

Date of Hearing: April 21, 2025

ASSEMBLY COMMITTEE ON NATURAL RESOURCES

Isaac G. Bryan, Chair

AB 721 (Soria) – As Amended March 24, 2025

SUBJECT: Huron Hawk Conservancy

SUMMARY: Establishes the Huron Hawk Conservancy Act

EXISTING LAW:

- 1) Establishes the California Natural Resources Agency (NRA), which oversees six state departments, 11 conservancies, 17 boards and commissions, three councils, and one urban park in Los Angeles that consists of two museums. (Government Code 12805)
- 2) Establishes 10 conservancies under the NRA to oversee restoration projects, land acquisitions, and recreational opportunities, among other things, in their respective regional jurisdictions. (Public Resources Code divisions 21-23.6)

THIS BILL:

- 1) Defines the following terms:
 - a) “Huron Hawk area” as the land area north of the City of Huron, bordered on the east by the San Luis Canal, bordered on the west by South Trinity Avenue, bordered on the south by West Marmon Avenue, and including a spur of land extending along the east side of Lassen Avenue to a point between West Marmon Avenue and Palmer Avenue.
 - b) “Board” as the governing board of the Huron Hawk Conservancy.
 - c) “Conservancy” as the Huron Hawk Conservancy.
 - d) “Fund” as the Huron Hawk Conservancy Fund.
 - e) “Member agencies” as the County of Fresno, the City of Huron, the Wildlife Conservation Board (WCB), NRA, the Department of Fish and Wildlife (DFW), the Department of Parks and Recreation (State Parks), the Department of Finance (DOF), and the State Lands Commission (SLC).
- 2) Establishes the Conservancy as a state agency within NRA for all of the following purposes:
 - a) To acquire and manage public lands within the Huron Hawk area and to provide recreational, open space, wildlife habitat restoration and protection, and lands for educational uses within the area.
 - b) To acquire open-space lands within the Huron Hawk area.
 - c) To provide for the public’s enjoyment and to enhance the recreational and educational experience on public lands in the Huron Hawk area in a manner consistent with the protection of lands and resources in the area.

- 3) Limits the Conservancy's jurisdiction to the Huron Hawk area.
- 4) Establishes the Fund in the State Treasury. Moneys in the fund shall be made available for expenditure by the Conservancy, upon appropriation by the Legislature, for the purposes of this bill.
- 5) Requires the Board to consist of 12 members, appointed as follows:
 - a) One member of the Board of Supervisors of the County of Fresno appointed by a majority of the members of the board of supervisors. A majority of the members of the board of supervisors may appoint an alternate member from the board of supervisors.
 - b) The Mayor of the City of Huron or a member of the Huron City Council designated by that mayor. The mayor may designate an alternate member from the Fresno City Council.
 - c) The Director of the Department of Parks, After School, Recreation, and Community Services of the County of Fresno or the director's designee.
 - d) Three public members, two of whom shall be residents of the County of Fresno and one of whom shall be a resident of the City of Huron. The three public members shall be appointed in accordance with all of the specified procedures.
 - e) The Executive Director of the WCB or a member of the executive director's staff designated by the executive director.
 - f) The Secretary of NRA or a member of the secretary's staff designated by the secretary.
 - g) The Director of DFW or a member of the director's staff designated by the director.
 - h) The Director of State Parks or a member of the director's staff designated by the director.
 - i) The Director of DOF or a member of the director's staff designated by the director.
 - j) The Executive Officer of the SLC or a member of the executive officer's staff designated by the executive officer.
- 6) Requires six of the members of the Board to constitute a quorum for the transaction of the business of the Conservancy. The Board shall not transact the business of the Conservancy if a quorum is not present at the time a vote is taken. A decision of the Board requires an affirmative vote of five of the members of the Board, and the vote is binding with respect to all matters acted on by the Conservancy.
- 7) Requires members of the Board to serve for two-year terms. A vacancy on the Board shall be filled within 60 days from its occurrence by the appointing authority.
- 8) Prohibits a person from continuing as a member of the Board if the person ceases to hold the office that qualifies them for Board membership. Upon the cessation of holding that office, the person's membership on the Board shall automatically terminate.
- 9) Requires the chairperson and vice chairperson of the Board to be selected by a majority of the members of the board for one-year terms.

