



DATE: February 13, 2019

MEMO TO: MROSD Board of Directors

THROUGH: Ana M. Ruiz, General Manager *AMR*

FROM: Joshua Hugg, Governmental Affairs Specialist

SUBJECT: District Permit Exemption Legislation Update

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## DISCUSSION

At the January 23, 2019 Board meeting, staff presented an aggressive timeline of next steps to enable the District to pursue specified local and county permit exemption legislation. The aggressive timeline was brought forward to take advantage of the beginning of the new two-year legislative session, with a target of meeting the February 22 spot bill introduction deadline, and March 25 draft legislation deadline:

- January – Early-February:
  - Return to the Board with case studies and exemption definitions, reconfirm Board direction.
  - Engage with San Mateo and Santa Clara County staff and elected officials to introduce the concept and understand potential areas of concern.
  - Engage with affected city staff and elected officials to understand areas of concern.
  - Engage with other affected PRC 5500 Districts – East Bay Regional Parks District – to ensure their concerns are addressed.
  - Engage with bill author’s staff to present bill idea and address their questions (e.g., local receptiveness, potential opposition, public participation opportunities during a project).
- Mid-February – Draft spot bill placeholder language submitted to state Legislative Counsel (actual draft language is due by March 25).
- Before or on February 22 – Spot bill introduced.
- Mid-February – Early March – Continue to engage with stakeholders to work out issues.
- Prior to Mid-March – Review draft legislation with the Board and receive final Board approval to proceed.
- Mid-March – Submit amended bill language to state Legislative Counsel.
- Before or on March 25 – Amend spot bill with new language.

At the January 23 meeting, the Board approved the District’s initial pursuit of the legislation with an understanding that additional information and check-ins would be provided per the next steps timeline to confirm Board support for a proposed bill. Consistent with Board direction, staff

began to conduct additional, broader outreach to local legislators, elected officials, and agency staff. Based on these discussions, it has become clear that additional time is needed to communicate existing permitting hurdles, the low-impact and beneficial nature of District work, and the concerns and potential common interests that may exist with local permitting agencies. The additional time will allow the District to continue holding discussions with local jurisdictions and state legislators to help further refine the potential scope of the legislative bill and gain local support and a measurable level of permit streamlining. The schedule is therefore expanded, with this year focused on outreach, education, and scope refinements for the potential introduction of a legislative proposal in 2020.

The benefits of this new schedule are as follows:

- Time to fully vet idea with stakeholders and partners
- Time to refine messaging for clear and effective communication
- Time to work closely with a bill author
- Additional time to respond to Board questions and further educate Board members on permitting processes and project delivery issues
- Opportunity to resource load additional staff capacity for the effort

This effort so far has provided a great venue to speak to local elected officials and agencies about the challenges of current permitting processes. These conversations may spark other alternate permit streamlining opportunities that may be worth pursuing with a comparable end goal in mind. Similarly, discussions at the state level may spark new conversations for state-level permit streamlining/exemption efforts that are also beneficial to the District.

### **NEW SCHEDULE AND NEXT STEPS**

The new schedule and next steps is as follows:

- February – June 2019:
  - Educate Board regarding District project permitting processes, project standards, and public outreach
  - Refine the proposed scope of the streamlining/exemption legislative proposal
  - Continue engaging with stakeholders and potential partners; work through any identified concerns
- July – September 2019:
  - Develop permit streamlining/exemption options
  - Bring options to the full Board for consideration
- October- December 2019
  - If applicable and supported by the Board, approach potential bill authors
  - If applicable, pursue other local streamlining alternatives (i.e., San Mateo County grading ordinance revision)