



DATE: June 26, 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 a 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:

### 1. California State Budget Greenhouse Gas Reduction Fund (GGRF).

**Action:** In solidarity with other Bay Area land management organizations, the District signed onto a joint letter expressing support for the State Senate’s GGRF programmatic budget allocations to benefit natural and working lands. The letter also opposed the idea of utilizing Proposition 68 (2018) funds in lieu of traditional budget allocations.

#### **Consistency with Legislative Program:**

- **District Legislative Priority – Regional Conservation:** The District supports legislation that enhances and funds regional collaboration and coordination of conservation efforts.

- **District Legislative Priority - Proposition 68 Implementation:** The District supports efforts to ensure that parks bond funds are allocated in a timely, equitable, and responsible manner, and that resulting grant programs are designed appropriately to benefit the District.
- **District Legislative Priority - Cap and Trade/Climate-Related Funding:** The District supports efforts to emphasize and increase the recognition for the use of natural and working land for the purposes of carbon sequestration and subsequent allocations of Cap and Trade funding. With the passage of SB 32 (Pavely, 2016) there is increased pressure to not only eliminate sources of greenhouse gas generation, but also find ways to capture emissions as well. This further promotes the recognition of the region's greenbelt as its "life support system."

## **2. Proposition 68 Implementation – State Coastal Conservancy, PRC 80120(c)**

**Action:** In response to two Senate member budget requests to draw approximately \$46 million from Prop 68 (\$31 from CA State Coastal Conservancy and \$15 from the Department of Water), the District signed onto a letter expressing concern about this practice. It sets a bad precedent for remaining Prop 68 funding allocations, draws from funding sources from which the District relies, and erodes voter confidence in bond measures moving forward if their choices are undermined by carve outs.

## **ATTACHMENTS**

1. BALAG GGRF Sign-on Letter
2. Proposition 68 Implementation Sign-on Letter



June 3, 2019

California State Bay Area Caucus  
 State Capitol, Room 6026  
 Sacramento, California 95814

**RE: GGRF Natural and Working Land Programs Investments – SUPPORT SENATE VERSION**

Dear Caucus Members:

The undersigned Bay Area land stewardship organizations recommend and respectfully request your support for utilizing the Senate’s proposed Cap and Trade Expenditure as the floor for all Conference negotiations regarding investments in natural and working land programs from the Greenhouse Gas Reduction Fund. The Senate Plan honors the *2030 Natural and Working Lands Climate Change Implementation Plan* which proposes “an increase in State-led conservation, restoration, and management activities from two to five times above current levels, to achieve a level of effort commensurate with that invested in other sectors of California’s climate change portfolio.” This need was further elevated when the Governor’s expenditure plan for the Cap and Trade Program, released May 9, lacked funding for natural and working lands. Natural and working lands play an important role in the sequestration of greenhouse gases, containment of sprawl to reduce vehicle miles, and promote public health and community resilience. Investment in their restoration and long-term care is critical to ensure these lands

continue to provide these important services, and the Greenhouse Gas Reduction Fund is an appropriate source for this investment.

The following proposed Senate investments are the highest priorities for BALAG members:

### **Healthy Forests**

- CalFire - Healthy & Resilient Forests - \$165M
- Calfire - Prescribed Fire and Fuel Reduction - \$35M
- Natural Resources Agency – Regional Forest Restoration Projects - \$25M

### **Climate Smart Agriculture**

- Department of Food and Agriculture - Healthy Soils - \$30M
- Department of Food and Agriculture - State Water Efficiency and Enhancement - \$25M

### **Integrated Climate Action**

- Strategic Growth Council – Transformative Climate Communities - \$57M

### **Other**

- Natural Resources Agency - Urban Greening - \$25M
- Dept. of Fish and Wildlife - Wetlands Restoration - \$35M
  - Program: DFW - Wetlands Restoration for Greenhouse Gas Reduction Grant Program
- Various - Coastal Resilience & Adaptation - \$40M
  - Important Program: SCC - Climate Ready Program
- WCB & Conservancies - Long-Term Resiliency Investments - \$100M
  - Important Program: WCB - Climate Adaptation & Resiliency Program (including acquisition and conservation/restoration projects)
  - Important Program: SCC - Climate Ready Program

Communities in the Bay Area are facing significant present and future climate change impacts. Residents are experiencing increasing frequency and intensity of natural disasters like wildfires and drought, the effects of sea-level rise, and ocean acidification.

