

DATE: November 23, 2015
TO: RMC Governing Board
FROM: Mark Stanley, Executive Officer
SUBJECT: Item 8A: Executive Officer's Report- Legislation and Initiatives

For full text and history of bills and initiatives, visit these web sites:

Federal Bills: <https://www.congress.gov>
State Bills: <http://www.leginfo.ca.gov/>

STATE LEGISLATION
Current as of 11/13/2015

The CA State Assembly has adjourned and will not reconvene until January 4, 2016. The following are legislative bills that have been approved and signed by Governor Brown and will take effect on January 1, 2016.

AB 530 (Rendon): Lower LA River Working Group-Signed into Law by Governor Brown on October 9, 2015

Existing law provides for the protection, enhancement, and restoration of rivers in this state. Existing law establishes the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy for the purpose of, among others, providing for the public's enjoyment and enhancement of recreational and education experiences on public lands in the San Gabriel Watershed and Lower Los Angeles River. This bill would require the Secretary of the Natural Resources Agency to appoint, in coordination with the Los Angeles County Board of Supervisors, a local working group to develop a revitalization plan for the Lower Los Angeles River, called the **Lower Los Angeles River Working Group**. The bill would specify a prescribed membership for the working group, including, among others, representatives from the County of Los Angeles, and elected officials of the cities riparian to the Los Angeles River. The bill would require, by March 1, 2017, the working group to develop, through watershed-based planning methods, a revitalization plan that addresses the unique and diverse needs of the Lower Los Angeles River, that is consistent with, enhances, and is incorporated into the County of Los Angeles's Master Plan, and that includes watershed education programs. By imposing additional duties on local officials, the bill would impose a state-mandated local program. The bill would require the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy to provide any necessary staffing to assist the working group.

LAST HIST. ACT. DATE: 10/9/2015
 LAST HIST. ACTION: Signed by Governor Brown

AB 1251 (Gomez D) Greenway Development and Sustainment Act: Signed into Law by Governor Brown on October 8, 2015

Summary: Would enact the Greenway Development and Sustainment Act and would authorize specified tax-exempt nonprofit organizations to acquire and hold a greenway easement, similar

to a conservation easement if the organizations have as their primary purpose the development of a greenway, as defined. The bill would also include greenways in the definition of "open-space land" for local planning purposes. The bill would make findings with regard to the development of a greenway along the Los Angeles River and its tributaries and would declare that, by developing a greenway, a city, county, or city and county, may apply for funds from various sources.

The California Constitution provides that, unless otherwise provided in the Constitution or by federal law, all property in the state is taxable and is assessed at its fair market value. Existing law requires the county assessor to consider, when valuing real property for property taxation purposes, the effect of any enforceable restrictions, including recorded conservation easements, to which the use of the land may be subjected. This bill would provide that a recorded greenway easement constitutes an enforceable restriction for purposes of these tax provisions. By changing the manner in which county assessors assess property for property taxation purposes, this bill would impose a state-mandated local program. The bill would make findings with regard to the development of a greenway along the Los Angeles River and its tributaries. This bill would incorporate additional changes in Section 402.1 of the Revenue and Taxation Code, proposed by AB 668, to be operative only if AB 668 and this bill are both chaptered and become effective on or before January 1, 2016, and this bill is chaptered last.

LAST HIST. ACT. DATE: 10/8/2015
 LAST HIST. ACTION: Signed by Governor Brown

RMC BOARD COMPOSITION

SB 355. Senator Ricardo Lara. An act to amend Section 32605 of the Public Resources Code, relating to the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy, board composition: Signed into Law by Governor Brown on October 9, 2015

Existing law establishes the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy, which is responsible for the preservation and protection of specified lands within the San Gabriel and Lower Los Angeles Rivers and Mountains area, as defined. Existing law prescribes the duties of the conservancy, and requires that its governing board be comprised of 13 voting members and 7 nonvoting members, as specified. Existing law requires that the voting members include, among other members, representatives of the San Gabriel Valley Council of Governments, the Gateway Cities Council of Governments, and the Orange County Division of the League of California Cities, as prescribed. This bill would increase to 15 the number of voting members of the governing board, by adding 2 members who are residents of a city not otherwise represented on the governing board at the time of the member's appointment, one bordering the Lower Los Angeles River and the other bordering the San Gabriel River, as prescribed. The bill would also increase the number of nonvoting members to 9, and would require that one Member of the Senate, appointed by the Senate Committee on Rules, and one Member of the Assembly, appointed by the Speaker of the Assembly, serve as nonvoting members. The bill would require that those legislators serving as nonvoting members participate in activities of the conservancy only to the extent that participation is compatible with his or her duties as a legislator.

