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 from the San Joaquin River Conservancy. Entry to closed units is a violation subject to enforcement and the penalties established in this Chapter, or 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.

Authority cited: Sections 32527, 32529, Public Resources Code. Reference: 32510, 32511, 32527.5, Public Resources Code.

§ 25015.06. 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 state 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 or the Executive Officer, 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.

Authority cited: Sections 32527, 32529, Public Resources Code. Reference: 32536, Public Resources Code.

§ 25015.07. 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, and the authorized representatives of their respective law enforcement agencies.

Authority cited: Sections 32527, 32529, Public Resources Code. Reference: 32525, 32527, Public Resources Code.

§ 25015.08. 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. This provision shall be enforced by any duly authorized California peace officers in any unit in which a violation of regulations may take place. 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.

Authority cited: Sections 32527, 32529, Public Resources Code. Reference: 32525, 32527, Public Resources Code.

§ 25015.09. Severability.

These sections are severally adopted. 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.

Authority cited: Sections 32527, 32527.5, 32529, Public Resources Code.

§ 25016. General Rules and Regulations.

§ 25016.01. 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 September, and from ~~6~~7:00 p.m. to ~~7~~6:00 a.m. during the months of October through March, unless developed for public camping, or otherwise posted pursuant to Section 25015.04 or authorized in writing by the San Joaquin River Conservancy. 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.

Authority cited: Sections 32527, 32529, Public Resources Code. Reference: 32510, 32511, 32529, Public Resources Code.

§ 25016.02. Wildlife.

(a) Fishing for commercial purposes is prohibited.

(b) Feeding wildlife is prohibited.

(c) No person shall willfully release any wildlife that is not native to the area, including but not limited to birds, mammals, fish, reptiles, amphibians, 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.

Authority cited: Sections 32527, 32529, Public Resources Code. Reference: 32510, 32511, 32527, 32529, Public Resources Code.

§ 25016.03. 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, reproduction, and non-native species removal may be specifically authorized by the San Joaquin River Conservancy or otherwise conducted by the San Joaquin River Conservancy, its

agents, or other agencies. Plant, seed, or wood removal or collecting for commercial purposes is prohibited.

(b) With written authorization by the San Joaquin River Conservancy individuals or organizations may collect resources, riparian and upland perennial plants, shrubs, and trees for cultural practices. ~~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 written authorization by the San Joaquin River Conservancy.

Authority cited: Sections 32527, 32529, Public Resources Code. Reference: 32511, 32527, 32529, Public Resources Code.

§ 25016.04. Geological Features.

(a) No person shall destroy, disturb, mutilate, or remove 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. Rockhounding, including gold panning, for commercial purposes is prohibited.

(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 written authorization by the San Joaquin River Conservancy.

Authority cited: Sections 32527, 32529, Public Resources Code. Reference: 32510, 32511, 32527, 32529, Public Resources Code.

§ 25016.05. 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.

Authority cited: Sections 32527, 32529, Public Resources Code. Reference: 32510, 32527, Public Resources Code.

§ 25016.06. 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~~ or 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, that no person shall light any fire of any kind in the specified portions of the units.

(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.

Authority cited: Sections 32527, 32529, Public Resources Code. Reference: 32511, 32527, 32529, Public Resources Code.

§ 25016.07. 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: Sections 32527, 32529, Public Resources Code. Reference: 32511, 32527, 32529, Public Resources Code.

§ 25016.08. 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~~ or posted by the San Joaquin River Conservancy for that purpose, unless otherwise authorized in writing by the San Joaquin River Conservancy. Camping in designated facilities may require a user fee and permit and shall be subject to any special rules and regulations adopted ~~and~~ or posted by the San Joaquin River Conservancy pursuant to Section 25015.04.

Authority cited: Sections 32527, 32529, Public Resources Code. Reference: 32511, 32527, 32529, Public Resources Code.

§25016.09. Alcohol.

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

Authority cited: Sections 32527, 32529, Public Resources Code. Reference: 32511, 32527, 32529, Public Resources Code.

§ 25016.10. Dogs.

(a) Unless a unit, or area within a unit, is designated by the San Joaquin River Conservancy for dogs off-leash pursuant to section 25015.04 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 or wildlife. The fact of the dog being on-leash does not excuse the obligation to exercise immediate control.

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

(c) No person shall keep a noisy, vicious, or dangerous dog, or one which is disturbing other persons, in any unit and remain therein after ~~he or she~~ the person has been asked by a California peace officer or the authorized representatives of their respective law enforcement agencies to leave with the dog(s).

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

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

~~(f)~~ (e) The on-leash prohibition in subdivision (b-a) shall not apply to trained service dogs used to guide and assist persons with disabilities, or dogs that are being trained for that purpose, service dogs must be under immediate control.

Authority cited: Sections 32527, 32529, Public Resources Code. Reference: 32511, 32527, 32529, Public Resources Code.

§ 25016.11. 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 shall use any remotely controlled aerial device, including but not limited to a drone or other unmanned remote-controlled aircraft, to 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~~ or 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.

Authority cited: Sections 32527, 32529, Public Resources Code. Reference: 32511, 32527, 32529, Public Resources Code.

§ 25016.12. Commercial Filming.

Except where authorized by the San Joaquin River Conservancy, no person shall record or

shoot videos or films for commercial purposes in any unit, or portion thereof, without a permit from the California Film Commission, pursuant to Government Code section 14998.8. 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.

Authority cited: Sections 32527, 32529, Public Resources Code. Reference: 32511, 32529, Public Resources Code.

§ 25016.13. Games and Recreational Activities and Events.

Organized tournaments, races, and athletic events, occurring wholly or partially within any unit, are not allowed except as permitted by the San Joaquin River Conservancy, and provided all costs to the San Joaquin River Conservancy are reimbursed by the contractor, permittee, or licensee.

Authority cited: Sections 32527, 32529, Public Resources Code. Reference: 32511, 32529, Public Resources Code.

§ 25016.14. 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.

Authority cited: Sections 32527, 32529, Public Resources Code. Reference: 32511, 32529, Public Resources Code.

§ 25016.15. 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.

Authority cited: Sections 32527, 32529, Public Resources Code. Reference: 32511, 32529, Public Resources Code.

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

§ 25017.01. Off-Highway Vehicles.

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

Authority cited: Sections 32527, 32529, Public Resources Code. Reference: 32511, 32529, Public Resources Code.

§ 25017.02. Speed Limits.

The speed limit for vehicles operating on any San Joaquin River Conservancy unit is 15 miles per hour, unless otherwise posted. 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.

Authority cited: Sections 32527, 32529, Public Resources Code. Reference: 32511, 32529, Public Resources Code.

§ 25017.03. Parking.

The San Joaquin River Conservancy may, by posting notices, prohibit or restrict the parking or standing of vehicles in units or portions thereof, during all or certain hours of the day. 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.

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

Authority cited: Sections 32527, 32529, Public Resources Code. Reference: 32511, 32529, Public Resources Code.

§ 25017.04. 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 ~~and~~ or posted by the pursuant to Section 25015.04 or as authorized in writing by the San Joaquin River Conservancy.

(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.

Authority cited: Sections 32527, 32529, Public Resources Code. Reference: 32511, 32529, Public Resources Code.

§ 25017.05. Bicycles, Operator Propelled Devices.

(a) Unless a unit, trail, secondary trail, or roadway is designated by the San Joaquin River Conservancy for multiple use pursuant to section 25015.04 no person shall operate a bicycle, or operator-propelled, or gravity-propelled device within any unit.

(b) Where the San Joaquin River Conservancy has designated an area as multiple use or issued and posted an order pursuant to section 25015.04 authorizing such activity:

- (1) Bicycles and propelled-assisted devices shall not be ridden at a speed greater than 15 miles per hour. No person may exceed the speed limit for such devices as ordered by the San Joaquin River Conservancy or posted on associated bikeways or trails. 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 person or risk damage to property.
- (2) Propelled devices with a gas or internal combustion engine are prohibited in all units and on all trails.
- ~~(3) , 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.~~
- ~~(4) (2) No device may be ridden at a speed greater than 15 miles per hour. No person may exceed the speed limit for such devices as ordered by the San Joaquin River Conservancy and posted on associated bikeways or trails. 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.~~

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

Authority cited: Sections 32527, 32529, Public Resources Code. Reference: 32511, 32529, Public Resources Code.

§ 25018. Aquatics and Boating

§ 25018.01. Paddle Sports.

When posted no person shall engage in paddle sports, including but not limited to canoeing, kayaking, float tube, and paddle-boarding, unless in an area or unit designated and or posted pursuant to Section 25015.04 or with written authorization by the San Joaquin River Conservancy.

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.

Authority cited: Sections 32527, 32529, Public Resources Code. Reference: 32511, 32529, Public Resources Code.

§ 25018.02. Diving.

No person shall dive in any body of water located in a 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.

Authority cited: Sections 32527, 32529, Public Resources Code. Reference: 32511, 32529, Public Resources Code.