The 3.5 million acres of natural and working lands in the region provide a valuable buffer to these climate change effects, and serve as the backyard, viewshed, and source of locally grown food to nearly twenty percent of the state's population. The Bay Area's intact floodplains slow and spread stormwater, reducing destructive storm energy. The Bay Area's wetlands naturally attenuate storm surge energy and act as important carbon sinks. Bay Area parks and open spaces offer important ecosystem services while protecting communities from extreme heat events.

Redwood forests, oak woodlands, and grasslands capture significant atmospheric carbon, provide clean air, store and filter drinking water, support a \$2.4 billion agriculture industry, reduce the impact of storm surge and rising sea levels, and serve to complement regional efforts to promote greater density around transportation nodes. Our natural and working lands are also essential for recreation, tourism, and the overall health of our communities.

The ability of our natural and working lands to continue to perform these critical services in light of climate change and an increasing population will require much greater investment than current levels. Bay Area voters comprised 31% of the total yes votes statewide for Proposition 68 and have voted time and again in support of local park and open space funding measures, demonstrating that our communities value and recognize the importance of natural and working lands. These same voters want to see their local and regional funding matched by state funding that shows the state values the Bay Area's commitment to its environment, resources, and planning for a changing climate.

In addition to supporting the Senate's GGRF request this year, we support an ongoing GGRF allocation for natural and working lands to support long-term stewardship and climate resiliency efforts in the future. The state's Cap-and-Trade Auction Proceeds Third Investment Plan recommends providing funding certainty for its programs over multiple years. In order to meet the GHG reduction goals of the state's Plan for natural and working lands, we need to match local and regional funding sources with stable and reliable GGRF budget allocations on an annual basis. As the Plan states, "To achieve the deep GHG reductions needed to avoid the most catastrophic impacts of climate change, the State must boldly and immediately increase its efforts to conserve, restore, and manage natural and working lands." This includes departing from the year-by-year budget negotiations we are used to.

For these reasons, **we strongly support the Senate's proposed Cap and Trade Expenditure as the floor for all Conference negotiations regarding investments in natural and working land programs from the Greenhouse Gas Reduction Fund, with zero dollars substituted for Proposition 68 funding, as well as future efforts to secure multi-year sustained GGRF funding for natural and working lands.** In order to address our region's complex climate adaptation requirements and serve our communities, we require adequate, complementary funding sources. Prop 68 will help us address park equity and resource projects in the immediate term. A

sustainable, dedicated allocation of GGRF funds to the Bay Area will ensure those investments can be protected and enhanced into the future.

We appreciate your consideration and look forward to working with you to ensure that the Bay Area can rely on long-term, durable climate investments for the safety and well-being of our region.

Sincerely,

Robert E. Doyle  
General Manager  
East Bay Regional Park  
District

Andrea Mackenzie  
General Manager  
Santa Clara Valley Open  
Space Authority

David Koehler  
Executive Director  
Sonoma Land Trust

Ana M. Ruiz  
General Manager  
Midpeninsula Regional  
Open Space District

Shelana deSilva  
Dir. of Government  
Affairs  
Save the Redwoods  
League

Andrea Mackenzie  
General Manager  
Santa Clara Valley Open  
Space Authority

Walter T. Moore  
President  
Peninsula Open Space  
Trust

Max Korten  
Director  
Marin County Parks

Laura Cohen  
Western Region Director  
Rails-to-Trails  
Conservancy



The Land Trust  
for Santa Barbara County



June 7, 2019

The Honorable Holly Mitchell, Chair  
Conference Committee on the Budget  
State Capitol, Room 5019  
Sacramento, CA 95814

The Honorable Phil Ting, Vice Chair  
Conference Committee on the Budget  
State Capitol, Room 5019  
Sacramento, CA 95814

**Re: Proposition 68 Implementation – State Coastal Conservancy, PRC 80120(c)**

Dear Senator Mitchell and Assemblymember Ting,

We, the undersigned organizations, write in regards to Issue 3: Proposition 68 Implementation, as agendized for consideration by the Budget Conference Committee. Specifically, we offer our recommendation related to the proposed State Coastal Conservancy (Conservancy) Public Resources Code 80120(c) appropriations – that up to \$30 Million be appropriated, but not carved out, this fiscal year.

