



Midpeninsula Regional
Open Space District

LEGISLATIVE, FINANCE, AND PUBLIC AFFAIRS COMMITTEE

R-15-133
September 8, 2015

AGENDA ITEM 2

AGENDA ITEM

Legislative Briefing

SUMMARY

Ralph Heim of Public Policy Advocates, LLC, (PPA) the District's legislative consultant in Sacramento, will attend the September 8, 2015 Legislative, Funding, and Public Affairs Committee via conference call. They will present a legislative briefing on matters of interest to the District including an update on legislative activities taken by the District since the July 1, 2015 LFPAC meeting.

DISCUSSION

The following are brief summaries of the issues regarding to support letters recently sent to the legislature on behalf of the District

1. AB 549 (Levine, D) State Park Systems

Would make numerous changes to the operations of state parks in regards to contracts, agreements, and donations using qualified nonprofit operators. As written, we believe it would implement findings from the Parks Forward Commission to improve and strengthen management of the California State Parks. The District supported this bill through its participation with the State Park Partners Coalition (SPPC). Status – Senate Appropriations Suspense.

2. AB 665 (Frazier, D) Hunting and Fishing Local Regulation

Currently local agencies are allowed to adopt ordinances to regulate fishing and hunting. This bill would take away that right giving authority only to the Department of Fish and Wildlife, which is of concern to open space agencies and park districts used by the public. Amendments were added that local governments may continue to adopt ordinances relating to health and safety, but not the specific regulation of hunting and fishing and was too vague in permitting control on public lands. The District opposed this bill through its participation with SPPC and independently. Status – Senate Assembly

3. SB 317 (De Leon, D) – The Safe Neighborhood Parks, Rivers, and Coastal Protection Bond Act of 2016. Would enact the Safe Neighborhood Parks, Rivers, and Coastal Protection Bond Act of 2016, which, if adopted by the voters at the November 8, 2016, statewide general election, would authorize the issuance of bonds in the total amount of

\$2,450,000,000 pursuant to the State General Obligation Bond Law to finance a safe neighborhood parks, rivers, and coastal protection program. Ralph Heim will give update.

4. SB 204 (Pavley, D) – State Parks

Current law establishes the Department of Parks and Recreation and vests the department with the control of the state park system. This bill would require the Director of Parks and Recreation to promote and regulate the use of the state park system in a manner that conserves the scenery, natural and historic resources, and wildlife in the individual units of the system for the enjoyment of future generations. The District supported this bill through its participation with the SPPC and independently. Status: Assembly Appropriations Suspense.

FISCAL IMPACT

None.

PUBLIC NOTICE

Public notice was provided as required by the Brown Act.

CEQA COMPLIANCE

This item is not a project subject to the California Environmental Quality Act.

NEXT STEPS

PPA will continue to monitor legislation and the State budget for items that impact or could impact the District. A representative from PPA will update the full board on legislative issues and the State budget at a future board meeting.

Attachments:

1. AB 549 Support Letter from State Park Partners Coalition (SPPC)
2. AB 665 Letter of Concern from SPPC
3. AB 665 Letter of Opposition from MROSD
4. SB 204 Letter of Support from SPPC
5. SB 204 Letter of Support from MROSD

Responsible Department Head:
Ana Ruiz, Assistant General Manager

Prepared by:
Shelly Lewis, Public Affairs Manager



State Park Partners Coalition (SPPC)

July 7, 2015

The Honorable Ricardo Lara, Chair
 Senate Appropriations Committee
 State Capitol Building
 Sacramento, CA 95814

RE: **AB 549 (Levine): SUPPORT – State Park System**

Dear Senator Lara:

On behalf of the State Park Partners Coalition (SPPC) I am writing to respectfully indicate our support for the subject bill.

SPPC is a coalition of more than fifteen local entities including the East Bay Regional Park District, Los Angeles County Parks and Recreation, and the Santa Clara County Open Space Authority. SPPC is committed to improving state recreational experiences through improved cooperation and collaboration with the California Department of Parks and Recreation (DPR).

California's State park system is a physical reminder and a living narrative that affords all the opportunity to experience, behold and taste all that California has been and all that it is to become. Our world class system consisting of 280 units representing the largest and most diverse natural and cultural heritage holdings of any state agency in the nation is blessed to be stewarded by a dedicated group of professionals and volunteers. In addition to the physical, historical, social, environmental, health and recreational benefits of California's state parks system, the system also provides a great economic benefit as sources suggest that outdoor recreational activities in the state generate greater than \$80 billion annually. Our system provides for a great percentage of the venues and infrastructure that serves this economy.