§ 25018.03. Rope Swings

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

Authority cited: Sections 32527, 32529, Public Resources Code. Reference: 32511, 32529, Public Resources Code.

§ 25018.04. Boats, Watercraft, and Vessels.

(a) Operation of any boat, watercraft or vessel is prohibited on all units unless designated ~~and~~ or 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 are 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~~ or posted pursuant to Section 25015.04, or otherwise authorized in writing by the San Joaquin River Conservancy.

(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: Sections 32527, 32529, Public Resources Code. Reference: 32511, 32529, Public Resources Code.

§ 25018.05. Launching Areas.

Within a unit, no person shall launch, beach, weigh anchor, or cast off a boat, watercraft, or jet-ski except where the San Joaquin River Conservancy has designated or ~~and~~ posted pursuant to Section 25015.04.

This section does not apply to California State Lands Commission's legal guide to the Public's Rights to access and use California's Navigable Waters.

Authority cited: Sections 32527, 32529, Public Resources Code. Reference: 32511, 32529, Public Resources Code.

§ 25018.06. 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.

Authority cited: Sections 32527, 32529, Public Resources Code. Reference: 32511, 32529, Public Resources Code.

§ 25018.07. 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 ~~and~~ or posted in designated units or facilities pursuant to section 25015.04.

Authority cited: Sections 32527, 32529, Public Resources Code. Reference: 32511, 32529, Public Resources Code.

**TAB G: WRITTEN COMMENTS SUBMITTED DURING
15-DAY COMMENT PERIOD**

From: [Jim Durando](#)
To: Info@SJRC
Subject: regulations review
Date: Saturday, June 7, 2025 6:58:14 AM

[You don't often get email from jimdiane@netptc.net. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

looked through a bit hazy on bikes. i see that there was a section slashed out. they are not operator propelled 100% of the time....possible to clarify...are they allowed at all? i realize that not allowing them would limit some people, but they might be able to walk instead...just a bit vague the way it is written....ebikes buzzing along doesn't really fit the model.....

jim

From: [RUS STOLLING](#)
To: Info@SJRC
Subject: Parkway Regs document
Date: Thursday, June 12, 2025 6:12:58 PM

You don't often get email from r.stolling@comcast.net. [Learn why this is important](#)

Why does the whole freekin' document have to be underlined?

Underlining is to be used to accentuate important parts. If a whole document is important, underlining is unnecessary. Save it for the most important parts, or any parts more important than the rest.

Whole-document underlining is as bad as typing in all caps. It's obnoxious, offensive, and hard on the eyes. It's like shouting at the reader.

Government agencies are the worst practitioners of this artless art.

Don't do it.

From: [Sean Zweifler](#)
To: Info@SJRC
Subject: proposed regulations
Date: Saturday, June 14, 2025 6:53:59 PM

You don't often get email from seanzweifler@gmail.com. [Learn why this is important](#)

I read through the proposed regulations and they look good. One issue is the closure of properties at night. I understand why this is, but if and when the bike path ever gets built it would be best if it was open 24 hours, or at least until 10. The path will serve a transportation function for people travelling between northwest and northeast Fresno that would be impacted by early closure.

Thank You
Sean Zweifler
City of Fresno Active Transportation Committee Vice-Chair

From: [Sharon Benes](#)
To: Info@SJRC
Subject: Proposed regulations on public access
Date: Sunday, June 8, 2025 11:49:45 AM

You don't often get email from sbenes@mail.fresnostate.edu. [Learn why this is important](#)

I have read the Public Access and Use Regulations being proposed by the San Joaquin River Conservancy Trust and fully support them, especially that

" 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 "

I am particularly concerned about the proposed deep mining pit and feel that adoption of these regulations will allow the Trust to restrict this activity.

Thank you,
--Sharon Benes

--

Sharon E. Benes, Ph.D.
Professor and J.G. Boswell Endowed Chair in Plant Science
Department of Plant Science
California State University, Fresno
2415 E. San Ramon Ave., M/S AS72
Fresno, CA 93740-8033
(559) 278-2255

From: [Sarah Parkes](#)
To: Info@SJRC
Cc: [Sharon Weaver](#)
Subject: Comment Letter-Final Draft San Joaquin River Parkway Regulations
Date: Friday, June 13, 2025 6:24:23 PM
Attachments: [6.13.25 SJRC Regulations Comments.pdf](#)

Greetings,

I have attached a comment letter from the San Joaquin River Parkway and Conservation Trust regarding the final draft of the San Joaquin River Parkway Public Access and Use Regulations.

We appreciate the opportunity to provide input and respectfully submit these comments for your consideration as the regulations are finalized.

Sincerely,

Sarah Parkes

(She/Her)

Assistant Director

San Joaquin River Parkway and Conservation Trust, Inc.

11605 Old Friant Road, Fresno, CA, 93730

559-248-8480 ext. 107

facebook.com/SJRPCT * Twitter [@sjrparkwaytrust](https://twitter.com/sjrparkwaytrust)

www.riverparkway.org



San Joaquin River
Parkway and
Conservation Trust, Inc.

June 13, 2025

San Joaquin River Conservancy
Attention: Regulations comments
Submitted by electronic mail to: info@sjrc.ca.gov.

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Christopher A. Brown
General Counsel

Sharon Weaver
Executive Director

Re: Comments on Final Draft of San Joaquin River Conservancy Regulations

Dear Conservancy Board,

On behalf of the San Joaquin River Parkway and Conservation Trust, thank you for the opportunity to provide comments on the final draft of the San Joaquin River Parkway Public Access and Use Regulations.

As a longtime partner in the development, stewardship, and operation of the Parkway, the Trust shares the goal of ensuring that Parkway lands are protected, well-managed, and safely accessible to the public.

We're offering the following comments with a focus on alignment with the Parkway Master Plan, clarity for the public, and maintaining public trust in the shared management of Parkway lands.

§ 25015.05. Authority to close areas to the public.

We request that the Conservancy revise this section to differentiate between temporary closures implemented for safety or maintenance needs and long-term closures that would significantly limit public access. As written, the regulations grant the Executive Officer broad authority to close units for any duration, including indefinitely, without Board review or public input. While we understand the need for timely operational decisions, especially in emergencies, we believe closures that extend beyond a defined period should be reviewed by the Conservancy Board in a public meeting.

Further, treating any Parkway unit as permanently closed undermines the Parkway Master Plan's Fundamental Goals (Section 6.2.1; FG.1-FG.8), which clearly envision a mosaic of land uses, including continuous recreational trails, habitat zones, and educational areas, informed by transparent, cooperative decision making.

We urge the Conservancy to revise § 25015.05 to clarify that all closures should be considered temporary in nature, include a defined timeline for review, and require Board approval for any closure extending beyond one year.



CREATING AND PROTECTING THE SAN JOAQUIN RIVER PARKWAY

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§ 25017.05 – Bicycles and Operator-Propelled Devices

The draft regulations prohibit the use of bicycles and other operator-propelled devices unless a trail or area is explicitly designated and posted for such use. However, the regulations do not provide clear guidance on which trails or areas are currently designated for bicycles. This lack of clarity may lead to confusion for the public, discourage appropriate recreational use, and create inconsistencies in enforcement.

The Parkway Master Plan supports a continuous multi-use trail system that accommodates a range of low-impact recreational uses, including bicycling where appropriate (**FG.3**). To support this goal and ensure consistent understanding of the rules, we recommend that the Conservancy develop and maintain a publicly accessible map or list of trails where bicycles are permitted. In addition, on-site signage at trailheads and key decision points within the Parkway would help ensure that visitors are aware of permitted uses.

Providing this information aligns with the Plan's emphasis on transparency and public engagement (**FG.6**) and will help ensure that users can enjoy the Parkway responsibly and confidently.

§§ 25018.01–25018.05 – Paddle Sports and Water Access

We request clarification on how the boating and paddle sports restrictions outlined in these sections align with public rights of access to navigable waterways, including the San Joaquin River.

The current draft indicates that boating and paddle sports are not permitted unless explicitly posted or authorized, which could be interpreted as broadly restricting access. We encourage the Conservancy to ensure that any regulations affecting the river itself are consistent with public trust protections and to provide clear maps and signage indicating where boating and launching are allowed.

Additional Suggestions

- Maintain a public record of all posted orders adopted under § 25015.04, both online and at key trailheads or entrances.
- Establish a regular review process for the regulations to allow for adjustments over time and in response to public feedback.
- Continue coordination with partner agencies and stakeholders, consistent with Parkway Master Plan Goal FG.6, to support transparent and cooperative decision-making.

The River Parkway Trust is committed to supporting safe and responsible use of the Parkway. We recognize that the Conservancy must balance many priorities, but we also believe that when the public feels welcomed, informed, and included, they are more likely to become stewards of the Parkway's future.

We recognize the importance of establishing clear regulations for Parkway lands and appreciate the opportunity to provide input during this process.

