

CALIFORNIA TAHOE CONSERVANCY

TEXT OF PROPOSED REGULATIONS

Title 14, Division 5.3 of the California Code of Regulations Subject: Regulations on the Use of Conservancy Land

ARTICLE 1 – Definitions

Amend section 12052 to read as follows (deletions shown in ~~strikethrough~~; additions shown in underline):

§ 12052. ~~Executive Officer.~~ Definitions.

In addition to the definitions set forth in Title 7.42 of the Government Code, the following definitions shall apply to the regulations contained in this Division.

- (a) “Conservancy land” means any state-owned real property, including easements, over which the Conservancy has jurisdiction or management authority, or any real property over which the Conservancy has management authority through a current lease, memorandum of understanding, management agreement, or similar document.
- (b) “Designated parking area” means an area on Conservancy land that is improved as an off-street parking space or lot and that is held open for use by the public for the parking of vehicles.
- (c) “Executive Officer” means the executive officer of the California Tahoe Conservancy.
- (d) “Person” means any individual, corporation, operation, club, entity, or other association of persons.
- (e) “Recreation site” means an area of Conservancy land that has been designated, improved, or developed for recreational use, such as with picnic areas, day use areas, trails, or interpretive signage.
- (f) “Vehicle” means a motor vehicle as defined in Vehicle Code section 415, and includes a recreational vehicle as defined in Health and Safety Code section 18010.

Authority cited: Sections 66906.4, 66907.9 Government Code. Reference: Sections 66906, 66906.6, 66906.9, Government Code; Section 21113, Vehicle Code.

ARTICLE 6 – Use of Conservancy Land

Add a new Article 6, “Use of Conservancy Land,” and add new sections 12130 – 12133 to read as follows:

§ 12130. Temporary Closures of Conservancy Land.

- (a) The Executive Officer may close Conservancy land, or any portion thereof, to the general public when deemed necessary due to any of the following circumstances:
 - i. fire, mudslide, landslide, flood, erosion, or other such dangers pose a substantial risk to public health and safety or to natural resources;

- ii. a federal, state, or local disaster or emergency declaration has been made by an authorized person or public agency;
 - iii. resource management, restoration, maintenance, or construction activities are being undertaken that pose a potential risk to public health and safety;
 - iv. to prevent or reduce environmental disturbance or damage; or
 - v. to protect habitat, wildlife, or other natural or cultural resources.
- (b) The Conservancy shall post notice of the closure at the area to which the closure applies and on the Conservancy's website. The notice shall identify the area(s) closed; describe the restriction(s) on use; state the reason(s) for the closure; and specify the period of time during which the closure applies. In addition, the Executive Officer or designee shall report the closure at the next regular meeting of the Conservancy's governing body.
- (c) Unless otherwise authorized, no person shall enter or remain on Conservancy land that is subject to a closure. In addition to any other penalties provided by law, unauthorized entry may be considered a trespass pursuant to Penal Code section 602. This restriction shall not apply to Conservancy employees or designees in the performance of official duties.

Authority cited: Section 66907.9, Government Code; Reference: Section 66907.9, Government Code.

§ 12131 Vehicle Parking.

- (a) Unless otherwise authorized, no person shall park any vehicle on Conservancy land except in conformance with posted signs and with the regulations set forth in this section. The Conservancy shall maintain a copy of the parking regulations contained herein at the Conservancy office and on its website.
- (b) Unless otherwise authorized, no person shall park a vehicle in any area of Conservancy land other than in a designated parking area.
- (c) The Conservancy may prohibit parking in any designated parking area, or in portions thereof, seasonally or during all or certain hours of the day. Any such parking restriction shall become effective when signs giving notice of the hours that parking is prohibited have been posted at the designated parking area.
- (d) In conjunction with a use permit, license, or other written authorization to use or perform work on Conservancy land, the Executive Officer or designee may issue a permit to park a vehicle outside of a designated parking area or during restricted hours. The parking permit must be displayed on the vehicle dashboard or rear-view mirror while parked on Conservancy land. All parking permits shall indicate an expiration date.
- (e) Parking in violation of this section shall be subject to a civil parking penalty pursuant to Vehicle Code Section 40200 et seq. Penalties for parking violations and late payments shall be in the amounts established by the applicable fee schedule of the city or county in which the violation occurs.
- (f) This section shall not apply to Conservancy employees or designees in the performance of official duties.

Authority cited: Section 66907.9, Government Code; Section 21113, Vehicle Code. Reference: Section 66907.9, Government Code; Sections 21113, 40200, 40203.5, Vehicle Code.

§ 12132. Recreation Sites Hours of Use.

- (a) Recreation sites are open to the general public from sunrise to sunset, unless otherwise posted. The hours of use shall be posted at the entrance to each recreation site and on the Conservancy's website.
- (b) In conjunction with a use permit, license, or other written authorization to use or perform work on Conservancy land, the Executive Officer or designee may issue a permit to enter or remain in a recreation site between closing and opening hours.
- (c) Unless otherwise authorized, no person shall enter or remain in any recreation site between closing and opening hours. In addition to any other penalties provided by law, unauthorized entry may be considered a trespass pursuant to Penal Code section 602. This restriction shall not apply to Conservancy employees or designees in the performance of official duties.

Authority cited: Section 66907.9, Government Code. Reference: Section 66907.9, Government Code.

§ 12133. Damage to Trees or Vegetation.

- (a) No person shall willfully or negligently cut, destroy, injure, burn, or remove, any tree, shrub, bush, or other vegetation that is growing or standing on Conservancy land, except when authorized in writing by the Conservancy.
- (b) This section does not apply to activities undertaken by the Conservancy in conjunction with resource management activities, or to any person engaged in authorized fire suppression or management.

Authority cited: Section 66907.9, Government Code. Reference: Section 66907.9, Government Code.