

DATE: October 15, 2018
TO: Rivers and Mountains Conservancy Governing Board
FROM: Mark Stanley, Executive Officer
SUBJECT: Item 7A: Legislation and Initiatives

Legislative Update

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

Federal Bills: <https://www.congress.gov>

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

Current as of 10/3/18

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 WCA. Bills can be tracked on the legislative website:

<http://leginfo.legislature.ca.gov/>

PARKS AND WATER

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

Introduced: 2/13/2017, **Last Amended Date:** 9/1/2017, **Status:** Signed by the Governor

Summary: This bill would establish within the Santa Monica Mountains Conservancy the Upper Los Angeles River and Tributaries Working Group. 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 the working group. Requires by March 1, 2019, the working group to develop, through watershed-based planning methods and community engagement, a revitalization plan to address the needs of the Upper Los Angeles River and its tributaries, and the communities through which they pass, and to include watershed education programs. The bill would require the conservancy to provide any necessary staffing to assist the working group. The working group will be required to submit the revitalization plan to the conservancy for approval. Requires the revitalization plan to be considered amendments to the watershed and open space plan for the San Gabriel and Los Angeles Rivers upon adoption by the conservancy and would require the conservancy to submit the plan to the Los Angeles County Board of Supervisors and the Los Angeles City Council for their consideration.

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

Introduced: 2/17/2017, **Last Amended Date:** 8/21/2017, **Status:** Signed by the Governor

Summary: Would authorize the Los Angeles County Flood Control 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.

AB 1235 (Daly D) Santa Ana River Conservancy Program

Introduced: 2/17/2017, **Last Amended Date:** 3/28/2017, **Status:** Dead

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 1483 (Daly D) Housing-Related Parks Program

Introduced: 2/17/2017, **Last Amended Date:** 3/28/2017, **Status:** Dead

Summary: Existing law establishes the Housing-Related Parks Program, administered by the Department of Housing and Community Development, which provides grants for the creation, development, or rehabilitation of park and recreation facilities to cities, counties, and cities and counties based on the issuance of building permits for new housing units, or housing units substantially rehabilitated, acquired, or preserved with committed assistance from the city, county, or city and county, that are affordable to very low or low-income households. This bill would appropriate \$50,000,000 from the General Fund to the Urban-Suburban-and-Rural Parks Account for these purposes.

May 2018 Board Meeting request for further information

This bill failed passage in the Assembly Appropriations Committee last year. It was intended to appropriate \$50 Million from the General Fund toward investments through this program. The Housing-Related Parks Program came from Proposition 1C (Housing Bond) from 2006. \$200 million was earmarked through this bond to help underwrite park improvements related to incentivizing affordable housing development. It is our understanding from our Consultant that the account is depleted as the funds were available on a first come first serve basis. The 2018 November election will feature another housing bond but as far as it is understood today the program does not include similar park component as these park investments were addressed through SB 5 (Proposition 68) which was approved by voters in June the Election.

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

Introduced: 2/17/2017, **Last Amended Date:** 3/28/2017, **Status:** Signed by the Governor

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 1918 (Garcia, Eduardo D) Office of Sustainable Outdoor Recreation**Introduced:** 1/23/2018, **Last Amended Date:** 8/24/2018, **Status:** Vetoed by the Governor

Summary: This bill would establish in the Natural Resources Agency the Office of Sustainable Outdoor Recreation. The bill would require the office to undertake certain activities, including supporting the outdoor recreation economy of the state by engaging in specified activities. The bill would also require the office to create an advisory committee to provide advice, expertise, support, and service to the office.

California's outdoor economy eclipses that of all other states in terms of generating \$92 billion in consumer spending and supporting nearly 700,000 direct jobs, which outpaces the film and wine industries combined. This bill creates an office that seeks to support a more robust operating environment for the outdoor industry, promote better access to public lands, create strategies to improve access, particularly among disadvantaged populations, and mobilizes resources to combat negative federal actions and policies.

After near unanimous support from the Legislature, Governor Brown vetoed this bill by wrongly asserting that the actions of the proposed office duplicate the California Department of Parks and Recreation's activities. HMA is working with those close to the Gavin Newsom camp to explore the possibility of an executive order to establish this office in 2019.