Sincerely,



Sarah Parkes
Assistant Director

TAB H: UPDATED INFORMATIVE DIGEST

UPDATED INFORMATIVE DIGEST

There have been no changes in applicable laws or to the effect of the proposed regulations from the laws and effects described in the Notice of Proposed Regulatory Action.

TAB I: FINAL STATEMENT OF REASONS

**CALIFORNIA SAN JOAQUIN RIVER CONSERVANCY
FINAL STATEMENT OF REASONS**

**Title 14, NATURAL RESOURCES
DIVISION 10 SAN JOAQUIN RIVER CONSERVANCY
CHAPTER 2 SAN JOAQUIN RIVER PARKWAY PUBLIC ACCESS AND
USE REGULATIONS**

Subject: California Code of Regulations on the Use of Conservancy Land

UPDATE TO INITIAL STATEMENT OF REASONS

In section 25016.01 regarding hours of operation, the hours of operation were originally proposed to be closed to the public from 6:00 p.m. to 7:00 a.m. during the months of October through March. The Conservancy changed the hours of operation to be closed from 7:00 p.m. to 6:00 a.m. during the months of October through March. The Conservancy made this change in response to the comments received. After evaluating the comments, the Conservancy determined that the new operating hours would align with daylight hours and would better serve the public's recreational opportunities.

In section 25016.03 regarding plants and downed wood, the proposed regulation was broadened to include gathering for reproduction for species and seed collection. In addition, subsection (b) was changed to delete "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." It now reads "individuals or organizations may collect resources, riparian and upland perennial plants, shrubs, and trees for cultural practices." The Conservancy made this change in response to comments received stating there was social unjust by calling out tribal organizations and not other ethnic groups, as well as comments received stating tribes were not the same as tribal organizations. After consultations, the Conservancy generalized language by stating individuals or organizations instead of tribal organizations. This will allow the Conservancy to approve cultural gathering without a person having to have a certain affiliation with a recognized tribal organization. Granting written permission helps the Conservancy protect natural and cultural resources and gives the gatherer documentation to carry in the field if they are questioned by others.

In section 25016.10 regarding dogs, the proposed regulation did not address units or areas within units that were designated for dogs off-leash and limited possession of more than three dogs at a time. The Conservancy clarified the proposed language to address units or areas within units that are designated for dogs off-leash, changed the definition of "immediate control" to include prevention of uninvited contact between the

dog and wildlife, and clarified that the on-leash prohibition did not apply to service dogs but added that service dogs must be under immediate control. The Conservancy made these changes in response to comments received. After evaluating the comments, the Conservancy agreed that clarification was needed to address areas designated for dogs off-leash and service dogs. In addition, the Conservancy agreed with comments noting that an arbitrary maximum allowable number of dogs is unnecessary in light of the regulation that dog(s) must be under immediate control. Thus, the modifications are expected to allow for the public's enjoyment while protecting public safety and natural resources.

In section 25017.05, regarding bicycles and operator propelled devices, the Conservancy modified the proposed language for clarification. The proposed regulation as originally proposed identified and limited different types and classifications of bicycles and propelled-assisted devices that were allowed in certain areas. The Conservancy deleted the language regarding the classification of electric bicycles and modified the language to limit the speed to 15 miles per hour. The Conservancy made these changes in response to comments received. The Conservancy agrees that some language may have been confusing or hard to enforce due to the wide variety of self-propelled devices. The modifications are expected to provide clarification of the regulations while still protecting public safety and visitor's enjoyment.

In section 25018.05 regarding launching areas, the Conservancy modified the proposed regulations to clarify that the section only applies to Conservancy property. This modification was made in response to comments received regarding confusion over riverbank property ownership and agency jurisdiction. The modification clarifies that the Conservancy does not have jurisdiction over the river and that the section only applies to Conservancy units.

LOCAL MANDATE DETERMINATION

The proposed regulations do not impose a mandate on local agencies or school districts.

SUMMARY AND RESPONSE TO COMMENTS RECEIVED DURING 45-DAY COMMENT PERIOD

Oral comments at public hearing:

Comment No. 1: Barry Lockton noted that with regards to Section 25016.10 on dogs, a lot of people take their dogs off-leash and wants the regulations to allow the Conservancy to design some off-leash permitted areas in the future. He thinks the

language of subsection (b) reads as if service dogs would be allowed to hunt. Regarding Section 25017.05, he notes that some trails should not have multiples uses and that 15 miles per hour is too slow for a mountain bike. Regarding 25018.01 and 25018.04, he wants clarification on whether it only applies to the river or also beach and land off the river channel.

Response: Regarding Section 25016.10, the Conservancy corrected the typo in subsection (b). Regarding Section 25017.10, Section 25017.05, and Section 25018.05, the Conservancy agrees that the language was confusing and added or simplified the language for clarification.

Comment No. 2: Wendy Ericson commented on section 25017.05 regarding Bicycles, Operator Propelled Devices. Wendy provided her point of view as being a mountain biker; she noted that people biked more after Covid and that making Ball Ranch, Sycamore Island, and Wildwood Native Park private would remove much of what COVID-19 did by getting more people outside. She noted that she works at Palm and Nees and takes her mountain bike to River West. She stated that people walking and fishing on the property are not damaging it. Everyone should be able to enjoy the property. She stated the community would help fund the repairs to the Ledger Island Bridge.

Response: No actions were taken based on this comment.

Comment No. 3: Sarah Parkes noted regarding Section 25015.04 Authority to Adopt Rules through Posted Orders that they carry the same penalties established in Section 25015.09 in the document, that section is regarding severability and does not mention penalties. She notes that Section 25015.08 Ejection does adequately inform the public what the penalties are if you are out of compliance with the regulations. Regarding Section 25016.01 Hours of Operation, Sarah suggested that the hours should be the same as the seasonal hours of operation for current open properties and that this would help to avoid public confusion. Regarding Section 25017.05 Bicycles, Operator Propelled Devices, Sarah noted subsection (a) is confusing as she's doesn't know what section it is referring to; she asks if there's currently a list of which trails and roadways that are designated for multiple use. She stated that cyclists would not have accurate information to determine if they can ride within the units. In addition, regarding Section 25018.01 Paddle Sports, Section 25018.04 Boats, Watercraft, and Vessels and Section 25018.05 Launching Areas, Sarah was concerned that this section might conflict with the State Lands Commission's Legal Guide to public right to access and use California's navigable waters.

Response: Regarding Section 25016.10, the Conservancy decided to accommodate this comment by adjusting the hours of operation by extending them slightly to ensure they cover current operational hours as well as cover daylight hours throughout the

calendar year. Regarding 25015.09 and 25015.08, the Conservancy added PRC Section 32527.05 to the authority. Regarding Section 25017.05 and Section 25018.05, the Conservancy agrees that the language was confusing and added or simplified the language for clarification.

Comment No. 4: Laura Gromis noted the importance of having access to the river and how society is disconnected from nature. Regarding section 25016.03 Plants and Downed Wood, Laura stated that this section will not allow people to carry away any parts of plants and trees. She is worried that this will restrict access for people who need to connect with nature. Regarding Section 25017.05 Bicycles, Operator Propelled Devices, Laura agrees with Wendy that people need to get outside and does not want to see so many restrictions on using bikes.

Response: After review, the Conservancy has made minor changes to section 25016.03 so that natural and cultural resources are protected while allowing for authorized collection and cultural practices. Regarding Section 25017.05, the Conservancy agrees that the language was confusing and added or simplified the language for clarification.

Comment No. 5: John Halpin noted that he does a lot of nature walks for the San Joaquin River Parkway and Conservation Trust, and the first thing he tells the kids is that everything out here in nature stays here in nature. We want kids to be curious and pick things up and look, but when you are done, put them back. Chief Seattle once said to take only memories and leave only footprints.

Response: The Conservancy agrees with John's comments that things found in nature should stay in nature and not be collected and removed. The exception to this is safe cultural practices approved by the Conservancy.

Written comments:

Comment No. 1: Bryan Clark wrote, I love riding at Sycamore and I'm 65. We are responsible people who vote and pay taxes to use public land.

Response: No actions were taken in response to this comment.

Comment No. 2: Bryan Clark wrote: Please do not shut down mountain bikes. I'm 65 and this is my favorite hobby.

Response: No actions were taken in response to this comment. The regulations are designed for safe low impact recreation and are not intended to stop mountain biking where safe and appropriate.

Comment No. 3: Carly Tex wrote regarding the language of the proposed regulations, Chapter 2, §§ 25015 to 25018.07, the Conservancy has good intentions with its efforts to

allow Tribal organizations to gather cultural resources, but the language included in the proposed regulations does not include "Tribes." It only says "Tribal organizations," which are different from a Tribe. Not including "Tribes" has potential to alienate those Tribes and their members.

It is my understanding that culture bearers must provide financial liability insurance if they are to be on the Conservancy properties gathering cultural resources. This requirement further alienates those culture bearers who may not have liability insurance. It limits access only to those who have the financial means or the membership to an organization that provides the insurance.

