

**FIFTH ORDER OF THE COUNTY OF KINGS BOARD OF SUPERVISORS IN
RESPONSE TO A LOCAL EMERGENCY DUE TO FLOODING ALLOWING
RECREATIONAL ACTIVITY ON THE RIVER AND ON THE LEVEES AND
PARKS THAT ABUT THE RIVER**

DATE OF ORDER: AUGUST 1, 2023

WHEREAS, on March 10, 2023, the Kings County Emergency Services Director issued Proclamation 23-01 pursuant to Government Code Section 8630 and Section 6-7 of the County of Kings Code of Ordinances proclaiming a local emergency in Kings County due to conditions of disaster and extreme peril to the safety of persons and property caused by the large amounts of snow accumulated in the Sierra Nevada Mountains, precipitation from atmospheric river storms and imminent flooding the County will experience as a result;

WHEREAS, on March 14, 2023, Proclamation 23-01 was ratified by the Kings County Board of Supervisors and remains in full force and effect;

WHEREAS, pursuant to Government Code Section 8634, the Board of Supervisors is empowered to make and issue orders and regulations during a local emergency on matters reasonably related to the protection of life and property;

WHEREAS, on April 4, 2023, the Board of Supervisors issued a Third Order regulating public access in and around waterbodies and waterways, and urging all persons to avoid the airspace above and around waterbodies and waterways;

WHEREAS, on June 27, 2023, the Board of Supervisors issued a Fourth Order amending it's Third Order to allow for greater public access to the County's waterbodies and waterways due to decreases in the rates of water flow;

WHEREAS, emergency conditions in and around the County's waterbodies and waterways have continued to evolve and the rates of water flow therein have continued to decrease;

WHEREAS, in response to the changed conditions, the Board of Supervisors desires to allow recreational activity on and in the Kings River, Tule River, the Cross Creek Canal and any other waterway within the County of Kings Jurisdiction and to allow public access to the public land and Parks that abut the River; and

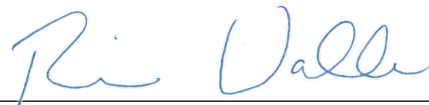
WHEREAS, the Board of Supervisors also desires to delegate authority to the Director of Emergency Services to take further action as necessary to limit or allow public access in and around the County's waterbodies and waterways during the course of this emergency.

NOW, THEREFORE, it is ordered as follows:

1. All prior emergency orders and regulations issued by the Board of Supervisors shall remain in full force and effect, except as modified by this order and the regulations contained herein.

2. Notwithstanding any prior order issued pursuant to this emergency, the public shall be allowed on and in the Kings River, Tule River, the Cross Creek Canal and any other waterway within the County of Kings Jurisdiction and shall be allowed to access public land and parks that abut the River for recreational purposes.
3. The area identified as the Tulare Lake shall remain closed to public access. Landowners are exempt for business related purposes to access the Lake at their own risk. Recreation is not allowed on the Tulare Lake for any persons.
4. The Director of Emergency Services is delegated the authority to take further action as necessary to limit or allow public access in and around the County's waterbodies, waterways, public land, and parks in response to this ongoing emergency.
5. A copy of this order shall be posted online on the Kings County Board of Supervisors web page. Copies shall additionally be posted outside at the Kings County Government Center and in one public place within any area of the County within which this order and regulation applies. Personnel of the County of Kings shall endeavor to make copies of this order and regulation available to the news media.

Date: August 1, 2023



Richard Valle, Chairman
County of Kings Board of Supervisors

Approved as to form:



Diane Freeman, County Counsel