- 10) Requires meetings of the Board to be subject to the requirements of the Bagley-Keene Open Meeting Act.
- 11) Requires members of the Board to receive reimbursement for actual, necessary, and reasonable expenses. A member of the Board who is not a full-time public employee shall be compensated at a rate not to exceed \$100 per regular meeting, not to exceed 12 regular meetings a year. A member of the Board may waive compensation.
- 12) Requires the Conservancy to obtain and maintain adequate liability insurance or its equivalent for acts or omissions of the Conservancy's agents, employees, volunteers, and servants.
- 13) Requires the Conservancy to have, and may exercise, all rights and powers, expressed or implied, necessary to carry out the purposes of this bill, except as otherwise provided. The Conservancy shall not have the power to levy a tax, regulate land use, or exercise the power of eminent domain.
- 14) Requires the Conservancy to facilitate and coordinate the activities of its employees with the personnel of State Parks and DFW.
- 15) Authorizes the Conservancy to manage, operate, administer, and maintain lands and facilities owned by the Conservancy. Lands acquired by the Conservancy shall not be open to public use until the Board determines there are adequate funds available for the management of those lands. The Conservancy may adopt regulations governing the public use of Conservancy lands and may provide for the enforcement of those regulations.
- 16) Authorizes the Conservancy to employ an executive officer and other staff to perform functions that cannot be provided by the existing personnel of member agencies on a contractual basis or by volunteers.
- 17) Authorizes the Conservancy to recruit and coordinate volunteers and experts to conduct recreational programs and to assist with construction projects and the maintenance of facilities.
- 18) Authorizes the Conservancy to determine acquisition priorities and may acquire real property or an interest in real property within the Huron Hawk area from willing sellers and at fair market value or on other mutually acceptable terms. The Conservancy may acquire the property on its own or coordinate the acquisition through a member agency or other public agencies with appropriate responsibility and available funding or land to exchange.
- 19) Authorizes the Conservancy to provide technical assistance to landowners to ensure that their activities are compatible with or enhance the Huron Hawk area.
- 20) Authorizes the Conservancy to undertake site improvement projects; regulate public access; revegetate and otherwise rehabilitate degraded areas, in consultation with other public agencies with appropriate jurisdiction and expertise; upgrade deteriorating facilities; and construct new facilities as needed for outdoor recreation, nature appreciation and interpretation, and natural resource protection. These projects may be undertaken by the

Conservancy on its own or by member agencies, with the conservancy providing overall coordination through setting priorities for projects and assuring uniformity of approach.

- 21) Authorizes the Conservancy to accept revenue generated and contributed to the Conservancy by member agencies, which shall be deposited into the Fund. The Conservancy may also accept revenue, money, grants, goods, and services contributed to the conservancy by a public agency, private entity, or person, and the revenue, money, and grants shall be deposited into the Fund.
- 22) Provides that the Conservancy may sue and be sued.
- 23) Authorizes the Conservancy to enter into a contract or joint powers agreement with a public agency, private entity, or person necessary for the proper discharge of the Conservancy's duties.
- 24) Authorizes the Conservancy to award grants to local public agencies, state agencies, federal agencies, and nonprofit organizations.
- 25) Requires grants to nonprofit organizations for the acquisition of real property or interests in real property to be subject to all of the following conditions:
 - a) The Conservancy may acquire property at fair market value and consistent with the Property Acquisition Law, except that the acquisition price of lands acquired from public agencies shall be based on the public agencies' cost to acquire the land;
 - b) The Conservancy shall approve the terms under which the interest in land is acquired;
 - c) The interest in land acquired pursuant to a grant from the Conservancy shall not be used as security for a debt incurred by the nonprofit organization unless the Conservancy approves the transaction;
 - d) The transfer of land acquired pursuant to a grant shall be subject to the approval of the Conservancy and the execution of an agreement between the Conservancy and the transferee sufficient to protect the interests of the Conservancy;
 - e) The Conservancy shall have a right of entry and power of termination in and over all interests in real property acquired with state funds, which may be exercised if an essential term or condition of the grant is violated; and,
 - f) If the existence of the nonprofit organization is terminated for any reason, title to all interest in real property acquired with state funds shall immediately vest in the conservancy, except that, before that termination, another public agency or nonprofit organization may receive title to all or a portion of that interest in real property, by recording its acceptance of title, together with the Conservancy's approval, in writing.
- 26) Requires a deed or other instrument of conveyance whereby real property is acquired by a nonprofit organization pursuant to be recorded and shall set forth the executory interest or right of entry on the part of the Conservancy.

