



Midpeninsula Regional
Open Space District

LEGISLATIVE, FINANCE, AND PUBLIC AFFAIRS COMMITTEE

R-15-97
July 1, 2015

AGENDA ITEM 3

AGENDA ITEM

Legislative Briefing

SUMMARY

Ralph Heim and Russ Noack of Public Policy Advocates, LLC, (PPA) the District's legislative consultant in Sacramento, will attend the July 1, 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 the California State Budget and recent legislative activities taken by the District.

DISCUSSION

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

1. **Cap and Trade** -- The May Revise of the Budget contains over \$500 million of Cap and Trade allocations though the dissemination of those allocations is still not defined. Advocates Heim and Noack will give brief update of current status and recommend actions for the District.
2. **AB 495 (Gordon, D-Menlo Park)** – General Manager purchasing limit – Advocates Heim and Noack will provide a brief update about efforts to increase the purchasing limit from \$25k to \$50k for the General Managers of the Midpeninsula Regional Open Space District and the East Bay Regional Park District.
3. **SB 422 (Monning, D-Carmel)** – Allows Santa Clara Open Space Authority to change its name to Santa Clara Valley Open Space District and to acquire land outside its jurisdiction. A recent amendment includes giving the Authority the right to annex land outside its jurisdiction with LAFCO approval, similar to all 5500 special districts. District supports this bill.
4. **AB 665 (Frazier, D-Oakley)** –Currently local agencies are allowed to adopt ordinances to regulate fishing and hunting. This bill would give that 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 proposed by the League of Cities on June 19, 2015 were added that local governments may continue to adopt ordinances relating to health and safety, but not the specific regulation of hunting and fishing, which must be approved by the Fish and Game Commission. Example: locals may adopt an ordinance regulating the discharge of a firearm, but could not adopt an ordinance regulating hunting or fishing, which would have to be approved by the Fish and Game Commission. The LFPAC may want to take a position to oppose this bill as it moves to the Senate.

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. Cap and Trade Budget Letter
2. AB 495 Senate Committee Letter
3. SB 422 Support Letter
4. AB 665 Letter of Concern from State Park Partners Coalition

Responsible Department Head:

Ana Ruiz, Assistant General Manager

Prepared by:

Shelly Lewis, Public Affairs Manager



Attachment 1



May 28, 2015

The Honorable Mark Leno, Chair
California State Senate
Joint Legislative Budget Committee
State Capitol Building
Sacramento, CA 95814

The Honorable Shirley Weber, Vice Chair
California State Assembly
Joint Legislative Budget Committee
State Capitol Building
Sacramento, CA 95814

RE: State Budget: Cap & Trade Auction Revenue Allocations

Dear Senator Leno and Assembly Member Weber:

On behalf of the numerous signatories listed below, I respectfully urge you to consider directing funds from the available cap and trade (C&T) auction proceeds contained in this year's budget bill toward

Attachment 1

specified regional and local park and open space improvements and investments that yield quantifiable “greenhouse gas (GHG) benefits.” As you are keenly aware, the 2014-15 Budget Act and SB 862 of 2014 enumerated the manner in which the C&T proceeds contained in the budget were to be allocated. Sixty percent of the funds are to be continuously appropriated to specified programs and project types including High Speed Rail, Affordable Housing, Sustainable Communities, and other important projects. The remaining forty percent is subject to considerable legislative discretion. A modest amount of funds were dedicated to natural resource related categories last year, including urban forestry and watershed, coastal wetlands, and mountain meadow enhancements. While these are important investment goals, absent from this allocation mix were funds available to provide park improvements throughout California at the state, regional, and local levels.

While the Governor calls for \$1 billion in expenditures through C&T for 2015-16, the Legislative Analyst Office suggests that the proceed estimates contained in the budget are deflated and that California can likely anticipate greater than \$2 billion during this budget cycle.

California has not seen a “true” park and resources bond since 2002 (Proposition 40) and the historic investment that this state has made over the years has significantly diminished. Park infrastructure is in peril, particularly at the state level, but also in our local communities, having been largely established in the 1960’s and 1970’s. Voters of this state were most generous in approving both Propositions 12 and 40 to reinvest in parks. However, there are many neighborhoods and communities remaining within the state that cannot access a quality park experience.

An investment in parks is good for California in several important ways.

- Investment in our economy:
 - According to the Outdoor Business Association, the “outdoor economy” in this state represents an \$85 billion industry.
 - It is one of the largest sectors of the state’s economy and over 700,000 jobs are attributed to this economy.
 - The state should continue to feed this economic engine and invest in the expansion and improvement of those venues that support outdoor activities.

