

DATE: November 27, 2017
TO: RMC Governing Board
FROM: Mark Stanley, Executive Officer
SUBJECT: Item 7A: 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 11/16/17

The following is the status of legislative bills that have been introduced in the current session by Senate and Assembly potentially of interest to the RMC. Bills can be tracked on the legislative website: <http://leginfo.legislature.ca.gov/> The Senate and Assembly finalized all bills as of **September 15, 2017**. The following were signed or vetoed by the Governor as of October 15, 2017.

PARKS AND WATER

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

PARKS AND WATER

SB 5 (DeLeon, Kevin D) California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access for All Act 2018

Introduced: 12/5/2016,

Last Amended Date: 10/15/2017-Approved by the Governor. Chaptered by Secretary of State. Chapter 852, Statutes of 2017.

Status: SB 5 passed the Assembly 54-18 at 11:36 pm on September 15, 2017 and then went on to pass the Senate on concurrence at 1:58 am. It is now it is headed to the Governor for signature.

Governor Brown has until **October 15, 2017** to sign or veto any bill that comes before his desk for signature. The bond would be subject to voter approval on the **June 5, 2018**, statewide primary election.

Summary: Would enact the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Act of 2018, which, if approved by the voters, would authorize the issuance of bonds in an amount of **\$4,000,000,000** pursuant to the State General Obligation Bond Law to finance a drought, water, parks, climate, coastal protection, and outdoor access for all program. The bill, upon voter approval, would reallocate \$100,000,000 of the unissued bonds

authorized for the purposes of Propositions 1, 40, and 84 to finance the purposes of a drought, water, parks, climate, coastal protection, and outdoor access for all program. The bill would provide for the submission of these provisions to the voters at the **June 5, 2018**, statewide primary election. This bill would declare that it is to take effect immediately as an urgency statute.

This bill has very specific funds set aside for the 10 State Conservancies. The chart below highlights some of the key funding allocations in Senate Bill 5 (De Leon).

SB 5 BREAKDOWN (DE LEÓN)

AB 31 Park Poor Communities Program	\$725 Million
Per Capita	\$215 Million
County/Regional Program	\$30 Million
Self-Help Block Grants for Local Taxes	\$40 Million
Rural Program	\$25 Million
Trails	\$30 Million
State Parks (Fairs Included)	\$218 Million
Conservancies (Includes WCB & Water)	\$767 Million
River Parkways	\$162 Million
Oceans and Coastal Protection	\$175 Million
Miscellaneous (including Cal Fire, WCB Conservation, Climate Resiliency, CCC, and Natural Resources Agency)	\$443 Million
Clean Drinking Water and Drought Preparedness	\$250 Million
Groundwater Sustainability	\$80 Million
Flood Protection	\$550 Million
Regional Sustainability: water	\$290 Million
TOTAL BOND COST	\$4.1 Billion

Based on 9/10/17 amended version of SB 5.

For the per capita section, all cities are set to receive \$200,000 to use at their discretion and all Counties would receive \$400,000. As it relates specifically to Conservancies, the breakdown of is as follows:

CHAPTER 7. California River Recreation, Creek, and Waterway Improvements Program (\$162 million)

\$37.5 Million- SMMC (\$15 million of this set aside for LA River projects in the SF Valley)

\$37.5 Million- RMC

\$16 Million- Santa Ana River Conservancy Program (State Coastal Conservancy)

\$10 Million- Lower American River Conservancy Program

\$3 Million – Los Gatos & Upper Guadalupe River (Resources Agency)

\$3 Million- Russian River (Resources Agency)

\$10 Million- Santa Margarita River, San Diego (Coastal Conservancy)

\$5 Million- Clear Lake (Resources Agency)

\$10 Million- CA River Parkways Act (Resources Agency)
\$10 Million- Urban Streams Restoration Program (Dept. of Water Resources)
\$20 Million- LA River Projects, City of Glendale (!) (Resources Agency)

TOTAL: \$162 MILLION

CHAPTER 8. State Conservancy, Wildlife Conservation Board, and Authority Funding:

\$180 Million for Conservancies:

