

Assembly Bill No. 3048

CHAPTER 605

An act to amend Sections 32510, 32515, and 32534 of the Public Resources Code, and to amend Sections 12260 and 12273 of the Water Code, relating to water.

[Approved by Governor September 15, 1994. Filed with Secretary of State September 16, 1994.]

LEGISLATIVE COUNSEL'S DIGEST

AB 3048, Costa. San Joaquin River: conservancy: management program.

(1) Existing law, the San Joaquin River Conservancy Act, establishes the San Joaquin River Conservancy to acquire and manage public lands within the San Joaquin River Parkway, as described, and requires that the governing board of the conservancy consist of 7 voting members and 5 ex officio, nonvoting members, as prescribed. The act also authorizes the conservancy, among other things, to accept any revenue, money, grants, goods, or services from any public agency, private entity, or person for any lawful purpose of the conservancy.

This bill would place the conservancy within the Resources Agency and increase to 6 the number of ex officio, nonvoting members of the governing board of the conservancy by requiring that the board also include the Secretary of the Resources Agency or a member of his or her executive staff designated by the secretary. The bill would additionally authorize the conservancy to expend, upon receipt, the revenue, money, or grants for capital improvements, land acquisitions, or support of the conservancy's operations.

(2) Existing law creates the San Joaquin River Management Program Advisory Council, with membership as prescribed, and requires the council to develop a management program for the San Joaquin River, as specified. Existing law makes related legislative findings and declarations. These provisions are to be repealed as of January 1, 1995.

This bill would extend those provisions until January 1, 2000, and would revise the related legislative findings and declarations.

*The people of the State of California do enact as follows:*

SECTION 1. Section 32510 of the Public Resources Code is amended to read:

32510. The San Joaquin River Conservancy is hereby established in the Resources Agency to acquire and manage public lands within the San Joaquin River 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. Approximately 1,900 acres of the parkway shall be located in Madera County and 4,000 acres in Fresno County, of which approximately 1,250 acres are already in public ownership. 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.

SEC. 2. Section 32515 of the Public Resources Code is amended to read:

32515. (a) The governing board of the conservancy shall consist of seven voting members and six ex officio, nonvoting members.

(b) The seven voting members of the board shall consist of the following:

(1) One member of the Board of Supervisors of Fresno County appointed by a majority of the members of that board.

(2) The mayor or a city council member designated by the Mayor of the City of Fresno.

(3) One member of the Board of Supervisors of Madera County appointed by a majority of the members of that board.

(4) The mayor or a city council member designated by the Mayor of the City of Madera.

(5) (A) One resident of Fresno County appointed by the Board of Supervisors of Fresno County from a list submitted by environmental organizations within that county. The board of supervisors may establish additional criteria for this appointment.

(B) One resident of Madera County appointed by the County Board of Supervisors of Madera County who is a property owner of San Joaquin River bottom. The board of supervisors may establish additional criteria for this appointment.

(C) Fresno County and Madera County shall rotate appointments pursuant to this paragraph so that each alternative time Madera County shall appoint a resident from a list submitted by environmental organizations within the county and Fresno County shall appoint the property owner.

(6) One resident of the City of Fresno appointed by the Fresno City Council. The city council may establish criteria for this appointment.

(c) The six ex officio, nonvoting members consist of the following officers or an employee of each agency designated annually by that officer to represent the office:

(1) The General Manager of the Fresno Metropolitan Flood Control District.

(2) The General Manager of the Madera Irrigation District.

(3) The Director of Fish and Game or a member of his or her executive staff designated by the director.

(4) The Executive Director of the Wildlife Conservation Board or a member of his or her executive staff designated by the executive director.

(5) The Director of Parks and Recreation or a member of his or her executive staff designated by the director.

(6) The Secretary of the Resources Agency or a member of his or her executive staff designated by the secretary.

SEC. 3. Section 32534 of the Public Resources Code is amended to read:

32534. The conservancy shall administer any funds appropriated to it and any revenue generated by member agencies for the parkway and contributed to the conservancy, and may expend those funds for capital improvements, land acquisition, or support of the conservancy's operations. Subject to Section 11005 of the Government Code, the conservancy may also accept any revenue, money, grants, goods, or services contributed to the conservancy by any public agency, private entity, or person, and, upon receipt, may expend any such revenue, money, or grants for capital improvements, land acquisitions, or support of the conservancy's operations.

SEC. 4. Section 12260 of the Water Code is amended to read:

12260. The Legislature hereby finds and declares all of the following:

(a) The San Joaquin River system has tremendous social, environmental, and economic value to the people of California for many consumptive and nonconsumptive beneficial purposes. The San Joaquin River system provides for flood protection, agricultural, municipal, and industrial uses, and for hydroelectric power, fish, wildlife, recreation, and navigation.

(b) Existing conditions on the San Joaquin River are less than satisfactory for many of the uses of the system, including water supply, water quality, flood protection, fisheries, wildlife habitat, and recreation.

(c) The San Joaquin River Management Program Advisory Council was created by legislation in 1990 to develop a management program to identify actions that may be taken to reach compatible solutions to water supply, water quality, flood protection, fisheries, wildlife habitat, and recreational needs.

(d) The advisory council has identified and described the issues and problems concerning the river system, coordinated with state and federal agencies on their respective programs and studies involving the San Joaquin River Basin, and is scheduled in 1995 to make recommendations for compatible solutions.

(e) The Central Valley Improvement Act (Public Law 102-575) directs the United States Department of the Interior to develop and coordinate with the state San Joaquin River Management Program a comprehensive plan, that is reasonable, prudent, and feasible, to address fish, wildlife, and habitat concerns on the San Joaquin River.

These are areas where the advisory council has already invested a great deal of effort and can make a considerable contribution.

(f) Extending the authorization for the advisory council will allow the advisory council to continue the consensus-building forum, planning, and study efforts, to pursue the implementation of recommended river improvements and management strategies identified in the advisory council's final report, and to coordinate activities relevant to the implementation of the federal act.

SEC. 5. Section 12273 of the Water Code is amended to read:

12273. This part shall remain in effect only until January 1, 2000, and as of that date is repealed, unless a later enacted statute, which is enacted before January 1, 2000, repeals or extends that date.