



[Up^](#) [Add To My Favorites](#)

GOVERNMENT CODE - GOV

TITLE 12. GREAT REDWOOD TRAIL AGENCY ACT [93000 - 93030] (Heading of Title 12 amended by Stats. 2021, Ch. 423, Sec. 2.)

CHAPTER 3. Powers and Duties of Authority [93020 - 93027] (Chapter 3 added by Stats. 1989, Ch. 1085, Sec. 1.)

93020. (a) The agency has all of the following powers:

- (1) To acquire, own, operate, and lease real and personal property reasonably related to the furtherance of the purposes of this title.
- (2) To operate railroads.
- (3) To accept grants or loans from state or federal agencies.
- (4) To employ an executive officer, other staff, and consultants deemed appropriate for support of the activities of the agency, to further the purposes of this title.

(b) The agency shall cooperate with, and provide information upon request to, the Transportation Agency, Natural Resources Agency, or other state or local agencies or contractors working at the direction of the Transportation Agency or Natural Resources Agency.

(c) This section shall become operative on March 1, 2022.

(Repealed (in Sec. 14) and added by Stats. 2021, Ch. 423, Sec. 15. (SB 69) Effective January 1, 2022. Operative March 1, 2022, by its own provisions.)

93021. (a) The agency may acquire, own, lease, and operate railroad lines and equipment, including, but not limited to, real and personal property, tracks, rights-of-way, equipment, and facilities, to further the purposes of this title.

(b) This section shall become operative on March 1, 2022.

(Repealed (in Sec. 16) and added by Stats. 2021, Ch. 423, Sec. 17. (SB 69) Effective January 1, 2022. Operative March 1, 2022, by its own provisions.)

93022. (a) To the extent funding is available, the agency shall do all of the following:

- (1) Initiate, complete, or initiate and complete the federal Surface Transportation Board's railbanking process on its rail rights-of-way. The federal Surface Transportation Board's railbanking process may be initiated, completed, or initiated and completed by segment of the rail rights-of-way.
- (2) Inventory any parcel, easement, or contract related to its rail rights-of-way.
- (3) Complete an environmental assessment of the conditions of the rail rights-of-way for purposes of trail development.
- (4) Plan, design, construct, operate, and maintain a trail in, or parallel to, the rail rights-of-way.
- (5) Conduct a thorough community engagement process that includes landowners, trail advocates, environmental groups, and the community at large. Items to be discussed during this process include, but are not limited to, trail configurations in, and parallel to, the rail rights-of-way, including those on public lands, connecting the trail to other trails, and rail-crossing access and fees.

(6) Honor existing trail licenses and work with local and state governments, tribal governments, and community groups to expeditiously provide new trail license agreements that meet the goal of this title.

(7) Use the services of the California Conservation Corps or certified community conservation corps, as defined in Section 14507.5 of the Public Resources Code, wherever feasible, for projects related to trails, environmental enhancements, and restoration, and other improvement projects.

(8) Use the services of conservation organizations, wherever feasible, for projects related to trails, fishing access, fish passage barrier restoration, and other environmental enhancement, restoration, and improvement projects.

(9) Prepare and implement a master plan for the rail rights-of-way, including any environmental analysis required pursuant to the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code).

(10) Before January 1, 2024, and annually thereafter, submit a report to the Legislature, in compliance with Section 9795, describing the agency's progress towards fulfilling the requirements and goals relating to the rail rights-of-way.

(b) To the extent funding is available, the agency may do any of the following:

(1) Contract with public and private entities for trail management.

(2) Contract with an operator to operate excursion rail service, except that the excursion rail service shall not interfere with or harm the rail rights-of-way. The operator shall pay all expenses associated with rail construction, maintenance, and operation, including equipment, track safety, bridges, trestles, and pedestrian safety applicable to the excursion rail service.

(3) Work with landowners, fishing organizations, and others to locate and provide fishing and river access along the rail rights-of-way and to discourage and prevent trespassing on private property.

(c) This section shall become operative on March 1, 2022.

(Repealed and added by Stats. 2021, Ch. 423, Sec. 19. (SB 69) Effective January 1, 2022. Operative March 1, 2022, by its own provisions.)