- Investment in our health:
 - **Land Acquisitions:** Investment in the protection and proper stewardship of lands in urban, suburban, and rural areas which will assist in addressing future growth patterns that alter the human and physical landscape leading to GHG increases.
 - **Bringing Parks to People:** Investments in new park development near urban areas promotes reductions in Vehicle Miles Traveled (VMTs) as high use and visitation destination points, such as parks, can be more easily accessed by the general public thus reducing dependency on vehicles.
 - **Green Infrastructure/Passive Park Development:** Tree plantings, native landscaping, and non-motorized trail improvements within existing parks or proposed for new parks provide health (air quality and fitness) and sequestration benefits, as well as a variety of other ecosystem services.
 - **Hardscape Conversion:** Converting asphalt areas and blighted, energy inefficient, urban settings that otherwise induce heat island scenarios will lead to GHG reductions.
 - **Safe Routes to Parks:** Investing in non-motorized infrastructure that fosters human-powered travel options to destination points such as parks will also reduce GHG’s.

Attachment 1

In terms of quantifying GHG benefits of park investment, I would refer you to the Trust for Public Land's commissioned study, "Quantifying the Greenhouse Gas Benefits of Urban Parks." This report identifies a host of investment types in our urban recreational landscapes that provide for GHG reductions and improvements.

This list of above referenced investments, while not exhaustive, are wholly within the spirit and stated priorities of Senate President pro Tem Kevin de León to create "Green Jobs" and promote a green economy. Further, many of the above identified funding opportunities could be undertaken by the California Conservation Corps and local job corps that provide skills to young Californians throughout the state – promoting an additional investment in our future workforce. Lastly, the following group of stakeholders enthusiastically embrace the recent inclusion of \$500 million by the Senate Budget Committee relative to Cap & Trade auction proceed allocations for "Disadvantaged Communities" (DACs). While this proposal represents a tremendous opportunity to fund greening projects in California's more blighted and park poor communities, we would encourage the proposed funds go beyond DACs to impact other communities within the state as well that are committed to reducing GHG.


In closing, we would urge your favorable consideration of these recommendations as you and your committee begin to deliberate over this matter. Given the direct benefits to the environment, our economy, and the wellness of our communities, we feel this is a wise investment.

For more information, please contact Doug Houston at (916) 447-9884.

Sincerely,



Stephanie Stephens
Executive Director, California Park & Recreation Society (CPRS)



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



Rue Mapp
Founder & Chief Executive Officer, OutDoor Afro

Attachment 1



Rick Sloan
President, California Association of Recreation and Park Districts (CARPD)



José G. González
Founder, Latino Outdoors



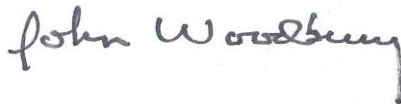
Douglas D. Houston
Executive Director, State Park Partners Coalition (SPPC)



Caryl Hart, Ph.D.
Director, Sonoma County Regional Parks



Andrea Mackenzie
General Manager, Santa Clara Valley Open Space Authority



John Woodbury
General Manager, Napa County Regional Park and Open Space District

Attachment 1



Steve Hoagland
President, California Association of Park & Recreation Commissioners & Board Members



Mark Stanley
Executive Director, Watershed Conservation Authority



Stephen E. Abbors
General Manager, Midpeninsula Regional Open Space District

Cc: The Honorable Members of the Joint Legislative Budget Committee and Consultant
Mr. Kip Lipper, Office of Senate President pro Tem Kevin de León
Ms. Catherine Freeman, Senate Budget Subcommittee 2
Ms. Gabrielle Mendl, Assembly Budget Subcommittee 3
Mr. Bill Craven, Senate Natural Resources and Water Committee



June 1, 2015

The Honorable Bob Hertzberg, Chair
Senate Governance and Finance Committee
State Capitol
Sacramento, CA 95814

RE: Sponsor/Support AB 495 (Gordon) - Regional park and open space districts: general managers: powers

Dear Senator Hertzberg:

On behalf of the East Bay Regional Park District (EBRPD) and Midpeninsula Regional Open Space District (MROSD), we are writing to respectfully request your favorable consideration of the above referenced legislation. As you may know this bill would increase the purchasing authority of the general managers of EBRPD and MROSD, with the respective boards of director approval, from \$25,000 to \$50,000.

EBRPD and MROSD serve a combined 3.3 million constituents and are among the largest special park districts in the nation. The \$25,000 purchasing authority limit has not been increased since 2002, while inflation and project costs have increased substantially. Authorizing this increase would allow both districts to alleviate redundant report writing and process review time, saving considerable taxpayer dollars.