AB 2534 (Limón D) Parks: Environmental Education: Grant Program**Introduced:** 2/14/2018, **Last Amended Date:** 8/24/2018, **Status:** Vetoed by the Governor

Summary: Would require the Director of Parks and Recreation, on or before May 1, 2019, to establish the Outdoor Equity Grants Program, to increase the ability of underserved and at-risk populations to participate in outdoor environmental educational experiences at state parks and other public lands where outdoor environmental education programs take place. The bill would require the director to, among other things, give priority for funding to outdoor environmental education programs that primarily provide outreach to and serve students who are eligible for free or reduced-price meals, foster youth, or pupils of limited English proficiency, as provided.

Proposition 68 contains a provision wherein 5% of the bond proceeds can be applied towards public and community outreach, as defined. Funding will be available for programming to promote, among other things, nature based learning opportunities for disadvantaged youth. AB 2534 is designed as possible enabling legislation, creating a grant program template in which to funnel Proposition 68 proceeds through.

In the case of this bill and AB 2614, Governor Brown rationalized his veto by suggesting that Proposition 68 provides the necessary funding to carry out the activities captured in both bills.

AB 2614 (Carrillo D) Outdoor Experiences: Disadvantaged Youth**Introduced:** 2/15/2018, **Last Amended Date:** 8/17/2018, **Status:** Vetoed by the Governor

Summary: This bill would require the Natural Resources Agency to develop and implement a community access program focused on engagement programs, technical assistance, or facilities that maximize safe and equitable physical admittance, especially for low-income and disadvantaged communities, to natural or cultural resources, community education programs, or recreational amenities. The bill would authorize the agency to develop a grant program for

innovative transportation projects that provide disadvantaged and low-income youth with access to outdoor experiences, as specified.

Similar to AB 2534, this bill seeks to capitalize on the proceeds that may be made available through Proposition 68 for public and community outreach. This bill complements the approach envisioned in

AB 2534 as it focuses not on the learning aspect of nature and wilderness based experiences, but how to physically transport disadvantaged youth to these settings. In addition to the 5% contained in Proposition 68 for public and community outreach, there is a provision under the chapter related to trails and greenways which allows for 25% to be used for innovative transportation. This bill may serve as enabling legislation to determine how to best allocate these funds. See AB 2534 for veto rationale.

SB 5 (De León D) California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access for All Act of 2018 Introduced: 12/5/2016, Last Amended Date: 9/10/2017, Status: AB 18 merged with SB 5. SB 5 signed by the Governor and approved by voters during the June 2018 primary election.

Summary: An act to add Division 45 (commencing with Section 80000) to the Public Resources Code, relating to a drought, water, parks, climate, coastal protection, and outdoor access for all program, by providing the funds necessary therefor through an election for the issuance and sale of bonds of the State of California and for the handling and disposition of those funds, and declaring the urgency thereof, to take effect immediately. This bill 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 **\$4,100,000,000** 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 would, each fiscal year that principal or interest on bonds issued and sold for the program are and payable, appropriate \$10,000,000 from the General Fund to the Department of Parks and Recreation for the purpose of paying costs associated with operating and maintaining certain park projects funded by the program. This bill would also provide for the submission of these provisions to the voters at the June 5, 2018, statewide primary direct election. This bill would declare that it is to take effect immediately as an urgency statute.

SB 5 (DE LEÓN) Park Bond

	SB 5 (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 (Including WCB & Other)	\$767 Million
River Parkway Program	\$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
Coastal Low-cost Accommodations	Captured in State Parks and State Coastal Conservancy
Regional Sustainability: Water	\$290 Million
TOTAL BOND COST	\$4.1 Billion

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

Introduced: 2/17/2017, **Last Amended Date:** 7/3/2017, **Status:** Signed by the Governor

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:** 9/12/2017, **Status:** Dead

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.

SB 1126 (Portantino D) Upper Los Angeles River and Tributaries Working Group

Introduced: 2/13/2018, **Last Amended Date:** 6/13/2018, **Status:** Signed by the Governor

Summary: Current law establishes within the Santa Monica Mountains Conservancy the Upper Los Angeles River and Tributaries Working Group and requires, by March 1, 2019, the working group to develop, through watershed-based planning methods and community engagement, a revitalization plan for the Upper Los Angeles River, the tributaries of the Pacoima Wash, Tujunga Wash, and Verdugo Wash, and any additional tributary waterway that the working group determines to be necessary. This bill would specify the Arroyo Seco Tributary as a waterway for the working group to include in the revitalization plan and watershed education programs. Amendments extended the effective date of the submission of a report regarding the LA River Rangers Program from June 30, 2018 to March 30, 2019.