LAST HIST. ACT. DATE: 10/9/2015
 LAST HIST. ACTION: Signed by the Governor

WATER

SB 208 (Lara). Integrated Regional Water Management Projects. Advance payment: Signed into Law by Governor Brown on October 8, 2015

\$810,000,000 is to be available from the water bond, Proposition 1, for expenditures on, and competitive grants and loans to projects that are included in and implemented in an adopted integrated regional water management plan and respond to climate change and contribute to regional water security. This bill would require a regional water management group within 90 days of notice that a grant has been awarded, to provide the Department of Water Resources with a list of projects to be funded by the grant funds where the project proponent is a nonprofit organization, as defined, or a disadvantaged community, as defined, or the project benefits a disadvantaged community. This bill would require the department, within 60 days of receiving the project information, to provide advance payment of 50 % of the grant award for those projects that satisfy specified criteria and would require the advanced funds to be handled, as prescribed.

LAST HIST. ACT. DATE: 10/8/2015
 LAST HIST. ACTION: Signed by the Governor

Cap & Trade Expenditure Plan

The California Global Warming Solutions Act of 2006 (AB 32) established California as a global leader in reducing greenhouse gas emissions (GHGs). To meet the goals of AB 32, the state has adopted a three-pronged approach to reducing emissions, including adopting standards and regulations, providing emission reduction incentives via grant programs, and establishing a market-based compliance mechanism known as Cap and Trade. The Cap and Trade program sets a statewide limit on the GHG sources responsible for 85 percent of California GHG emissions. Through an auction mechanism, it establishes a financial incentive for industries subject to the statewide cap to make long-term investments in cleaner fuels, more efficient energy use, and transformational technological and scientific innovations. The Cap and Trade program provides GHG emitters the flexibility to implement the most efficient options to reduce GHG emissions. Based on the first update to the Climate Change Scoping Plan, the Cap and Trade program will be responsible for approximately 30 percent of the required GHG emission reductions to meet the AB 32 goal of reducing GHG emissions to 1990 levels by 2020.

Chapter 830, Statutes of 2012 (SB 535), requires that the state invest at least 10 percent of the auction proceeds within the most disadvantaged communities and at least 25 percent of the proceeds be invested to benefit these communities. The California Environmental Protection Agency, directed by SB 535, will determine the list of disadvantaged communities using CalEnviroScreen, a tool developed by the Office of Environmental Health Hazard Assessment, in collaboration with stakeholders and an advisory group.

FEDERAL LEGISLATION & BILLS

Judy Chu: H.R. 3820, the San Gabriel Mountains Foothills and Rivers Protection Act 114th Congress (2015-16)

This bill, which has been referred to the House Committee on Natural Resources, includes two objectives: 1) Expansion of the National Monument and 2) Establishment of the San Gabriel National Recreation Area. The National Monument expansion would extend the recently designated San Gabriel Mountains National Monument boundary to include the western areas

the San Gabriel Mountains currently held within the Angeles National Forest. Establishment of the San Gabriel National Recreation Area would create a National Recreation Area (NRA) along the Foothills, San Gabriel River and Rio Hondo corridors, and the western Puente-Chino Hills.

Introduced: 10/23/15

Latest Action: 10/23/2015 Referred to the House Committee on Natural Resources

Land and Water Conservation Fund

After a 50-year run, the LWCF Act was allowed to expire on September 30, 2015. Some say this was America's most important conservation program, putting America's National Parks, battlefields, forests, Wildlife Refuges and outdoor recreation sites at risk. For 50 years, the Land and Water Conservation Fund (LWCF) has kept a simple promise to the American people: when we allow offshore drilling for oil and gas that belongs to all of us, we set aside a small portion of the proceeds to protect America's greatest places. Today that linkage between resource extraction and investment in the parks and places that make America great disappeared. Congress could still appropriate money for it in annual spending bills, such as the fiscal 2016 Interior appropriations bills, to be determined.

The Land and Water Conservation Fund does not use any taxpayer money; it is funded entirely by oil extraction profits from offshore drilling. It is universally popular with the American people.

To reauthorize the law the Senate Energy Committee approved legislation (S 2012) July 30 that would reauthorize LWCF permanently. The bill, from chairman Lisa Murkowski (R-Alaska) and ranking Democrat Maria Cantwell (D-Wash.), would also establish a \$150 million per year Park Service maintenance account.

In the legislation Murkowski and Cantwell would specify minimum annual allocations within LWCF, such as at least 40 percent per year for federal land acquisition and at least 1.5 percent per year (or more than \$10 million) for access to federal land for recreational purposes. Finally, the bill would require expenditure of at least 40 percent of annual LWCF appropriations for a combination of state LWCF grants, Forest Legacy grants, endangered species grants and an American Battlefield Protection Program

On LWCF's behalf in the Senate, 13 Republicans voted for an extension of LWCF January 29 when Sen. Richard Burr (R-N.C.) offered such an amendment to a Keystone Pipeline System bill. The amendment was defeated by a 59-to-49 vote, with 60 votes needed to pass.

