



DATE: May 22, 2019
MEMO TO: MROSD Board of Directors
THROUGH: Ana M. Ruiz, General Manager *AMR*
FROM: Joshua Hugg, Governmental Affairs Specialist
SUBJECT: Legislative Actions Update to Board

BACKGROUND

Board Policy 1.11, titled “Positions on Ballot Measures and Legislative Advocacy,” Section 2.0b, provides the General Manager the ability to take position on pending legislation in time-sensitive situations. More specifically:

- b. When time is so short that neither the full Board nor LFPAC can be convened to consider positions to support or oppose local, state or federal legislation, the General Manager is authorized to take a position on behalf of the District if the legislation:
 - i. Is related to the District’s mission; AND
 - ii. Would directly impact the District’s business, such as project delivery, operations, finances, legal authority, or other District responsibilities; AND
 - iii. The position being taken is consistent/inconsistent with existing District policy, past action, or District Strategic Plan; OR
 - iv. The legislation carries other considerations that make it contrary to the District’s interests.

In such instances, the General Manager or designee shall report to the Board any actions taken to support or oppose the legislation at or before the next Board meeting.

DISCUSSION

On behalf of the District, the General Manager has taken the following time-sensitive action:

- **SB 474 (Stern): Habitat Conservation Fund.**

Action: Midpen has taken a SUPPORT position and communicated it to the author on April 22. The District has utilized the Habitat Conservation Fund on several projects and currently has two outstanding applications with the fund.

Bill Summary: This bill extends the Habitat Conservation Fund, a crucial fund that will otherwise sunset in July 2020.

Consistency with Legislative Program:

- Natural Resources Protection and Restoration #12. Provides funding to local partners to provide technical support for agriculture and natural resources enhancement.
- Natural Resources Protection and Restoration #13. Creates or enhances new funding sources to implement local or state government programs that benefit the environment such as: watershed protection, groundwater recharge and sustainability,

water conservation, GHG reduction, Areas of Special Biological Significance compliance, Rare, Threatened, and Endangered species management and recovery.



April 22, 2019

The Honorable Henry Stern, Chair
 Senate Natural Resources and Water Committee
 State Capitol, Room 5046
 Sacramento, CA 95814

RE: SB 474 (Stern): Habitat Conservation Fund—SUPPORT

Dear Chair Stern,

On behalf of the undersigned organizations, representing more than one million members and supporters in California, we are writing in support of your SB 474, which would extend the Habitat Conservation Fund, a crucial fund that will otherwise sunset in July 2020.

The California Wildlife Protection Act, Proposition 117, was passed by the voters of California in June 1990. The Act states that "... there is an urgent need to protect the rapidly disappearing wildlife habitat that supports California's unique and varied wildlife resources." With California's population expected to reach 50 million by 2050 and the rate at which California's plants and animals are facing a changing climate, the need to protect wildlife habitat is even more urgent today. Unlike traditional bond acts, Proposition 117 did not provide a fixed amount of money for habitat protection on a one-time basis. To assure the conservation of unique and important wildlife habitat, Proposition 117 created the Habitat Conservation Fund (HCF); required an annual transfer of \$30 million into the fund until the year 2020; and specified how the monies were to be expended.

The HCF has protected more than 1 million acres of wildlife habitat since 1990. To better understand HCF accomplishments that were achieved in the last decade alone, the table below summarizes by category the number of acres protected, restored or enhanced.

	Deer and Mountain Lion		T&E Species/Plans		Wetlands Habitat		Aquatic/Riparian Habitat		Corridors, Trails, etc	
	Allocation	Acres	Allocation	Acres	Allocation	Acres	Allocation	Acres	Allocation	Acres
Total Funds/ Acres (7/1/08 to 6/30/18)	\$59,444,987	95,153	\$77,443,556	243,129	\$49,744,615	291,751	\$34,732,015	324,915	\$11,256,318	74,965

In implementing Proposition 117, the Legislature has used a wide variety of funding sources (as specified in the measure) to achieve the \$30 million a year goal. In any year, funds may come from a new bond act, the Environmental License Plate Fund, the Tobacco Tax Fund, the Wildlife Restoration Fund, the Tobacco Tax Public Resources Account, and the Endangered Species Income Tax Checkoff. Only one source of funds is fixed from year to year—each year ten percent of the Unallocated Account of the Tobacco Tax Fund must be used for the wildlife protection programs contained in Proposition 117 (in most years this amounts to approximately \$15 million).

Per Proposition 117's text, HCF monies are allocated to state agencies as follows:

Agency	Annual Allocation
Local Park Districts *	\$2.0 million
State Parks	\$1.0 million
State and Local Parks in Big Sur Area	\$1.5 million
Coastal Conservancy	\$4.0 million
Tahoe Conservancy	\$0.5 million
Wildlife Conservation Board	\$21.0 million

* Funds are distributed as matching grants by the Department of Parks and Recreation. Eligible agencies include local park, recreation and open space agencies

Proposition 117 requires that half the \$30 million each year be spent in northern California, and half in southern California. Each year, no less than three million dollars must be spent statewide on acquiring and restoring stream and riparian habitat, three million dollars on acquiring and restoring wetlands and special preference is given to land protection projects that create wildlife movement corridors. One-third of the money (\$10 million) must be spent to protect deer and mountain lion populations, with special emphasis on native oak forests. The remaining \$20 million a year must be spent on other types of wildlife habitat for threatened and endangered species or unique habitat types. Funding is also authorized to provide public access, outdoor educational programs and building/restoration of trails in areas owned by local agencies.

The HCF has been a highly effective program for implementing a wide range of vital conservation efforts throughout the entire state. While the HCF annual allocation is relatively small in comparison to resource related bond acts that have passed over the life of the Proposition 117, it has provided a necessary, consistent and reliable revenue source for conservation efforts in California.

Attached is are fact sheets showing total HCF funds spent on eligible conservation projects in Assembly and Senate districts over the past 30 years.

For the reasons discussed above, we strongly support SB 474 and the 30-year extension of this essential fund. We thank you for introducing this important legislation and look forward to working with and supporting this effort. Thank you for the opportunity to provide our perspective on this matter.

Sincerely,

Kim Delfino
California Director
Defenders of Wildlife

Lynn Cullens
Executive Director
Mountain Lion Foundation

Jenny Keatinge
California Wildlife Policy Specialist
Center for Biological Diversity

Mark Hennelly
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The Nature Conservancy

Dan Silver
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Juan Altamirano
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Audubon California

Howard Penn
Executive Director
Planning & Conservation League

Michael Wellborn
President
Friends of Harbors, Beaches and Parks

Claire Schlotterbeck
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Hills for Everyone

Mary E. Wiesbrock
Chair
Save Open Space/Santa Monica Mountains

Susan Kirks
Chair, Board of Directors
Paula Lane Action Network, Sonoma County

Susan Kirks
President
Madrone Audubon Society, Sonoma County

Tony Tucci
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Citizens for Los Angeles Wildlife

Beth Pratt
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Mary Alice Escarsega-Fechner
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California Association of Conservation Corps

Chuck Mills
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Jeanette Tuitele Lewis
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Neal Desai
Director of Field Operations, Pacific Region
National Parks Conservation Association

Darcie Collins
Chief Executive Officer
League to Save Lake Tahoe

Kim Kolpin
Executive Director
Bolsa Chica Land Trust

Brandon Dawson
Policy Advocate
Sierra Club California

cc: members of the Senate Natural Resources & Water Committee