For context, when Native American culture bearers gather resources, there is usually no notice given to their tribal leadership or to an organization that they are planning to go. They just go. Usually on a weekend or after work hours. If this language is put into the regulations, does "written authorization" cover the after-hours or weekend during which they will make use of the resources, or will it also require they have someone on Conservancy staff open a gate or accompany them? Our traditional practices may not occur within normal working hours of your staff. This would hinder us from actually making use of those resources. Putting written authorization on it may be more challenging to implement and feels discriminatory. Tribes should not need permission to gather on their own ancestral lands.

It behooves the Conservancy to continue to meet with Tribes and tribal organizations relevant to the local area with ancestral ties to the San Joaquin River through investment into outreach. I believe outreach has declined and the Conservancy has lost trust and disrespects the tribes by not keeping them apprised of the projects that may affect their culturally relevant archaeological sites and cultural resources. It requires that there be consistent communication with them about River projects if you are to achieve quality tribal outreach and it is the responsibility of a state agency to inform them.

My suggestion is to invest in a tribal outreach liaison whose purpose is to bridge the communication gap with the tribes and to help the Conservancy learn more about the needs and develop more collaborative solutions. Although there is an open tribal position on the board, it is not that person's responsibility to facilitate outreach. Invest in this role and keep up the momentum of government to government relations. It will benefit all River projects and assuage that broken trust.

Original language:

(b) With written authorization by the San Joaquin River Conservancy, Tribal organizations may collect culturally utilized materials, including but not limited to nontimber plants and fungi, including agave, grasses, redbud, sedge, sumac, and willow.

Suggested language:

(b) ~~With written authorization by the San Joaquin River Conservancy, Tribes and Tribal organizations may collect cultural resources culturally-utilized materials, including but not limited to nontimber plants and fungi, including agave, grasses, redbud, sedge, sumac, and willow.~~

Response: The Conservancy conducted additional tribal outreach and government-to-government consultations and extended the public review period for further consultation. Section 25016.03 has been edited to allow for individual and organizational collection of materials for cultural practices.

Comment No. 4: The San Joaquin River Parkway and Conservation Trust wrote, Comments on California Code of Regulations, San Joaquin River Parkway Public Access and Use Regulations, Regarding § 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 a bulletin board or similar structure upon which all special instructions, rules, and orders, shall be posted pertaining to specified units at its headquarters or post on its website, as well as post at the unit affected in a location convenient to the general public. Proof of posting shall be filed in the San Joaquin River Conservancy office. Such orders shall be forceable under this Chapter, carrying the same penalties established in Section

Regarding 25015.09. 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. Authority cited: Sections 32527, 32529, Public Resources Code. Reference: 32527.5,

Regarding 32529, Public Resources Code. Comment. This section refers to “carrying the same penalties established in Section 25015.09.” In the document, Section 25015.09 refers to Severability and does not include any established penalties. Other than the Ejection clause, the regulations document does not adequately inform the public of the penalties for being out of compliance with any of the regulations outlined.

Regarding 25016.01. 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 September, and from 6:00 p.m. to 7:00 a.m. during the months of October through March, unless developed for public camping, or otherwise posted pursuant to

Section 25015.04 or authorized in writing by the San Joaquin River Conservancy. 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.

The River Parkway Trust suggests that it would be prudent to maintain the same seasonal hours of operation for currently open properties operated for the Conservancy by the River Parkway Trust to avoid public confusion.

Regarding 25017.05. 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.

Comment: Which section does the highlighted clause refer to? Which trails and roadways are currently designated as multiple-use? Without knowledge of the current list, cyclists will not have adequate information to determine if they can legally ride within units.

Regarding 25018.01. Paddle Sports. When posted no person shall engage in paddle sports, including but not limited to canoeing, kayaking, and paddle-boarding, unless in an area or unit designated and posted pursuant to Section 25015.04 or with written authorization by the San Joaquin River Conservancy.

Regarding 25018.04. 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 are 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 pursuant to Section 25015.04, or otherwise authorized in writing by the San Joaquin River Conservancy.

Regarding 25018.05. 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 designated and posted pursuant to Section 25015.04.

Authority cited: Sections 32527, 32529, Public Resources Code. Reference: 32511, 32529, Public Resources Code. We believe the above sections are in conflict with the CA Department of Justice and the CA State Lands Commission's legal guide to the Public's Rights to Access and Use California's Navigable Waters.

Response: The Conservancy agrees that the hours of operation needed to be modified, the hours of operation were extended slightly to ensure they cover current operational hours as well as cover daylight hours throughout the year. The typo in section 25015.04 was corrected to read 25015.08. Regarding Section 25015.09, the Conservancy added

PRC 32527.5 regarding penalties to the authorities for further clarification. The Conservancy agrees that language in sections 25017.05 and 25018.05 could be confusing and modified the language to provide clarity.

Comment No. 5: Marisa Sigala asked to continue to allow public access to Sycamore, Van Buren, Ball Ranch and other trails where bike riding occurs. She noted that public access to all users should be paramount to the mission of the SJRC; mountain bike riders and gravel riders utilize many of these areas and this provides health utilization of public lands and an appreciation of these spaces. She asks that the Conservancy not limit bicycling use to these areas and notes that bikers can coexist peacefully with hikers as bikers utilize bells and there really are very few areas where sight lines are not open.

She would also like to encourage more of the creative thinking mentioned in the meeting. For instance, if there is maintenance occurring in an area (which it sounds mainly like road maintenance), this should not close the trails to hikers and bikers, which can be utilized the areas without the roads; or maybe only close certain roads at a time. Blanket closures are very limiting of use and impact users of these spaces greatly.

She notes that she is fortunate to ride with many bikers in the area and know that many are invested in assisting with trail days and would be happy to offer suggestions for utilization.

Response: In response to this comment, the Conservancy modified the language in section 25017.05 to simply and clarify the regulations.

Comment No. 6: Tom Zimoski noted that with regard to the Willow Unit portion of the San Joaquin River Ecological Reserve one commenter suggested a possible land swap that would allow public access to that section of the Reserve that borders on the Sumner Peck property and Ball Ranch. He believes that Little Dry Creek forms a more natural boundary to the Reserve than the fence that now extends from Little Dry Creek to the Sumner Peck property. Perhaps that part of the Reserve could just be transferred to the Conservancy - no swap required. I know that some money and effort was involved in surveying and fencing that area but that should not be a concern.

Response: No actions were taken in response to this comment.

Comment No. 7: Julie Tex wrote, My name is Julie Dick Tex and I am a Mono Indian. I am submitting my comments in regard to the regulations that include the following language:

(b) With written authorization by the San Joaquin River Conservancy, Tribal organizations may collect culturally utilized materials, including but not limited to nontimber 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 written authorization by the San Joaquin River Conservancy.

I do not think your tribal outreach for review of these regulations was sufficient, and without thorough consultation with the tribes, there should be no adoption of regulations. The SJRC board needs a real and meaningful dialogue with local TRIBES and tribal communities, not isolated audiences via member-based organizations and word-of-mouth outreach.

Our trust is broken and all I can see is social injustice because we are the only ethnic group included in these regulations.

Response: The Conservancy extended the public review period for tribal organizations and conducted additional tribal outreach and government-to-government consultations. Section 25016.03 has been edited to attempt to eliminate social injustice and allow for individual and organizational collection of materials for cultural practices.

Comment No. 8: David Sieperda offered these comments:

1. The value of the SJRC is immense as it now has the ability to manage a very precious and beautiful part of the San Joaquin Valley.
2. I only see more regulation on the usage of the SJRC properties in this document, I see no discussion of improving access to the public.
3. In the section where benefits from the proposed regulations are listed; you list an improvement to public health. The benefit to public health is greatest to those that use these areas for exercise and education. There is no mention of improving access or improving the recreational opportunities, I think there should be.
4. The proposed regulations include terms like "reasonable hours", "authorize the Conservancy to adopt orders and rules pertaining to specific areas and subjects" and "close areas to the public". These are very general statements and I see nothing in the proposal which assures the public that they have a voice to direct the actions of the Conservancy in these regulations.
5. The Conservancy has given me, a Fresno resident and tax payer, no reason to believe that they should further restrict the public use of this property for the reasons given. Show us, the public, that you can actually manage the property and improve it. Also show us how you will improve recreational and educational activities. The second action item on the Conservancy's mission statement is "developing, operating, and managing those lands for public access and recreation Remember there is balance in your mission statement between public access, and protection and restoration. I believe both can be achieved in unison.

Response: No actions were taken in response to this comment. The Conservancy has developed the proposed regulations to protect visitors, natural, and cultural resources, not as a means to restrict safe visitation.

Comment No. 9: Carmen Moreno noted that she been participating with the on-going SJRC & Tribal Partners meetings and appreciates the on-going efforts from SJRC & Wildlife Conservation. Her comments are in relation to Sections 25015 to 25018.07.

She writes: “the wording stating tribes I had mentioned in the past it would be better using Inter-tribal reason being is the Native Community there are Federal & Non-Federally Recognized tribes. This way it covers everything in an umbrella phrase.