- \$6 Million- Baldwin Hills Conservancy
- \$27 Million- Tahoe Conservancy
- \$7 Million- Coachella Valley Conservancy
- \$12 Million- Sacramento- San Joaquin Delta Conservancy
- \$12 Million-San Diego River Conservancy
- \$30 Million- RMC**
- \$6 Million- San Joaquin River Conservancy
- \$30 Million- SMMC
- \$30 Million- Sierra Nevada Conservancy
- \$20 Million- SF Bay Restoration (State Coastal Conservancy)

If this Bill is approved and signed by the Governor, the RMC is set to receive a total allocation of **\$67.5 million**. The bond would be subject to voter approval on the **June 5, 2018**, statewide primary election.

AB 1558 (Garcia, Cristina D) Los Angeles River: River Ranger Program

Introduced: 2/17/2017, **Last Amended Date:** 9/1/2017, **Status:** Senate Appropriations Committee.

Current Location: 10/3/2017-A. CHAPTERED

Status: 10/3/2017-Approved by the Governor. Chaptered by Secretary of State - Chapter 452, Statutes of 2017.

Summary: This bill would require the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy and the Santa Monica Mountains Conservancy to collaborate with the Department of Parks and Recreation, the California Conservation Corps, and the State Lands Commission to develop a river ranger program to provide a network of river rangers who assist the public at sites along the Los Angeles River and its tributaries, as prescribed. The bill would require the conservancies, no later than June 30, 2018, to develop a plan for the design and implementation of the program, containing specified components and information, and to provide a copy of the completed plan to certain legislative committees by that date.

AB 466 (Bocanegra D) Upper Los Angeles River and Tributaries Working Group

Introduced: 2/13/2017, **Last Amended Date:** 9/1/2017, **Status:** Senate Appropriations Committee

Status: 9/28/2017-Approved by the Governor. Chaptered by Secretary of State - Chapter 341, Statutes of 2017.

Summary: Would require the Secretary of the Natural Resources Agency, in consultation with the Santa Monica Mountains Conservancy, and the Los Angeles County Board of Supervisors and the City of Los Angeles to the extent they wish to consult, to consider requests from specified local agency representatives to participate in a working group to develop a revitalization plan for the Upper Los Angeles River and its tributaries and watershed. The bill would require the

secretary to consider requests from local agency representatives to participate in the working group and would authorize the working group to include specified representatives.

SB 693 (Mendoza D) Lower San Gabriel River Recreation and Park District

Introduced: 2/17/2017, **Last Amended Date:** 9/5/17, **Status:** Read second time. Ordered to third reading, Assembly.

Status: 10/3/2017-Approved by the Governor. Chaptered by Secretary of State. Chapter 466, Statutes of 2017.

Position: Watch

Summary: Would specifically authorize the establishment of the Lower San Gabriel River Recreation and Park District, by petition or resolution submitted to the Los Angeles County Local Agency Formation Commission before January 1, 2020, subject to specified existing laws governing recreation and park districts, including their formation, except as provided. The bill would authorize specified city councils and the Los Angeles County Board of Supervisors to appoint the initial board of directors of the district.

SB 714 (Newman D) State Coastal Conservancy: West Coyote Hills Conservancy Program

Introduced: 2/17/2017, **Last Amended Date:** 9/8/2017, **Status:** On 3rd Reading in the Senate
Status: 9/12/2017-Re-referred to Com. on RLS. Senate Rule 29.3(b) suspended. (Ayes 27. Noes 12.) From committee with author's amendments. Read second time and amended. Re-referred to Com. on RLS.

Summary: Would, until January 1, 2028, establish the West Coyote Hills Conservancy Program, to be administered by the State Coastal Conservancy and to undertake projects and award grants in the West Coyote Hills area, as described, for purposes relating to improvement of public access, and the protection, restoration, and enhancement of natural resources in the area. This bill would prescribe the duties of the conservancy with regards to the implementation and administration of the program.

AB 1235 (Daly D) Santa Ana River Conservancy Program

Introduced: 2/17/2017, **Last Amended Date:** 3/28/2017, **Status:** Now a 2-Year Bill

Current Location: 5/3/2017-A. APPR. SUSPENSE FILE

Status: 5/26/2017-In committee: Held under submission.