Improving administrative efficiencies are important to fulfilling our organizations' missions related to protecting natural resources and offering enjoyable outdoor healthy recreation opportunities. Changes to the authority limit will make both districts more effective for our common park and open space objectives. We therefore strongly support AB 495 and respectfully urge your aye vote.

Sincerely,

A handwritten signature in black ink, appearing to read "Whitney Dotson".

Whitney Dotson
President
EBRPD Board of Directors

A handwritten signature in black ink, appearing to read "Pete Siemens".

Pete Siemens
President
MROSD Board of Directors

Cc: The Honorable Members of the Senate Governance and Finance Committee and Consultant
Assembly Member Richard Gordon
Senate Republican Caucus Consultant



Midpeninsula Regional Open Space District

GENERAL MANAGER
Stephen E. Abbors

BOARD OF DIRECTORS
Pete Siemens
Yoriko Kishimoto
Jed Cyr
Curt Riffle
Nonette Hanko
Larry Hassett
Cecily Harris

June 3, 2015

The Honorable Brian Maienschein
Chair, Assembly Committee on Local Government
California State Capitol, Room 4139
Sacramento, CA 95814

Re: SB 422 (Monning) – SUPPORT
Hearing: 06/17/2015; Assembly Committee on Local Government

Dear Assembly Member Maienschein:

On behalf of Midpeninsula Regional Open Space District (District), I write to you in support of Senate Bill 422 (Monning), which would authorize the Santa Clara County Open Space Authority (Authority) to change its name to Santa Clara Valley Open Space Authority and to hold property within and without its jurisdiction to further achieve its mission of protecting open space for wildlife habitat and safeguarding the natural water resources of the Santa Clara Valley.

Authorizing the Authority to change its name to Santa Clara Valley Open Space Authority will avoid confusion with Santa Clara County Government, to which the Authority does not belong.

Modifying language in the Authority's Enabling Act would allow it to hold land "within and without" the Authority's jurisdiction, a power afforded to other open space districts in California. This modification would allow the Authority to hold property just outside of Santa Clara County that is important to satisfying conservation objectives within the Authority's jurisdiction, for example, along the southern side of the Pajaro River.

Our District considers itself to be a sister agency to the Authority, serving an adjoining region in northwest Santa Clara County. Unlike the Authority, our District was established under *Public Resources Code §5500, and, as such*, we have been able to purchase and hold lands outside of our jurisdictional boundaries since our founding. On occasion, the District has used this ability to purchase or accept gifts of land outside the District's boundaries or sphere of influence to protect lands with open space, conservation and resource values and provide connections to other open space and park lands. In our view, considering the multiple stressors on the remaining open space that is the underlying "life support

system” for our region, it is sound political judgment to extend this ability to the Authority so they can continue to advance the overall conservation vision in areas that are most at risk.

Both changes proposed in SB 422 will make the Authority a more effective partner for our common natural resource protection objectives. We therefore strongly support SB 422 and respectfully urge your aye vote.

Sincerely,

A handwritten signature in cursive script that reads "Stephen E. Abbors".

Stephen E. Abbors
General Manager

cc:

Honorable Members; Assembly Committee on Local Government

The Honorable Kevin Mullin; State Capitol, Room 3160

The Honorable Evan Low; State Capitol, Room 2175

Misa Lennox, Consultant; Assembly Committee on Local Government; LOB #157

William Weber, Consultant; Assembly Republican Caucus; LOB #400



State Park Partners Coalition (SPPC)

June 16, 2015

The Honorable Fran Pavley, Chair
 Senate Natural Resources and Water Committee
 State Capitol Building
 Sacramento, CA 95814

Re: Letter of Concern: AB 665 (Frazier)

Dear Senator Pavley:

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 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 and outdoor classroom instruction. The trail and public access points to conduct this instruction are within with close proximity to properties lawfully authorized by the Department of Fish and Wildlife for hunting. Hence, given the volume of urban youth visiting

East Bay Regional Park District • County of Los Angeles (Parks & Recreation/Beaches & Harbors) • Marin County Parks and Recreation • Midpeninsula Regional Open Space District • Monterey Peninsula Regional Park District • Napa County Regional Park and Open Space District • City of Pacifica • San Luis Obispo County Parks • Santa Clara County Open Space Authority • Santa Clara County Parks and Recreation • City of Santa Monica • Sonoma County Agricultural Preservation and Open Space District • Sonoma County Regional Parks • County of San Diego • Tahoe City Public Utility District

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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, that 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 Natural Resources and Water Committee
Assembly Member Jim Frazier
Mr. Bill Craven, Chief Consultant, Senate Natural Resources and Water Committee