The Tribal organization wording reflects as a group. In the community some use the term a Cultural Practitioner Bearer that can cover anyone from Basketweaver, land steward of plants, Cultural gathering for other plants or materials for culture practices.

Side Note: There was discussion prior about a Native American Liaison to help with the communication between the Local Native Community and the SJVC.

Although we have great conservations, I feel this is still a good idea. Reason being is that person can focus on local tribes to have a one-on-one outreach also compensating them for their time.”

Response: The Conservancy extended the public review period for tribal organizations and conducted additional tribal outreach and government-to-government consultations. In response to outreach and reviewing written comments Section 25016.03 has been edited to allow for individual and organizational collection of materials for cultural practices.

Comment No. 10: Gary Bowser wrote, “after reviewing all related documents for the proposed Rules and Regulations I find that some of these rules will further limit the publics access to our river. Access is a key element in the Master Parkway Plan. By overlooking the types of activities that the general public desires and focusing on what a small committee decides is unfortunate and does not serve the public interests.

I would ask the Conservancy to delay implementing these Rules and Regs and find ways to engage the public. We are out there enjoying what our river has to offer. Come see us.”

Response: No actions were taken in response to this comment. The regulations are being drafted to protect visitors, natural and cultural resources not as a means to restrict safe visitation.

Comment No. 11: Joanne Kovac-Roberts wrote, “I am writing to let you know how much I appreciate the vital work the SJRC does to protect and manage our natural resources. Your efforts play a crucial role in preserving our region's beauty and ecological integrity, ensuring these landscapes remain vibrant for generations to come. However, as a person

who values these resources and utilizes them for hiking and biking several times each month, I would like to highlight the importance of public access to conservation lands. While the primary mission of these lands may be environmental protection, allowing responsible access to them provides significant benefits to human health and well-being.

Spending time in nature has been shown to reduce stress, improve mental health, and encourage physical activity, which are all critical components of a healthy lifestyle. Public trails, open spaces, and recreational opportunities on conservation lands provide safe and accessible ways for people of all ages to connect with the outdoors. These experiences foster a sense of stewardship and inspire community members to become advocates for conservation efforts themselves.

Additionally, accessible conservation lands contribute to the local economy by encouraging outdoor recreation, tourism, and environmental education programs. This kind of engagement not only promotes individual well-being but also strengthens community ties and enhances support for ongoing conservation initiatives. By implementing sustainable management practices-such as designated trails, clear signage, and public education about responsible use-the district can ensure these lands remain protected while continuing to allow people to enjoy and benefit from them.

I hope the SJRC will continue to prioritize public access as an integral component of its mission. By doing so, you ensure these lands are not only conserved but celebrated and cherished by the community.

Thank you for considering this perspective. I am happy to discuss further or assist in promoting initiatives that balance public access with conservation goals.”

Response: No actions were taken in response to this comment. The regulations are being drafted to protect visitors, natural and cultural resources, not as a way to restrict safe visitation.

Comment No. 12: Mandy Macias wrote, “My name is Mandy Macias and I am Western Mono. I am descended from Casson, Maidu, and Ohlone as well and utilize the river for various resources.

As a member of the local tribal community I feel that the adoption of guidance is premature. At one point there was a concerted effort to identify, consult and even coordinate with local tribal members, but that seems to have dissolved into the reliance of word-of-mouth information sharing. Unfortunately, two of the organizations you're relying on to share news are membership or service based and hold a limited audience. I urge the delay or suspension of adopting any language or guidance specific to tribal communities or tribal use of the landscape. This information was shared in trust and I feel that the tribal knowledge shared has been weaponized and is now being used against us. Resources were identified, and collection practices were coordinated in good faith, and I feel that trust is broken with the guidance your considering adopting. Tribes have struggled to secure safe and healthy gathering places within tradition landscapes and by

adopting a protocol that would require the securing of liability insurance, you've managed to put our resources out of reach.

I don't think you have sufficient consultation to establish tribal guidelines. In fact, I'm not sure why you need to establish tribal guidelines when there don't seem to be guidelines for any other ethnic groups foraging and harvesting off the land. It's ironic that a fisherman can kill fish, but a tribal person needs liability insurance to pull a root out of the sand!

I feel your intent to adopt and implement guidance specific to tribal use is premature and you should put the effort into dedicating staff to improve the outreach and dialogue with the greater community before adopting any such measures."

Response: The Conservancy extended the public review period for tribal organizations and conducted additional tribal outreach and government-to-government consultations. In response to outreach and reviewing written comments Section 25016.03 has been edited to allow for individual and organizational collection of materials for cultural practices.

Comment No. 13: Barry Lockton wrote, "I was reviewing Section 25016.10, Dogs, Subdivision (f) pertaining to service dogs being exempted from complying with Subdivision (b) and wondered if there wasn't an error because Subdivision (b) prohibits a person from allowing a "dog to hunt, chase, harm or harass wildlife."

Was this intentional or an error, or am I misunderstanding it?

On somewhat a separate subject, is there any possibility that language could be added to permit off-leash dogs in designated areas since so many people like to take their dog(s) to the river to run and for off-leash training?"

Response: In response to this comment, the typo in Section 25016.10 subsection (b) was corrected, and language was added to the section for clarification.

Comment No. 14: John McDaniel wrote, "I am submitting the following comments concerning the proposed San Joaquin River Parkway Public Access and Use Regulations. I am unlikely to be able to attend the hearing on Wednesday.

Over the past five years my wife and I have had the pleasure of visiting nearly every park and publicly accessible stretch of land from the San Joaquin River Gorge to the Highway 99 bridge, including all publicly accessible lands held by the San Joaquin River Conservancy. I have visited Conservancy properties more than 175 times since I became familiar with their existence.

I have comments and concerns about two of the proposed regulations.

Section 25016.10 Dogs. The presence of dogs on Conservancy properties is inconsistent with the goals of maintaining safe open spaces for public access and protected habitat for wildlife. Reliance upon leash requirements is unrealistic.

My wife and I, as well as others who have spent significant time on Conservancy properties, have been witness to instances of flagrant disregard of dog restrictions, hostility and even outright belligerence by dog owners when requested to contain their pets.

In one instance, we saw a dog being unleashed in order to attack and kill ground squirrels on the Van Buren Unit.

Last summer an individual unleashed his dog and actively coaxed it to rush into the marsh at Jensen River Ranch, flushing numerous waterfowl and disturbing habitat which up until that moment had been the home to Great Egret, Green Heron, Sora, Virginia Rail, Mallards, and at least a half dozen other bird species. The owner refused to retake control his animal despite protest from several individuals.

On another occasion on the Van Buren unit, a dog owner was claiming that he was not required to leash his "service animal" whereupon his dog lunged at and bit at an elderly birder.

Other visitors to Parkway and Conservancy properties have reported similar hostile reactions to requests that dogs remained on leash in city and county parks where leash laws already exist and dog restrictions are posted, such as is the case in River West.

I have owned dogs. I have hiked with dogs. My children own dogs. Ironically, it was not until we became frequent visitors to SJRC properties that we became aware of just how bad the problem is with a significant minority of individuals who willingly disregard posted regulations and basic civility. Sadly, too many people simply cannot be trusted to obey passive restrictions. Ongoing extensive patrolling of SJRC properties, together with extensive conspicuous signage would be required in order to even attempt to provide effective enforcement of the proposed dog restrictions. Those resources don't exist. Numerous state, federal and local parks prohibit dogs and such should be the case here as well.

Section 25017.02 Speed Limits/Section 25017.05 Bicycles, etc. The regulations appear satisfactory. My concern is more administrative. The Riverfront Trail on the Van Buren site should receive special attention in terms of speed regulation. The trail is narrow, winding, and proceeds mostly along an elevated berm with limited line of sight at certain locations. Cyclists, particularly those with electric motors, often come through the passageways at speeds that risk collision with pedestrians, particularly in areas with reduced sight lines. A lower speed limits and installation of caution signage are clearly indicated for that trail."

Response: In response to this comment, the typo in Section 25016.10 subsection (b) was corrected, and language was added to the section for clarification.

SUMMARY AND RESPONSE TO COMMENTS RECEIVED DURING THE 15-DAY COMMENT PERIOD

Comment No. 1: Jim wrote, “looked through a bit hazy on bikes. i see that there was a section slashed out. they are not operator propelled 100% of the time....possible to clarify...are they allowed at all? i realize that not allowing them would limit some people, but they might be able to walk instead....just a bit vague the way it is written....ebikes buzzing along doesn’t really fit the model”

Response: No action was taken in response to this comment. Section 25017.05 was simplified and revised to emphasize safe operation of propelled devices.

Comment No. 2: Sharon Benes wrote, “I have read the Public Access and Use Regulations being proposed by the San Joaquin River Conservancy Trust and fully support them, especially that

" 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 "

I am particularly concerned about the proposed deep mining pit and feel that adoption of these regulations will allow the Trust to restrict this activity.”