Position: Watch

Summary: Current law establishes the State Coastal Conservancy with prescribed powers and responsibilities for implementing and administering various programs intended to preserve, protect, and restore the state's coastal areas. Current law also establishes the Santa Ana River Conservancy Program, to be administered by the conservancy, for purposes related to the implementation of projects to restore, preserve, and enhance specified lands in the Santa Ana River region, as defined. This bill would appropriate the sum of \$20,000,000 from the General Fund to the conservancy to be expended for the purposes of this program.

AB 1180 (Holden D) Los Angeles County Flood Control District: taxes, fees, and charges.
8/21/2017

Current Location: 10/9/2017-A. CHAPTERED

Status: 10/9/2017-Approved by the Governor. Chaptered by Secretary of State - Chapter 617, Statutes of 2017.

Summary: Existing law, the Los Angeles County Flood Control Act, establishes the Los Angeles County Flood Control District and authorizes the district to control and conserve the flood, storm, and other wastewater of the district. Existing law authorizes the district to impose a fee or charge, in compliance with Article XIII D of the California Constitution, to pay the costs and expenses of carrying out projects and providing services to improve water quality and reduce stormwater and urban runoff pollution in the district in accordance with specified criteria. The act requires that any fees imposed be levied and collected together with taxes for county purposes, and the revenues paid into the county treasury to the credit of the district, and requires the county board of supervisors to expend the funds to pay for those costs and expenses, to be allocated as prescribed. This bill would authorize the district to levy a tax, in compliance with the applicable provisions of Article XIII C of the California Constitution, or impose a fee or charge, in compliance with the applicable provisions of Article XIII D of the California Constitution, to pay the costs and expenses of carrying out projects and programs to increase stormwater capture and reduce stormwater and urban runoff pollution in the district, and would specify that projects funded by the revenues from the tax, fee, or charge may include projects providing multiple benefits that increase water supply, improve water quality, and, where appropriate, provide community enhancements, as prescribed. The bill would revise certain provisions prescribing the allocation of those revenues derived from any tax, fee, or charge imposed pursuant to the above-described provisions for those water projects and programs.

CLIMATE CHANGE

SB-263 Leyva (S) Climate Assistance Centers

Introduced: 02/08/17, **Last Amended Date:** 5/3/2017, **Status:** Now a 2-Year Bill

Status: 5/26/2017-Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/25/2017)(May be acted upon Jan 2018)

Summary: Existing law creates the Transformative Climate Communities Program, which is administered by the Strategic Growth Council. Existing law requires the council to award competitive grants to specified eligible entities for the development and implementation of neighborhood-level transformative climate community plans that include greenhouse gas emissions reduction projects that provide local economic, environmental, and health benefits to disadvantaged communities, as defined.

The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The act authorizes the state board to include the use of market-based compliance mechanisms. Existing law requires all moneys, except for fines and penalties, collected by the state board as part of a market-based compliance mechanism to be deposited in the Greenhouse Gas Reduction Fund and to be available upon appropriation.

This bill would require the council to establish no less than 10 regional climate assistance centers, equitably distributed across urban and rural areas of the state, to build the capacity of local community organizations, municipalities, and small businesses from disadvantaged communities to participate in state climate investment programs, as specified. Funds would be allocated through the Greenhouse Gas Reduction Fund to community based and nonprofit organizations

to engage with climate assistance centers and conduct outreach in disadvantaged communities, as specified. The bill would require the council and the state board to make a specified report to the Legislature.

AB 1530 (Gonzalez Fletcher D) Urban forestry

Introduced: 2/17/2017, **Last Amended Date:** 7/5/2017, **Status:** In Senate Appropriations Committee

Status: 10/12/2017-Approved by the Governor. Chaptered by Secretary of State - Chapter 720, Statutes of 2017.

Summary: The California Urban Forestry Act of 1978 has as a stated purpose the promotion of the use of urban forest resources for purposes of increasing integrated projects with multiple benefits in urban communities. This bill would provide that the purpose of the act is also to promote policies and incentives that advance improved maintenance of urban forest canopy to optimize multiple benefits, among other purposes. This bill contains other related provisions and other current laws.