- 27) Authorizes the Conservancy to lease, rent, sell, exchange, or otherwise transfer real property, an interest in real property, or an option acquired under this bill to a local public agency, state agency, federal agency, nonprofit organization, individual, or other entity for management purposes pursuant to terms and conditions approved by the Conservancy. The Conservancy may request the Director of General Services to undertake these actions on its behalf.
- 28) Authorizes the Conservancy to initiate, negotiate, and participate in agreements for the management of land under its ownership or control with local public agencies, state agencies, federal agencies, nonprofit organizations, individuals, or other entities and may enter into any other agreements authorized by state or federal law.
- 29) Provides that if the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made.

FISCAL EFFECT: Unknown

COMMENTS:

1) Author's statement:

Conservancies offer an opportunity to support projects to the benefit of the natural environment and local communities. The defined Huron Hawk area stands as a vacant 3,000 acre plot of land home to a multitude of flora and fauna alongside a local community readily interested in projects to improve the site. However, there is an absence of any central entity or governmental body to facilitate the funding and development of these projects. The establishment of the Huron Hawk Conservancy would promote equitable access to a healthy environment for the underserved Central Valley region.

- 2) **State conservancies.** There are currently 11 independent conservancies under NRA that are charged with the protection and preservation of the lands within their statutorily specified jurisdictions. The conservancies also work to provide recreational opportunities, facilitate climate adaptation, connect people to the regional landscapes, and bring state investments to the region for the aforementioned purposes. The current conservancies include:

- Coastal Conservancy – established in 1976
- Santa Monica Mountains Conservancy – established in 1980
- Tahoe Conservancy – established in 1985
- Coachella Valley Mountains Conservancy – established in 1991
- San Joaquin River Conservancy – established in 1992
- San Diego River Conservancy – established in 2003
- Sacramento-San Joaquin Delta Conservancy – established in 2010
- San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy – established in 1999
- Baldwin Hills and Urban Watersheds Conservancy – established in 2000
- Sierra Nevada Conservancy – established in 2004
- Salton Sea Conservancy – established in 2024

All conservancies have a governing board, mission statement, geographic territory, and stipulated powers, duties, and limitations.

Existing law also establishes the WCB in DFW to provide a single and coordinated program for the acquisition of lands and facilities suitable for recreational purposes, and adaptable for conservation, propagation, and utilization of the fish and game resources of the state. The state's conservancies collaborate with the WCB to provide conservation and restoration programs and funding for the entire state.

The Safe Drinking Water, Wildfire Prevention, Drought Preparedness, and Clean Air Bond Act of 2024 (Proposition 4) authorizes various funding amounts for each of the existing conservancies.

- 3) **Huron Hawk Region.** The San Luis Canal Westside Detention Basin within Fresno County and near the City of Huron consists of an area with important opportunities for ecological, recreational, educational, and economic benefits to the neighboring central valley area, and is the largest publicly-owned riparian habitat in the Tulare Basin.

The City of Huron recognizes the multibenefit potential of this area, having requested the United States National Park Service in 2022 for assistance in transforming the land into a regional park and nature reserve. In 2023, the National Park Service Rivers, Trails, and Conservation Assistance Program selected the area to receive technical assistance.

The project site is owned by the United States Bureau of Reclamation and co-managed by the Department of Water Resources, in addition to being monitored by the United States Environmental Protection Agency. The author sees the area having unique and unutilized potential for 3,000 acres that can support the nearby communities. The author further contends that while many local groups have expressed interest in conducting projects that improve the site and provide environmental, educational, and recreational benefits to the region, there is no central entity to coordinate projects or collect and distribute funding, and no existing conservancy contains this site in its jurisdiction.

- 4) **Committee amendments.** The *committee may wish to consider* amending the bill as follows:
 - a) Clarify that the Conservancy is responsible for the ongoing management of acquired lands;
 - b) Specify that the list of individuals from the Board of Supervisors to the Senate and Assembly shall prioritize individuals that have historically been active in the region;
 - c) Require the Conservancy to adopt rules and procedures for conducting business; and,
 - d) Make this bill's provisions contingent upon availability of funds.

REGISTERED SUPPORT / OPPOSITION:

Support

Council of Fresno County Governments

Opposition

None on file

Analysis Prepared by: Paige Brokaw / NAT. RES. /