Response: No actions were taken in response to this comment. This comment seems to be generally supportive of adopting the regulations.

Comment No. 3: from r.stolling@comcast.net wrote, “Why does the whole freekin' document have to be underlined? Underlining is to be used to accentuate important parts. If a whole document is important, underlining is unnecessary. Save it for the most important parts, or any parts more important than the rest. Whole-document underlining is as bad as typing in all caps. It's obnoxious, offensive, and hard on the eyes. It's like shouting at the reader.

Government agencies are the worst practitioners of this artless art. Don't do it.”

Response: No actions were taken in response to this comment. Underlining is a requirement by the Office of Administrative Law, denoting new language for adoption.

Comment No. 4: Sean Zweifler wrote, “I read through the proposed regulations and they look good. One issue is the closure of properties at night. I understand why this is, but if and when the bike path ever gets built it would be best if it was open 24 hours, or at least

until 10. The path will serve a transportation function for people travelling between northwest and northeast Fresno that would be impacted by early closure.”

Response: No actions were taken in response to this comment. The regulations include the ability for the Conservancy to post hours of operation pursuant to Section 25015.04.

Comment No. 5: Sarah Parkes with the San Joaquin River Parkway and Conservation Trust wrote, “Greetings, I have attached a comment letter from the San Joaquin River Parkway and Conservation Trust regarding the final draft of the San Joaquin River Parkway Public Access and Use Regulations. We appreciate the opportunity to provide input and respectfully submit these comments for your consideration as the regulations are finalized.”

Attached letter:



San Joaquin River
Parkway and
Conservation Trust, Inc.

June 13, 2025

San Joaquin River Conservancy
Attention: Regulations comments
Submitted by electronic mail to: info@sjrc.ca.gov.

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Re: Comments on Final Draft of San Joaquin River Conservancy Regulations

Dear Conservancy Board,

On behalf of the San Joaquin River Parkway and Conservation Trust, thank you for the opportunity to provide comments on the final draft of the San Joaquin River Parkway Public Access and Use Regulations.

As a longtime partner in the development, stewardship, and operation of the Parkway, the Trust shares the goal of ensuring that Parkway lands are protected, well-managed, and safely accessible to the public.

We’re offering the following comments with a focus on alignment with the Parkway Master Plan, clarity for the public, and maintaining public trust in the shared management of Parkway lands.

§ 25015.05. Authority to close areas to the public.

We request that the Conservancy revise this section to differentiate between temporary closures implemented for safety or maintenance needs and long-term closures that would significantly limit public access. As written, the regulations grant the Executive Officer broad authority to close units for any duration, including indefinitely, without Board review or public input. While we understand the need for timely operational decisions, especially in emergencies, we believe closures that extend beyond a defined period should be reviewed by the Conservancy Board in a public meeting.

Further, treating any Parkway unit as permanently closed undermines the Parkway Master Plan’s Fundamental Goals (Section 6.2.1; FG.1-FG.8), which clearly envision a mosaic of land uses, including continuous recreational trails, habitat zones, and educational areas, informed by transparent, cooperative decision making.

We urge the Conservancy to revise § 25015.05 to clarify that all closures should be considered temporary in nature, include a defined timeline for review, and require Board approval for any closure extending beyond one year.



CREATING AND PROTECTING THE SAN JOAQUIN RIVER PARKWAY

11605 Old Friant Road • Fresno, California 93730-9701 • 559.248.8480 • www.riverparkway.org



§ 25017.05 – Bicycles and Operator-Propelled Devices

The draft regulations prohibit the use of bicycles and other operator-propelled devices unless a trail or area is explicitly designated and posted for such use. However, the regulations do not provide clear guidance on which trails or areas are currently designated for bicycles. This lack of clarity may lead to confusion for the public, discourage appropriate recreational use, and create inconsistencies in enforcement.

The Parkway Master Plan supports a continuous multi-use trail system that accommodates a range of low-impact recreational uses, including bicycling where appropriate (**FG.3**). To support this goal and ensure consistent understanding of the rules, we recommend that the Conservancy develop and maintain a publicly accessible map or list of trails where bicycles are permitted. In addition, on-site signage at trailheads and key decision points within the Parkway would help ensure that visitors are aware of permitted uses.

Providing this information aligns with the Plan's emphasis on transparency and public engagement (**FG.6**) and will help ensure that users can enjoy the Parkway responsibly and confidently.

§§ 25018.01–25018.05 – Paddle Sports and Water Access

We request clarification on how the boating and paddle sports restrictions outlined in these sections align with public rights of access to navigable waterways, including the San Joaquin River.

The current draft indicates that boating and paddle sports are not permitted unless explicitly posted or authorized, which could be interpreted as broadly restricting access. We encourage the Conservancy to ensure that any regulations affecting the river itself are consistent with public trust protections and to provide clear maps and signage indicating where boating and launching are allowed.

Additional Suggestions

- Maintain a public record of all posted orders adopted under § 25015.04, both online and at key trailheads or entrances.
- Establish a regular review process for the regulations to allow for adjustments over time and in response to public feedback.
- Continue coordination with partner agencies and stakeholders, consistent with Parkway Master Plan Goal FG.6, to support transparent and cooperative decision-making.

The River Parkway Trust is committed to supporting safe and responsible use of the Parkway. We recognize that the Conservancy must balance many priorities, but we also believe that when the public feels welcomed, informed, and included, they are more likely to become stewards of the Parkway's future.

We recognize the importance of establishing clear regulations for Parkway lands and appreciate the opportunity to provide input during this process.

Sincerely,



Sarah Parkes
Assistant Director

Response: The additional 15-day comment period was publicized so comments could be made on the new language (double underlined) in the proposed regulation.

Regarding section 25015.05 the intent of the regulations is to allow for safe management of properties and the establishment of penal code that can be enforced by law enforcement. Creating timelines is outside of the intended purpose/focus of the regulations, therefore no action was taken on this comment. Regarding 25017.05 the proposed changes in this section eliminated language for straightforwardness and the safe operation of propelled devices. No additional action taken based on this comment. Regarding the comment for sections 25018.01-25018.05, the proposed regulations added the wording to section 25018.05 "Within a unit". Units are Conservancy owned properties. Due to The Conservancy not having jurisdiction over the San Joaquin River, the regulations do not apply to navigable waters in the river. The following language was added "This section does not apply to California State Lands Commission's legal guide

to the Public's Rights to access and use California's Navigable Waters", to help clarify that the proposed regulation does not affect public rights to navigable waters.

ALTERNATIVES THAT WOULD LESSEN THE ADVERSE ECONOMIC IMPACT ON SMALL BUSINESS

No alternative proposed to the Conservancy that would lessen any adverse economic impact on small businesses were rejected by the Conservancy.

ALTERNATIVES DETERMINATION

The Conservancy determined that no alternative it considered or that was otherwise identified and brought to its attention would be more effective in carrying out the purpose for which the regulation is proposed, would be as effective and less burdensome to affected private persons than the adopted regulations, or would be more cost effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

The proposed regulations are the most effective way identified by the Conservancy to manage its lands and protect public health, safety, habitat, and natural resources.

Based on public feedback, the Conservancy made modifications to better serve the public while still allowing for public safety and protection of natural and cultural resources. Most notably this was done by simplifying language in the bicycling section, simplifying rules regarding dogs, modifying the hours of operations and modifying the language to allow for cultural practices.

TAB J: STATEMENTS OF MAILING NOTICES

STATEMENT OF MAILING NOTICE
(Section 86 of Title 1 of the California Code of Regulations)

There were no persons in the categories specified in Government Code section 11346.4, subdivision (a)(1) through (4), regarding the mailing of the Notice of Proposed Regulatory Action (NOPA) to whom the NOPA had to be mailed. However, notice of the availability of the NOPA and the proposed text were available to the public at the office of the San Joaquin River Conservancy at 10637 N. Lanes, Fresno, CA 93730, and also on the Conservancy's website at www.sjrc.ca.gov beginning on October 18, 2024, over 45 days prior to the close of the public comment period and the public hearing that was held on December 4, 2024.

**STATEMENT OF MAILING NOTICES TO TRIBAL ORGANIZATIONS PURSUANT TO
THE CALIFORNIA DEPARTMENT OF NATURAL RESOURCES' TRIBAL
CONSULTATION POLICY**

On February 11, 2025, the Conservancy mailed the Notice of the Proposed Regulatory Action to 26 tribes with ancestral ties to the San Joaquin River. From February 11, 2025 to May 14, 2025, the Conservancy consulted with tribal organizations and allowed additional comments from tribal organizations regarding the proposed regulations.

**STATEMENT OF 15-DAY NOTICE OF AVAILABILITY OF MODIFIED TEXT
(Section 44 of Title 1 of the California Code of Regulations)**

On May 30, 2025, the Conservancy emailed the modified text of the regulation with a notice of the public comment period to those persons specified in subsections (a)(1) through (4) of Section 44 of Title 1 of the California Code of Regulations. In addition, notice of the availability of the modified text and the modified text were available to the public at the office of the San Joaquin River Conservancy at 10637 N. Lanes, Fresno, CA 93730 and also on the Conservancy's website www.sjrc.ca.gov. The public comment period for the modified text was from May 30, 2025, to June 16, 2025.