Proposition 68, as passed by voters on June 5<sup>th</sup>, 2018, includes the following provision (Public Resources Code 80120(c)):

*“The sum of eighty-five million dollars (\$85,000,000) shall be available to the State Coastal Conservancy for the protection of beaches, bays, wetlands, and coastal watershed resources pursuant to Division 21 (commencing with Section 31000). This shall include the acquisition of, or conservation easements on, land in or adjacent to the California coastal zone with open space, recreational, biological, cultural, scenic, or agricultural values, or lands adjacent to marine protected areas, including marine conservation areas, whose preservation will contribute to the ecological quality of those marine protected areas. This shall also include the protection of coastal agricultural resources pursuant to Section 31150 and projects to complete the California Coastal Trail pursuant to Section 31408.”*

Further language requires that 25% of the total \$85 Million be available to the San Francisco Bay Area Conservancy Program, bringing the statewide total available for the purposes outlined above down to \$63.75 Million.

As heard during the Senate Budget Subcommittee 2 hearing on May 15<sup>th</sup>, Senators made two legislative requests to appropriate and direct funds available to the State Coastal Conservancy according to Public Resources Code 80120(c):

- *Alameda Creek Restoration. \$31.365 million Proposition 68 one-time (\$15 million Prop. 68 PRC 80120(c) for the State Coastal Conservancy and \$16.365 million PRC 80145(a)(2) for the Department of Water Resources) for wetlands restoration to address sea level rise in the Bay Area.*
- *Tijuana River Border Pollution Control Project. \$15 million Proposition 68 PRC 80120(c) for the State Coastal Conservancy for the Tijuana River Border Pollution Control Project to address discharge of raw sewage and other waste through the Tijuana River Valley.*

We supported Senate Bill 5 in the legislature and Proposition 68 on the ballot, specifically because of this provision and the opportunity it creates to fund important projects throughout the coast, and wholeheartedly support the appropriation of PRC 80120(c) dollars this fiscal year.

The language of Proposition 68, voted into effect by Californians, states that the funds “*shall be available to the State Coastal Conservancy*” for a number project types, but does not specify any specific projects. This demonstrates that voters intended for the State Coastal Conservancy to determine to which projects, and at what funding level, projects should be funded through this provision. We believe therefore, it is appropriate and necessary for the State Coastal Conservancy to determine where and at what amount these dollars should be spent.

It is also difficult to visualize the areas of the state that will be left out if nearly 50% of the funds available to the Conservancy are pre-determined and directed to only two projects.

Although we are sure that both the Alameda Creek Restoration Project and the Tijuana River Border Pollution Control Project are incredibly important projects for their relative communities, we suggest that it is more appropriate for the legislature to allocate up to \$30 Million of PRC 80120(c) funds without specific carve-outs, after which project proponents can work with the State Coastal Conservancy to receive their specific project funding.

Sincerely,

Annie Burke, Interim Executive Director  
**Bay Area Open Space Council**

Ane Deister, Executive Director  
**California Council of Land Trusts**

Curtis Knight, Executive Director  
**California Trout**

Amy Lethbridge, Executive Director  
**Community Nature Connection**



Don Rocha, Director  
**County of Santa Clara, Department of Parks and Recreation**

Robert E. Doyle, General Manager  
**East Bay Regional Park District**

Stephen Slade, Executive Director  
**Land Trust of Santa Cruz County**

Max Kortzen, Director and General Manager  
**Marin County Parks and Marin County Open Space District**

Ana Maria Ruiz, General Manager  
**Midpeninsula Regional Open Space District**

Walter Moore, President  
**Peninsula Open Space Trust**

Laura R. Cohen, Western Region Director  
**Rails-to-Trails Conservancy**

Andrea Mackenzie, General Manager  
**Santa Clara Valley Open Space Authority**

Edward Sortwell Clement Jr., Executive Director  
**Save Mount Diablo**

David Lewis, Executive Director  
**Save The Bay**

Sam Hodder, President  
**Save the Redwoods League**

Kerri Timmer, Vice President, Climate & Energy  
**Sierra Business Council**

Bill Keene, General Manager  
**Sonoma County Agricultural Preservation and Open Space District**

Dave Koehler, Executive Director  
**Sonoma Land Trust**

Chet Work, Executive Director  
**The Land Trust for Santa Barbara County**