AB 549 will facilitate implementation of the Parks Forward Commission recommendations to improve and strengthen the management of California's state park system, enhance the tools available to DPR to facilitate partnership agreements, generate increased revenue, and promote public access to state parks.

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July 7, 2015
Page 2 of 2

Again, we respectfully request your support for AB 549.

Sincerely,

A handwritten signature in blue ink, appearing to read "Douglas D. Houston". The signature is stylized and cursive.

Douglas D. Houston
Executive Director

Cc: The Honorable Members of the Senate Appropriations Committee and Consultant
Assembly Member Marc Levine
Senate Republican Caucus Consultant



State Park Partners Coalition (SPPC)

July 7, 2015

The Honorable Ricardo Lara, Chair
Senate Appropriations Committee
State Capitol Building
Sacramento, CA 95814

Re: Letter of Concern: AB 665 (Frazier)

Dear Senator Lara:

On behalf of the State Park Partners Coalition (SPPC) I am writing to register our strong concerns regarding the subject bill.

SPPC is a coalition of more than fifteen local entities including the East Bay Regional Park District, Los Angeles County Parks and Recreation, and the Santa Clara County Open Space Authority. SPPC is committed to improving state recreational experiences through improved cooperation and collaboration with the California Department of Parks and Recreation.

As drafted, AB 665 would undermine local control by requiring state preemption of any local regulations, ordinances, or action relative to the discharge of weapons and the taking of game on specified public lands regardless of proximity to local public lands where established use patterns and activities are partially or wholly inconsistent with hunting activities.

SPPC believes that this bill represents added costs to the state which will be tasked with the monitoring and enforcement of unlawful weapons discharge since under this bill, local agency powers, duties, and the authority to protect and safeguard the public may be invalidated thus shifting these responsibilities to the California Department of Fish and Wildlife.

SPPC should in no way be perceived as anti-hunting. SPPC believes that public access should maximize compatible recreational activities. However, there are instances where hunting on adjacent lands presents an imminent public threat that cannot be adequately monitored or reconciled with existing state resources. Given the chronic under-budgeting of the California Department of Fish and Wildlife and the lack of game warden personnel, SPPC considers it critical that the state, working in cooperation with local entities, marshal and combine resources and expertise to ensure a safe recreational experience for all. For instance, it has been brought to the attention of the SPPC that there are properties along the Hayward Shoreline that routinely host school children for environmental education

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July 7, 2015
Page 2 of 2

and outdoor classroom instruction. The trail and public access points to conduct this instruction are within close proximity to properties lawfully authorized by the Department of Fish and Wildlife for hunting. Hence, given the volume of urban youth visiting environmental education centers or circumnavigating the trails systems along the shorelines and refuges within the greater bay area, SPPC believes that in an effort to reduce risk, the entities maintaining jurisdictional responsibility over the properties in question have the right and obligation to sufficiently provide for the buffering of use, including signage, to ensure compatible recreational experiences.

Safeguarding our youth and providing this heightened level of public protection and safety does in no way restrict hunting activities and we would encourage the committee and the author to work towards a balance between unconditional state preemption and local control for the health and welfare of the citizens of this state.

If you have any questions, please contact me at 916-447-9884.

Sincerely,

A handwritten signature in blue ink, appearing to read "Doug Houston". The signature is stylized and cursive.

Doug Houston
Executive Director

Cc: The Honorable Members of the Senate Appropriations Committee and Consultant
Assembly Member Jim Frazier
Senate Republican Caucus Consultant



Midpeninsula Regional Open Space District

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 Stephen E. Abbors

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August 19, 2015

SENATE FLOOR ALERT – AB 665 (Frazier) OPPOSE**FILE ITEM: 259**

On behalf of the Midpeninsula Regional Open Space District (MROSD) I am writing to register our opposition regarding the subject bill unless amended.

MROSD is one of the largest regional parks and open space districts in California serving constituents in Santa Clara, San Mateo, and a portion of Santa Cruz counties. We own and operate 26 open space preserves on over 62,000 acres from redwood forests to wetlands along the San Francisco Bay. Our preserves and trails are open to the public, free of charge, 365 days a year for hiking, biking, and nature study.

As drafted, AB 665 would undermine local control by requiring state preemption of any local regulations, ordinances, or action relative to the discharge of weapons and the taking of game on specified public lands regardless of proximity to local public lands where established use patterns and activities are partially or wholly inconsistent with hunting activities. However, there are instances where hunting on adjacent lands presents an imminent public threat that cannot be adequately monitored or reconciled with existing state resources.