TAB K: ECONOMIC AND FISCAL IMPACT STATEMENT
(FORM 399)

ECONOMIC AND FISCAL IMPACT STATEMENT

(REGULATIONS AND ORDERS)

STD. 399 (Rev. 10/2019)

ECONOMIC IMPACT STATEMENT

DEPARTMENT NAME San Joaquin River Conservancy	CONTACT PERSON Kari Daniska	EMAIL ADDRESS kari.daniska@sjrc.ca.gov	TELEPHONE NUMBER 5992872650
DESCRIPTIVE TITLE FROM NOTICE REGISTER OR FORM 400 California Code of Regulations Title 14 Division 10 Chapter 2 Section 25015 et seq.			NOTICE FILE NUMBER Z

A. ESTIMATED PRIVATE SECTOR COST IMPACTS *Include calculations and assumptions in the rulemaking record.*

1. Check the appropriate box(es) below to indicate whether this regulation:

- | | |
|--|---|
| <input type="checkbox"/> a. Impacts business and/or employees | <input type="checkbox"/> e. Imposes reporting requirements |
| <input type="checkbox"/> b. Impacts small businesses | <input type="checkbox"/> f. Imposes prescriptive instead of performance |
| <input type="checkbox"/> c. Impacts jobs or occupations | <input type="checkbox"/> g. Impacts individuals |
| <input type="checkbox"/> d. Impacts California competitiveness | <input checked="" type="checkbox"/> h. None of the above (Explain below): |

Creates regulations for Conservancy-owned properties, does not impact economics.

If any box in Items 1 a through g is checked, complete this Economic Impact Statement.

If box in Item 1.h. is checked, complete the Fiscal Impact Statement as appropriate.

2. The _____ estimates that the economic impact of this regulation (which includes the fiscal impact) is:
(Agency/Department)

- ☐ Below \$10 million
- ☐ Between \$10 and \$25 million
- ☐ Between \$25 and \$50 million
- ☐ Over \$50 million *[If the economic impact is over \$50 million, agencies are required to submit a [Standardized Regulatory Impact Assessment](#) as specified in Government Code Section 11346.3(c)]*

3. Enter the total number of businesses impacted: _____

Describe the types of businesses (Include nonprofits): _____

Enter the number or percentage of total businesses impacted that are small businesses: _____

4. Enter the number of businesses that will be created: _____ eliminated: _____

Explain: _____

5. Indicate the geographic extent of impacts: ☐ Statewide
☐ Local or regional (List areas): _____

6. Enter the number of jobs created: _____ and eliminated: _____

Describe the types of jobs or occupations impacted: _____

7. Will the regulation affect the ability of California businesses to compete with other states by making it more costly to produce goods or services here? ☐ YES ☐ NO

If YES, explain briefly: _____

**ECONOMIC AND FISCAL IMPACT STATEMENT
(REGULATIONS AND ORDERS)**

STD. 399 (Rev. 10/2019)

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ECONOMIC IMPACT STATEMENT (CONTINUED)

B. ESTIMATED COSTS *Include calculations and assumptions in the rulemaking record.*

1. What are the total statewide dollar costs that businesses and individuals may incur to comply with this regulation over its lifetime? \$ _____
 - a. Initial costs for a small business: \$ _____ Annual ongoing costs: \$ _____ Years: _____
 - b. Initial costs for a typical business: \$ _____ Annual ongoing costs: \$ _____ Years: _____
 - c. Initial costs for an individual: \$ _____ Annual ongoing costs: \$ _____ Years: _____
 - d. Describe other economic costs that may occur: _____
2. If multiple industries are impacted, enter the share of total costs for each industry: _____
3. If the regulation imposes reporting requirements, enter the annual costs a typical business may incur to comply with these requirements. *Include the dollar costs to do programming, record keeping, reporting, and other paperwork, whether or not the paperwork must be submitted.* \$ _____
4. Will this regulation directly impact housing costs? ☐ YES ☐ NO
 If YES, enter the annual dollar cost per housing unit: \$ _____
 Number of units: _____
5. Are there comparable Federal regulations? ☐ YES ☐ NO
 Explain the need for State regulation given the existence or absence of Federal regulations: _____
- Enter any additional costs to businesses and/or individuals that may be due to State - Federal differences: \$ _____

C. ESTIMATED BENEFITS *Estimation of the dollar value of benefits is not specifically required by rulemaking law, but encouraged.*

1. Briefly summarize the benefits of the regulation, which may include among others, the health and welfare of California residents, worker safety and the State's environment: e proposed regulations will benefit the health and welfare of California residents, and the State's environment, by providing the Conservancy with additional tools to manage Conservancy-owned public lands.
2. Are the benefits the result of: ☐ specific statutory requirements, or ☒ goals developed by the agency based on broad statutory authority?
 Explain: The Conservancy is responsible for managing property to ensure public safety and environment protection.
3. What are the total statewide benefits from this regulation over its lifetime? \$ Unknown
4. Briefly describe any expansion of businesses currently doing business within the State of California that would result from this regulation: None

D. ALTERNATIVES TO THE REGULATION *Include calculations and assumptions in the rulemaking record. Estimation of the dollar value of benefits is not specifically required by rulemaking law, but encouraged.*

1. List alternatives considered and describe them below. If no alternatives were considered, explain why not: The Conservancy considered not pursuing the proposed regulations and continuing to rely on existing local and state regulations, but rejected due to its inconsistency with public land manager responsibilities and the purposes for which the Conservancy was created.

ECONOMIC AND FISCAL IMPACT STATEMENT (REGULATIONS AND ORDERS)

STD. 399 (Rev. 10/2019)

ECONOMIC IMPACT STATEMENT (CONTINUED)

2. Summarize the total statewide costs and benefits from this regulation and each alternative considered:

Regulation: Benefit: \$ Unknown Cost: \$ Unknown

Alternative 1: Benefit: \$ Unknown Cost: \$ Unknown

Alternative 2: Benefit: \$ Unknown Cost: \$ Unknown

3. Briefly discuss any quantification issues that are relevant to a comparison of estimated costs and benefits for this regulation or alternatives:

n/a

4. Rulemaking law requires agencies to consider performance standards as an alternative, if a regulation mandates the use of specific technologies or equipment, or prescribes specific actions or procedures. Were performance standards considered to lower compliance costs?

☐ YES

☒ NO

Explain: The proposed regulations do not mandate the use of specific technologies, equipment, actions, or procedures so it was not necessary to consider performance standards.

E. MAJOR REGULATIONS *Include calculations and assumptions in the rulemaking record.*

California Environmental Protection Agency (Cal/EPA) boards, offices and departments are required to submit the following (per Health and Safety Code section 57005). Otherwise, skip to E4.

1. Will the estimated costs of this regulation to California business enterprises exceed \$10 million? ☐ YES

☒ NO

***If YES, complete E2. and E3
If NO, skip to E4***

2. Briefly describe each alternative, or combination of alternatives, for which a cost-effectiveness analysis was performed:

Alternative 1: _____

Alternative 2: _____

(Attach additional pages for other alternatives)

3. For the regulation, and each alternative just described, enter the estimated total cost and overall cost-effectiveness ratio:

Regulation: Total Cost \$ _____ Cost-effectiveness ratio: \$ _____

Alternative 1: Total Cost \$ _____ Cost-effectiveness ratio: \$ _____

Alternative 2: Total Cost \$ _____ Cost-effectiveness ratio: \$ _____

4. Will the regulation subject to OAL review have an estimated economic impact to business enterprises and individuals located in or doing business in California exceeding \$50 million in any 12-month period between the date the major regulation is estimated to be filed with the Secretary of State through 12 months after the major regulation is estimated to be fully implemented?

☐ YES

☒ NO

If YES, agencies are required to submit a [Standardized Regulatory Impact Assessment \(SRIA\)](#) as specified in Government Code Section 11346.3(c) and to include the SRIA in the Initial Statement of Reasons.

5. Briefly describe the following:

The increase or decrease of investment in the State: _____

The incentive for innovation in products, materials or processes: _____

The benefits of the regulations, including, but not limited to, benefits to the health, safety, and welfare of California residents, worker safety, and the state's environment and quality of life, among any other benefits identified by the agency: _____

ECONOMIC AND FISCAL IMPACT STATEMENT
(REGULATIONS AND ORDERS)

STD. 399 (Rev. 10/2019)

FISCAL IMPACT STATEMENT

A. FISCAL EFFECT ON LOCAL GOVERNMENT *Indicate appropriate boxes 1 through 6 and attach calculations and assumptions of fiscal impact for the current year and two subsequent Fiscal Years.*

- ☐ 1. Additional expenditures in the current State Fiscal Year which are reimbursable by the State. (Approximate)
(Pursuant to Section 6 of Article XIII B of the California Constitution and Sections 17500 et seq. of the Government Code).

