

DATE: June 26, 2017
TO: RMC Governing Board
FROM: Mark Stanley, Executive Officer
SUBJECT: Item 9A: Executive Officer's Report- Legislation and Initiatives

For full text and history of bills and initiatives, visit these web sites:

Federal Bills: <https://www.congress.gov>
State Bills: <http://www.leginfo.ca.gov/>

STATE LEGISLATION
Current as of 6/19/17

The following is the status of legislative bills that have been introduced in the current session by Senate and Assembly potentially of interest to the RMC. Bills can be tracked on the legislative website: <http://leginfo.legislature.ca.gov/>

PARKS AND WATER

For full text and history of bills and initiatives, visit these web sites:

Federal Bills: <https://www.congress.gov>
State Bills: <http://www.leginfo.ca.gov/>

AB 18 (Garcia, Eduardo D) California Clean Water, Climate, Coastal Protection, and Outdoor Access For All Act of 2018

Introduced: 12/5/2016, **Last Amended Date:** 2/23/17, **Revised:** 3/8/2017, **Status:** Passed the Assembly and Waiting for Committee Assignment in the Senate

Summary: An act to add Chapter 14 (commencing with Section 5880) to Division 5 of the Public Resources Code, relating to a clean water, climate, and coastal protection and outdoor access for all program, by providing the funds necessary therefor through an election for the issuance and sale of bonds of the State of California and for the handling and disposition of those funds, and declaring the urgency thereof, to take effect immediately.

The bill would enact the California Clean Water, Climate, Coastal Protection, and Outdoor Access for All Act of 2018, which, if approved by the voters, would authorize the issuance of bonds in an amount of **\$3,105,000,000** pursuant to the State General Obligation Bond Law to finance a clean water, climate, and coastal protection and outdoor access for all program. Note that both **SB 5 (DeLeon)** and **AB 18 (Garcia)** have very specific allocations for the 10 Statewide Conservancies and other river and park funding that will have an impact on the work of the two local State Conservancies.

SB 5 (DeLeon, Kevin D) California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access for All Act 2018

Introduced: 12/5/2016, **Last Amended Date:** 05/26/2017, **Status:** Passed the Senate and Waiting for Committee Assignment in the Assembly

Summary: An act to add Division 45 (commencing with Section 80000) to the Public Resources Code, relating to a drought, water, parks, climate, coastal protection, and outdoor access for all program, by providing the funds necessary therefor through an election for the issuance and sale of bonds of the State of California and for the handling and disposition of those funds, and declaring the urgency thereof, to take effect immediately.

This bill would enact the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Act of 2018, which, if approved by the voters, would authorize the issuance of bonds in an amount of **\$3,500,000,000** pursuant to the State General Obligation Bond Law to finance a drought, water, parks, climate, coastal protection, and outdoor access for all program. The bill would provide for the submission of these provisions to the voters at the June 5, 2018, statewide primary direct election. This bill would declare that it is to take effect immediately as an urgency statute.

This bill has very specific funds set aside for the 10 State Conservancies. It I anticipated that final allocations will be made once parties agree to the allocations. The chart below highlights some of the key comparisons between Assembly Bill 18 (E.Garcia) and Senate Bill 5 (De Leon).

BOND COMPARISON - AB 18 (GARCIA) & SB 5 (DE LEÓN)

	AB 18 (Garcia)	SB 5 (De León)
AB 31 Park Poor Communities Program	\$900 Million	\$800 Million
Per Capita	\$425 Million	\$215 Million
County/Regional Program	\$110 Million	\$20 Million
Rural Program	\$40 Million	\$20 Million
Trails	\$45 Million	\$30 Million
State Parks	\$330 Million	\$150 Million
Conservancies	\$145 Million	\$157 Million
River Parkway Program (Unallocated)	\$70 Million & Funding for Specified Rivers including LA	\$125 Million
Wildlife Conservation Board	\$400 Million	\$288 Million
Oceans and Coastal Protection	\$180 Million	\$100 Million
Miscellaneous (including Cal Fire, Conservation, Climate Resiliency, CCC, and Natural Resources Agency)	\$200 Million	\$322 Million
Water Quality, Groundwater Protection, Integrated Watershed Funding, and Recycled Water	\$0	\$500 Million
Flood Protection	\$0	\$750 Million
Coastal Low Cost Accommodations	\$100 Million	\$0
TOTAL BOND COST	\$3.105 Billion	\$3.5 Billion

Based on 3/8/17 revised version of AB 18 and 5/26/17 amended version of SB 5.