LA COUNTY UPDATE

Los Angeles County Legislation approved by the voters in November 2016 potentially of interest to the RMC.

MEASURE A: Safe, Clean Neighborhood Parks, Open Space, Beaches, Rivers Protection, and Water Conservation Measure. To replace expiring local funding for safe, clean neighborhood/ city/ county parks; increase safe playgrounds, reduce gang activity; keep neighborhood recreation/ senior centers, drinking water safe; protect beaches, rivers, water resources, remaining natural areas/ open space; levy of 1.5 cents annually per square foot of improved property in Los Angeles County, with bond authority, requiring citizen oversight, independent audits, and funds used locally.

This measure was overwhelmingly approved by the required 2/3 supermajority of votes on November 8, 2016 by 73.48%, or 1,568,781 votes.

MEASURE M: Los Angeles County Sales Tax

To improve freeway traffic flow/safety; repair potholes/sidewalks; repave local streets; earthquake retrofit bridges; synchronize signals; keep senior/disabled/student fares affordable; expand rail/subway/bus systems; improve job/school/airport connections; and create jobs; shall voters authorize a Los Angeles County Traffic Improvement Plan through a ½ ¢ sales tax and continue the existing ½ ¢ traffic relief tax until voters decide to end it, with independent audits/oversight and funds controlled locally?

Approval of Measure M (“Measure”) would adopt an ordinance known as the Los Angeles County Traffic Improvement Plan (“Ordinance”) proposed by the Los Angeles County Metropolitan Transportation Authority (“Metro”), which placed this Measure on the ballot by resolution dated June 23, 2016. The Ordinance would impose a retail transactions and use tax (“Sales Tax”) at the rate of one-half of one percent (.5%) within Los Angeles County (“County”), beginning on the first day of the first calendar quarter commencing not less than 180 days after adoption of the ordinance. The Sales Tax will increase to one percent (1%) on July 1, 2039, when the Measure R tax of one-half of one percent (.5%) tax imposed by Metro by Ordinance number 08-01 expires.

The Sales Tax is in addition to any other taxes authorized by law. The Sales Tax has no expiration date.

This measure was overwhelmingly approved by the required 2/3 supermajority of votes on November 8, 2016 by 69.79% of votes, or 1,594,427 voters that voted yes.

FEDERAL LEGISLATION CURRENT AS OF 7/20/17

NATIONAL MONUMENTS

As part of an administration-wide review of the designation of 27 large national monuments, Secretary of Interior Ryan Zinke made his first recommendation to President Trump, to reduce the size of Bears Ears National Monument in southern Utah.

President Trump executive order asked for a recommendation from Secretary Zinke by June 10 the recommendation was submitted June 12. The comment period for the other 26 monuments runs through July 9.

If President Trump accepts Secretary Zinke's recommendation, a likelihood, it raises the possibility of a lawsuit under the Antiquities Act of 1906. That law authorizes a President to designate national monuments, but some experts question whether it authorizes the de-designation of monuments, or significant portions of monuments.

In line with the Preserve California effort, the Legislature has committed to defending public lands and National Monuments in response to the federal administration's efforts to overturn protections for these lands and reduce our national monuments.

In February, the California State Senate leadership introduced the Preserve California package, a series of legislation intended to insulate California from federal actions to roll back environmental protections. Two of the three measures passed in the final hours of the session.

The package consisted of three bills:

- SB 49: Senator de León (D - Los Angeles) & Senator Stern (D - Canoga Park) which directs state agencies to fill any gaps in environmental enforcement created by the Trump administration.
- SB 50: Senator Allen (D - Santa Monica) allows state agencies to step in to protect environmentally sensitive lands that are given up by the federal government.
- SB 51: Senator Jackson (D - Santa Barbara) provides protection to whistleblowers. SB 50 and SB 51 passed out of the Legislature, however, SB 49 was blocked before it could be voted on the Assembly floor due to heavy lobbying from industry and agriculture.

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