\$ _____

- ☐ a. Funding provided in _____

Budget Act of _____ or Chapter _____, Statutes of _____

- ☐ b. Funding will be requested in the Governor's Budget Act of _____

Fiscal Year: _____

- ☐ 2. Additional expenditures in the current State Fiscal Year which are NOT reimbursable by the State. (Approximate)
(Pursuant to Section 6 of Article XIII B of the California Constitution and Sections 17500 et seq. of the Government Code).

\$ _____

Check reason(s) this regulation is not reimbursable and provide the appropriate information:

- ☐ a. Implements the Federal mandate contained in _____

- ☐ b. Implements the court mandate set forth by the _____ Court.

Case of: _____ vs. _____

- ☐ c. Implements a mandate of the people of this State expressed in their approval of Proposition No. _____

Date of Election: _____

- ☐ d. Issued only in response to a specific request from affected local entity(s).

Local entity(s) affected: _____

- ☐ e. Will be fully financed from the fees, revenue, etc. from: _____

Authorized by Section: _____ of the _____ Code;

- ☐ f. Provides for savings to each affected unit of local government which will, at a minimum, offset any additional costs to each;

- ☐ g. Creates, eliminates, or changes the penalty for a new crime or infraction contained in _____

- ☐ 3. Annual Savings. (approximate)

\$ _____

- ☐ 4. No additional costs or savings. This regulation makes only technical, non-substantive or clarifying changes to current law regulations.

- ☒ 5. No fiscal impact exists. This regulation does not affect any local entity or program.

- ☐ 6. Other. Explain _____

ECONOMIC AND FISCAL IMPACT STATEMENT
(REGULATIONS AND ORDERS)

STD. 399 (Rev. 10/2019)

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FISCAL IMPACT STATEMENT (CONTINUED)

B. FISCAL EFFECT ON STATE GOVERNMENT *Indicate appropriate boxes 1 through 4 and attach calculations and assumptions of fiscal impact for the current year and two subsequent Fiscal Years.*

- ☐ 1. Additional expenditures in the current State Fiscal Year. (Approximate)
- \$

It is anticipated that State agencies will:

☐ a. Absorb these additional costs within their existing budgets and resources.

☐ b. Increase the currently authorized budget level for the Fiscal Year
- ☐ 2. Savings in the current State Fiscal Year. (Approximate)
- \$
- ☐ 3. No fiscal impact exists. This regulation does not affect any State agency or program.
- ☒ 4. Other. Explain

State employee time developing the regulations will be the only cost associated with the regulations, the costs will be absorbed within the existing state budget.

C. FISCAL EFFECT ON FEDERAL FUNDING OF STATE PROGRAMS *Indicate appropriate boxes 1 through 4 and attach calculations and assumptions of fiscal impact for the current year and two subsequent Fiscal Years.*

- ☐ 1. Additional expenditures in the current State Fiscal Year. (Approximate)
- \$
- ☐ 2. Savings in the current State Fiscal Year. (Approximate)
- \$
- ☒ 3. No fiscal impact exists. This regulation does not affect any federally funded State agency or program.
- ☐ 4. Other. Explain

<div>FISCAL OFFICER SIGNATURE</div> <div> <div>Signed by:</div> <div> <div></div> <div>AA9124F1C23E40C</div> </div> </div>	<div>DATE</div> <div>9/4/2024</div>
<div>The signature attests that the agency has completed the STD. 399 according to the instructions in SAM sections 6601-6616, and understands the impacts of the proposed rulemaking. State boards, offices, or departments not under an Agency Secretary must have the form signed by the highest ranking official in the organization.</div>	
<div>AGENCY SECRETARY</div> <div> <div></div> <div>Bryan Cash</div> </div>	<div>DATE</div> <div>9/6/2024</div>
<div>Finance approval and signature is required when SAM sections 6601-6616 require completion of Fiscal Impact Statement in the STD. 399.</div>	
<div>DEPARTMENT OF FINANCE PROGRAM BUDGET MANAGER</div> <div> <div></div> </div>	<div>DATE</div>

TAB L : BOARD ADOPTION OF REGULATIONS



STATE OF CALIFORNIA
**SAN JOAQUIN RIVER
CONSERVANCY**

GOVERNING BOARD

Robert Macaulay, Chairperson,
*Supervisor, Madera County Board of
Supervisors*

Kacey Auston, Vice-Chairperson,
*Director, Fresno Metropolitan Flood
Control District*

Mike Karbassi, Councilmember,
City of Fresno

Garry Bredefeld, Supervisor,
Fresno County Board of Supervisors

Elsa Mejia, Councilmember,
City of Madera

Julie Vance, Regional Manager,
Department of Fish and Wildlife

Kent Gresham, Sector Superintendent,
Department of Parks and Recreation

Jennifer Norris, Executive Director,
Wildlife Conservation Board

Gloria Sandoval, Deputy Secretary for
Access, Natural Resources Agency

Grace Kato, Acting Executive Officer,
State Lands Commission

Stephen Benson, Assistant Program
*Budget Manager, Department of
Finance*

Citizen Representatives

Bryn Forhan, *City of Fresno*

Daniel O'Connell, *Fresno County*

Jose Eduardo Chavez, *Madera County*

Stephanie Ruiz, *Youth*

Vacant, Tribal

Kari Kyler Daniska
Executive Officer

PO BOX 28338
Fresno, California 93729

San Joaquin River Conservancy Board Meeting

Meeting location: Fresno Metropolitan Flood Control District Board Room
5469 E. Olive Ave, Fresno, CA 93727

Meeting Minutes July 9, 2025 Board Meeting

The San Joaquin River Conservancy held a Board meeting at 9:00 a.m. on July 9, 2025, in the Fresno Metropolitan Flood Control Districts' Board Room located at 5469 E. Olive Ave, Fresno, CA 93727. Participants also joined the meeting from locations throughout the state via teleconference, utilizing the TEAMS virtual meeting platform. A quorum was established.

Board Members Present:

Robert Macaulay, Chairperson of the Board
Kacey Auston, Vice-Chairperson of the Board
Mike Karbassi, Board Member
Elsa Mejia, Board Member
Gerald Hatler, alternate for Board Member Julie Vance
Rebecca Fris, alternate for Board Member Jen Norris
Gloria Sandoval, Board Member
Cheryl Hudson, alternate for Board Member Grace Kato
Stephen Benson, Board Member
Bryn Forhan, Board Member
Daniel O'Connell, Board Member
Jose Eduardo Chavez, Board Member
Stephanie Ruiz, Board Member

Staff Members Present:

Kari Daniska, Executive Officer
Rebecca Raus, Staff Services Manager
Ashley Bybee, Clerk to the Board
Jackie K. Vu, Deputy Attorney General, Land Use & Conservation Section, Public Rights Division, California Department of Justice, attended via teleconference

Agenda Item G-4, Action Item: Approve and Adopt the San Joaquin River Conservancy Regulations. Executive Officer, Kari Daniska, presented an overview of the regulations, the process followed, and timeline to date. Kari Daniska recommended that the board approve and adopt the final version of the proposed regulations and the entire Rulemaking Record for submission to the Office of Administrative Law.

Kari Daniska explained that The San Joaquin River Conservancy has the authority to adapt public use regulations pursuant to 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. Adoption of the provisions is 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.

Executive Officer Kari Daniska directed the Board to the proposed regulations and rulemaking record in the Board Packet, including the rulemaking record which includes the 15-day Notice of Modified Text, all public comments received, and the Final Statement of Reasons that responded to the public comments.

Discussion followed with Board Member Bryn Forhan complimenting and thanking the Conservancy staff for dedication to the work and development of the regulations package. Sharon Weaver from the San Joaquin River Parkway and Conservation Trust had a public comment, she stated that she was concerned and asked for clarification on the executive officer's ability to permanently close properties and who had the authority to close a property. Her concern was addressed by both staff and the board which provided clarification.

Motion to give final approval of section 25015, of Title 14, of the California Code of Regulation, San Joaquin River Conservancy, and to delegate the executive officer to submit the proposed regulations and rulemaking record to the Office of Administrative Law for final approval and filing with the Secretary of State, and to make any non-substantive changes to the language, if necessary, was moved by Mr. Mike Karbassi. It was seconded by Ms. Kacey Auston. The item unanimously passed by the San Joaquin River Conservancy Board of Directors to approve the staff's recommendation for Item G-4 as presented.

ROLL CALL VOTE

Name	YES	NO	ABSTAIN
Mr. Macaulay	X		
Ms. Auston	X		
Mr. Karbassi	X		
Ms. Mejia	X		
Mr. Hatler	X		
Ms. Fris	X		
Ms. Sandoval	X		
Ms. Hudson	X		
Mr. Benson	X		
Ms. Forhan	X		
Mr. O'Connell	X		
Mr. Chavez	X		
Ms. Ruiz	X		