Five Republican senators led by Burr have sponsored stand-alone legislation (S 338) this year that would make LWCF permanent at \$900 million per year. Six Democrats cosponsored the Burr bill.

House leaders are being urged to act. On September 10 several of the bill's cosponsors reestablished a Land Conservation Caucus to promote conservation, including LWCF. Caucus member Rep. Ryan Costello (R-Pa.) said, "In Southeastern Pennsylvania, the conservation and security of public lands like the Susquehanna and Delaware River Basins, the Schuylkill River National Heritage Area, the Highlands, and the Valley Forge National Historic Park is a top priority of mine. Preserving these lands so that future generations can enjoy them is a priority."

On the same day 114 hunting and fishing businesses wrote House and Senate leaders urging them to reauthorize LWCF. Said Ryan Callaghan, marketing manager with First Lite, "The

success of our company depends on the ability of everyday American sportsmen to be able to find quality places to hunt. The Land and Water Conservation Fund is a success story in funding conservation and access and in providing quality opportunities for sportsmen to hunt on public lands.”

From the Grand Canyon National park to the Appalachian national Scenic Trail, the LWCF has helped to protect some of America’s most treasured places, conserving national parks and public recreation areas, lands by rivers, working forests, farms and ranches, fish and wildlife refuges, trails and state and local parks.

National Parks Service Bicentennial

On September 1 the Obama administration detailed in bill form its recommendations for increased spending to support the Park Service in its Centennial year 2016, and beyond. The National Park Service Centennial Act would further the agency’s legacy of protecting, preserving and sharing some of the Nation’s most iconic sites with all Americans. The legislation proposes further funding for critical infrastructure projects, leveraging public-private donations and partnerships to enhance visitor experiences, and expanding volunteer and job opportunities in national parks and historic sites across the country

The proposal follows up on the administration’s fiscal year 2016 appropriations request of February 2, which asks Congress to ante up an extra \$326.3 million over fiscal 2015 for the Centennial under existing authorities. That includes \$242.8 million for deferred maintenance and \$40 million for Centennial Challenge grants.

The follow-up legislative proposal, like the appropriations request, asks Congress for an additional \$500 million per year in new legislative authority, broken down into \$100 million for a new Centennial Challenge Fund, \$300 million for deferred maintenance in a new Second Century Infrastructure Investment and \$100 million for a new competitive Public Lands Centennial Fund. Money in the last category would be available for other Interior Department land management agencies, as well as the Forest Service.

Separately, the proposed legislation recommends that Congress establish a Second Century Endowment for NPS composed of revenues from donations to the National Park Foundation. The draft bill is here: <http://www.nps.gov/subjects/centennial/nps-centennial-act.htm>.

2015 Legislative Session - Environmental Legislation

Year	Bill #	Description	Issue	Assembly	Senate	Governor
2015	AB 1288	Environmental justice representation on Air Resources Board	Air Quality Environmental Justice	Good Good	Good Good	Good Good
2015	AB 1461	The New Motor Voter Act--voter registration	Good Government	Good Good	Good Good	Good Good
2015	AB 1496	Reducing methane emissions	Air Quality Oil & Gas	Good Good	Good Good	Good Good
2015	AB 356	Oil & gas groundwater monitoring	Oil & Gas Toxics & Chemicals Water Quality & Supply	Bad Bad	No Action No Action	No Action No Action
2015	AB 693	Multifamily affordable housing solar program	Clean & Renewable Energy Environmental Justice	Good Good	Good Good	Good Good
2015	AB 744	Reducing parking minimums for affordable housing near transit	Environmental Justice Smart Growth, Land Use & Planning	Good Good	Good Good	Good Good
2015	AB 888	Removing ugly plastics from beauty products (2015)	Ocean / Coastal Protection Recycling / Waste Reduction Toxics & Chemicals	Good Good	Good Good	Good Good
2015	AB 96	Ivory ban	Wildlife & Habitat Conservation	Good Good	Good Good	Good Good
2015	SB 185	Coal divestment	Clean & Renewable Energy Good Government Toxics & Chemicals	Good Good	Good Good	Good Good

2015	SB 248	Oil and gas extraction chemicals—underground injection	Oil & Gas Toxics & Chemicals Water Quality & Supply	No Action No Action	Good Good	No Action No Action
2015	SB 32	Reducing greenhouse gas emissions	Air Quality Global Warming Oil & Gas	Bad Bad	Good Good	No Action No Action
2015	SB 350	Clean Energy and Pollution Reduction Act of 2015	Air Quality Clean & Renewable Energy Global Warming Oil & Gas	Good Good	Good Good	Good Good
2015	SB 454	Protecting drinking water from oil & gas	Oil & Gas Water Quality & Supply	No Action No Action	Bad Bad	No Action No Action
2015	SB 788	California Coastal Protection Act of 2015	Oil & Gas Ocean / Coastal Protection	No Action No Action	Good Good	No Action