CLIMATE CHANGE

AB 1433 (Wood D) Natural and Working Lands: Unified Program Application and Process now Tribal Gaming: Compact Ratification

Introduced: 2/17/2017, **Last Amended Date:** 4/10/2018, **Status:** Has been gut and amended.

Summary: Would require the Strategic Growth Council, on or before April 1, 2018, to establish and convene an interagency taskforce consisting of representatives from various state agencies who are knowledgeable in programs for natural or working lands to develop a common application form and process for those programs. Requires the task force, on or before January 1, 2019, to develop and implement the common application form and process for those programs. ***This bill has now been gut and amended to address tribal gaming compact ratification instead.***

AB 1530 (Gonzalez Fletcher D) Urban Forestry

Introduced: 2/17/2017, **Last Amended Date:** 9/1/2017, **Status:** Signed by the Governor

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.

AB 1945 (Garcia, Eduardo D) Greenhouse Gas Reduction Fund: Investment Plan

Introduced: 1/29/2018, **Last Amended Date:** 8/24/2018, **Status:** Vetoed by the Governor

Summary: Beginning, July 1, 2019, would require state agencies administering competitive grant programs that allocate moneys from the Greenhouse Gas Reduction Fund to give specified communities preferential points during grant application scoring for programs intended to improve air quality, and to include a specified application timeline and to allow applicants from the Counties of Imperial and San Diego to include daytime population numbers in grant applications.

This bill seeks to expand the list of approved co-benefits that agencies awarding Greenhouse Gas Reduction Fund (GGRF) grants are required to consider. Among other things, the requirements would include "improved community access to green space." This provision builds off of the "Urban Greening Program," a grant program administered through the California Natural Resources Agency that promotes project investments in urban areas that seek to reduce greenhouse gas through tree plantings, non-motorized transportation improvements, and reductions in heat island phenomena. Governor Brown's objections of this bill were rooted in the notion that the content and intent of the bill would be better addressed through a budget action.

SB-263 (Leyva D) Climate Assistance Centers

Introduced: 02/08/17, **Last Amended Date:** 5/3/2017, **Status:** Dead

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.

SB-1015 (Allen D) California Climate Resiliency Program

Introduced: 2/7/18, **Last Amended Date:** 8/6/2018, **Status:** Dead

Summary: Would establish the California Climate Resiliency Program to increase resiliency to climate change impacts in urban and rural communities throughout the state and to fund the planning and implementation of projects that improve and enhance the climate change resiliency of natural systems, natural and working lands, and developed areas. The bill would require that the program be developed and implemented by the Wildlife Conservation Board, in coordination with any participating state conservancies, as defined.

This bill seeks to establish a program in law wherein Greenhouse Gas Reduction Fund (GGRF) proceeds could be applied toward resiliency and adaption projects in natural environments and calls upon the Wildlife Conservation Board, along with the state conservancies, to administer these funds contingent upon the adoption of a climate change resiliency program. The bill was amended to require conservancies in developing climate resiliency programs to prioritize projects that include co-benefits such as recreational opportunities and local engagement through outreach. There was an effort to appropriate funds in the budget funds toward the objectives outlined in this bill but that effort was unsuccessful.

SB-1072 (Leyva D) Regional Climate Collaborative Program: Technical Assistance

Introduced: 2/12/18, **Last Amended Date:** 8/20/2018, **Status:** Signed by the Governor

Summary: This bill would, until October 1, 2029, establish a regional climate collaborative program, to be administered by the Strategic Growth Council, to assist under-resourced communities, as defined, in a region to access statewide public and other grant moneys, as specified, for climate mitigation and adaptation projects by establishing collaboratives, as specified. The bill would authorize the council to award specified grants to collaboratives for specified activities.

This bill is similar to SB 263, a bill that failed last year, that sought to create the social infrastructure in and around disadvantaged areas of the state to improve education and awareness in regards to the various funding sources available to these communities to combat climate change and advance environmental policies to improve the health and living conditions of these communities.