By eliminating the ability of local jurisdictions to regulate for public safety, the legislation will increase the burden on already under-resourced local police agencies in managing obvious user conflicts. Furthermore, the law is written so broadly it is likely to lead to unanticipated legal challenges against local ordinances whose impacts on hunting and fishing are only indirect and incidental at best.

Safeguarding our youth and providing this heightened level of public protection and safety does in no way restrict hunting activities and we would encourage a balance between unconditional state preemption and local control for the health and welfare of the citizens of this state.

Sincerely,

A handwritten signature in black ink that reads "Stephen E. Abbors".

Stephen E. Abbors
 General Manager



July 10, 2015

The Honorable Jimmy Gomez, Chair
Assembly Appropriations Committee
State Capitol Building
Sacramento, CA 95814

RE: **SB 204 (Pavley): SUPPORT – State Parks**

Dear Assembly Member Gomez:

We are writing to respectfully indicate our support for the subject bill.

SPPC is a coalition of more than fifteen local entities including the East Bay Regional Park District, Los Angeles County Parks and Recreation, and the Santa Clara County Open Space Authority. SPPC is committed to improving state recreational experiences through improved cooperation and collaboration with the California Department of Parks and Recreation (DPR).

California's State park system is a physical reminder and a living narrative that affords all the opportunity to experience, behold and taste all that California has been and all that it is to become. Our world class system consisting of 280 units representing the largest and most diverse natural and cultural heritage holdings of any state agency in the nation is blessed to be stewarded by a dedicated group of professionals and volunteers. In addition to the physical, historical, social, environmental, health and recreational benefits of California's state parks system, the system also provides a great economic benefit as sources suggest that outdoor recreational activities in the state generate greater than \$80 billion annually. Our system provides for a great percentage of the venues and infrastructure that serves this economy.

Pursuant to the recommendations from the Parks Forward Commission and others, SB 204 would implements ways that DPR can help itself financially while focusing on ways to improve relationships with nonprofits, cooperating associations, and other partners. This legislation also emphasizes greater agility at DPR in obtaining funds from the private philanthropic sector as well as positioning itself to take advantage of non-general fund revenue such as potential cap and trade auction revenues. In addition, SB 204 recommends a change in how DPR approves general plans and development plans.

July 10, 2015
Page 2 of 2

For the above stated reasons, we respectfully request your support for SB 204.

Sincerely,



Pilar Alcivar-McCoy
Legislative Chair, California Park & Recreation Society



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



José G. González
Founder, Latino Outdoors



Douglas D. Houston
Executive Director, State Park Partners Coalition

Cc: The Honorable Members of the Assembly Appropriations Committee and Consultant
Senator Fran Pavley
Mr. William Craven, Chief Consultant, Senate Natural Resources and Water Committee
Assembly Republican Caucus Consultant



Midpeninsula Regional Open Space District

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Stephen E. Abbors

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July 13, 2015

The Honorable Jimmy Gomez, Chair
Assembly Appropriations Committee
State Capitol Building
Sacramento, CA 95814

RE: SB 204 (Pavley): SUPPORT – State Parks

Dear Assembly Member Gomez:

I am writing on behalf of the Midpeninsula Regional Open Space District (Midpen) in support of SB 204. Midpen is one of the largest regional open space districts in California with preserves neighboring several popular California state parks in the Santa Cruz Mountains. As a neighbor and partner, we are committed to improving recreational experiences through improved cooperation and collaboration with the California Department of Parks and Recreation (DPR).

At the recommendations from the Parks Forward Commission, SB 204 continues the approach of creating ways DPR can help itself financially without sacrificing the important purposes for which state parks were created. This legislation also emphasizes greater agility at DPR in obtaining funds from the private philanthropic sector and improve relationships with nonprofits, cooperating associations, and other partners, particularly where funds will be used to benefit youth and encourage youth participation in public service and park protection.

In addition SB 204 promotes conservation of natural resources in parks by taking advantage of non-general fund revenue such as potential cap and trade auction revenues. SB 204 also recommends a change to improve efficiencies in how DPR approves general plans and development plans.

SB 204 offers a sustainable means for the DPR to promote and regulate the use of the state park system in a manner that conserves the scenery, natural and historic resources, and wildlife for the enjoyment of future generations. I respectfully ask for your support for SB 204.

Sincerely,

Stephen E. Abbors
General Manager

Cc: The Honorable Members of the Assembly Appropriations Committee and Consultant
Senator Fran Pavley
Mr. William Craven, Chief Consultant, Senate Natural Resources and Water Committee
Assembly Republican Caucus Consultant
Midpeninsula Regional Open Space District Board of Directors