93024. (a) The agency shall have and may exercise all rights and powers, expressed or implied, necessary to carry out the purposes and intent of this title, including, but not limited to, all of the following:

(1) To enter into and perform all necessary contracts pursuant to Article 53.5 (commencing with Section 20815) of Chapter 1 of Part 3 of Division 2 of the Public Contract Code. For purposes of Article 53.5 (commencing with Section 20815) of Chapter 1 of Part 3 of the Public Contract Code, the agency is a recreation and park district.

(2) To fix and collect fees for the use of any land owned or controlled, or for any service provided, by the agency. This subdivision does not authorize the agency to fix or collect a fee for public access to the land owned or controlled by the agency.

(3) To make grants.

(4) To acquire any real or personal property within or outside the agency, to hold, manage, occupy, dispose of, convey and encumber the property, and to create a leasehold interest in the property for the benefit of the agency.

(5) To lease, rent, sell, exchange, or transfer interests in real property if doing so is both consistent with the potential full restoration of railroad use upon an order of the federal Surface Transportation Board without cost to the agency, and would not interfere with the continuous use of the rail rights-of-way pursuant to trail standards recommended by the American Association of State Highway and Transportation Officials.

(6) To undertake or fund projects and programs implementing this title or relating to the rail rights-of-way.

(7) To provide for the management of the rail rights-of-way.

(8) To apply for and accept grants, gifts, donations of money and property, subventions, rents, royalties, or other assistance from public or private sources.

(9) To recruit and coordinate volunteers and experts to conduct interpretive and recreational programs, and to assist with construction projects and the maintenance of facilities.

(10) To enter into contracts and joint powers agreements pursuant to the Joint Exercise of Powers Act (Chapter 5 (commencing with Section 6500) of Division 7 of Title 1).

(11) To sue and be sued.

(12) To contract with the State Coastal Conservancy, a state agency, or another organization to staff the agency. A state agency may contract with, and provide services to, the agency consistent with Section 11256. Upon a state agency contracting with the agency, the state agency may contract for professional services on behalf of the agency pursuant to Section 4526 and the state agency's regulations.

(13) To hire and appoint necessary employees, to define their qualifications and duties, and to provide a schedule of compensation for performance of their duties.

(14) To engage counsel and other professional services.

(15) To borrow money, give security therefor, and purchase on contract.

(16) To adopt a seal and alter it at pleasure.

(17) To adopt ordinances following the procedures of Article 7 (commencing with Section 25120) of Chapter 1 of Part 2 of Division 2 of Title 3.

(18) To adopt and enforce rules and regulations for the administration, operation, use, and maintenance of trails, excursion rail service, and other recreational facilities and programs implemented pursuant to this title.

(19) To provide insurance pursuant to Part 6 (commencing with Section 989) of Division 3.6 of Title 1.

(b) This section shall become operative on March 1, 2022.

(Added by Stats. 2021, Ch. 423, Sec. 20. (SB 69) Effective January 1, 2022. Operative March 1, 2022, by its own provisions.)

93025. The state is not liable for any contracts, debts, or other obligations of the North Coast Railroad Authority, its predecessor in interest, or the agency.

(Amended by Stats. 2021, Ch. 423, Sec. 21. (SB 69) Effective January 1, 2022.)

93026. (a) The agency shall be subject to the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5) and the California Public Records Act (Division 10 (commencing with Section 7920.000) of Title 1).

(b) This section shall become operative on March 1, 2022.

(Amended by Stats. 2022, Ch. 28, Sec. 78. (SB 1380) Effective January 1, 2023.)

93027. (a) On or before July 1, 2022, the agency shall hire or contract for professional staff necessary to fulfill the requirements of this title, including by exercising its authority pursuant to paragraph (12) of subdivision (a) of Section 93024. This subdivision does not limit the authority granted elsewhere in this title.

(b) On or before March 1, 2023, in compliance with Section 9795, the agency shall report to the Legislature on the status of the agency and recommendations for a potential governing structure for the agency, including the board's structure and the agency's professional staff.

(c) This section shall become operative on March 1, 2022.

(d) This section shall remain in effect only until January 1, 2027, and as of that date is repealed.

(Added by Stats. 2021, Ch. 423, Sec. 23. (SB 69) Effective January 1, 2022. Operative March 1, 2022, by its own provisions. Repealed as of January 1, 2027, by its own provisions.)