AB 1483 (Daly D) Housing-Related Parks Program

Introduced: 2/17/2017, **Last Amended Date:** 3/28/2017, **Status:** Did not make it out of Assembly Appropriations

Summary: There is hereby established in state government the Housing-Related Parks Program, to be administered by the department, using funds allocated, upon appropriation, under subdivision (d) of Section 53545, for the purpose of providing grants for the creation, development, or rehabilitation of park and recreation facilities to cities, counties, and cities and counties based on the issuance of building permits for new housing units, or housing units substantially rehabilitated, acquired, or preserved with committed assistance from the city, county, or city and county, that are affordable to very low or low-income households.

Appropriated \$50,000,000 from the General Fund to the Housing Urban-Suburban-and-Rural Parks Account in the 2017–18 fiscal year. These funds shall be available to the department for grants for housing-related parks in urban, suburban, and rural areas, pursuant to this chapter.

AB 1558 (Garcia, Cristina D) Los Angeles River: River Ranger Program

Introduced: 2/17/2017, **Last Amended Date:** 3/28/2017, **Status:** Passed the Assembly and Waiting for Committee Assignment in the Senate

Summary: This bill would require the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy and the Santa Monica Mountains Conservancy to collaborate with the Department of Parks and Recreation, the California Conservation Corps, and the State Lands Commission to develop a river ranger program to provide a network of river rangers who assist the public at sites along the Los Angeles River and its tributaries, as prescribed. The bill would require the conservancies, no later than June 30, 2018, to develop a plan for the design and implementation of the program, containing specified components and information, and to provide a copy of the completed plan to certain legislative committees by that date.

SB 693 (Mendoza D) Lower San Gabriel River Recreation and Park District

Introduced: 2/17/2017, **Status:** 2/17/2017-Introduced, **Status:** Passed the Senate and Waiting for Committee Assignment in the Assembly

Summary: Would specifically authorize the establishment of the Lower San Gabriel River Recreation and Park District, by petition or resolution submitted to the Los Angeles County Local Agency Formation Commission before January 1, 2020, subject to specified existing laws governing recreation and park districts, including their formation, except as provided. The bill would authorize specified city councils and the Los Angeles County Board of Supervisors to appoint the initial board of directors of the district.

SB 714 (Newman D) State Coastal Conservancy: West Coyote Hills Conservancy Program

Introduced: 2/17/2017, **Last Amended Date:** 5/8/2017, **Status:** Passed Senate Natural Resources and Water Committee and re-referred to Appropriations Committee

Summary: Would establish the West Coyote Hills Conservancy Program, to be administered by the conservancy and to undertake projects and award grants in the West Coyote Hills area, as described, for purposes relating to improvement of public access, and the protection, restoration, and enhancement of natural resources in the area. This bill would prescribe the duties of the conservancy with regard to the implementation and administration of the program.

AB 466 (Bocanegra D) Los Angeles River Tributaries and Watershed Working Group

Introduced: 2/13/2017, **Status:** 2/14/2017, **Last Amended Date:** 3/14/2017, **Status:** Passed the Assembly and Waiting for Committee Assignment in the Senate

Summary: Would require the Secretary of the Natural Resources Agency to appoint, in consultation with the Los Angeles County Board of Supervisors to the extent the board wishes to consult, a local working group to develop a revitalization plan for the Los Angeles River tributaries and watershed, called the Los Angeles River Tributaries and Watershed Working Group. The bill would require the secretary to consider requests from local agency representatives to participate in the working group and would authorize the working group to include specified representatives.

AB 1235 (Daly D) Santa Ana River Conservancy Program

Introduced: 2/17/2017, **Status:** 2/17/2017-Read first time, **Last Amended Date:** 3/28/2017, **Status:** Did not make it out of Assembly Appropriations

Summary: Current law establishes the State Coastal Conservancy with prescribed powers and responsibilities for implementing and administering various programs intended to preserve, protect, and restore the state's coastal areas. Current law also establishes the Santa Ana River Conservancy Program, to be administered by the conservancy, for purposes related to the implementation of projects to restore, preserve, and enhance specified lands in the Santa Ana River region, as defined. This bill would appropriate the sum of \$20,000,000 from the General Fund to the conservancy to be expended for the purposes of this program.

CLIMATE CHANGE

SB-263 Leyva (S) Climate Assistance Centers

Introduced: 02/08/17, **Status:** Sen Environmental Quality, **Committee Hearing Date:** 03/29/17, **Last Amended Date:** 5/3/2017, **Status:** Did not make it out of Senate Appropriations

Summary: Existing law creates the Transformative Climate Communities Program, which is administered by the Strategic Growth Council. Existing law requires the council to award competitive grants to specified eligible entities for the development and implementation of neighborhood-level transformative climate community plans that include greenhouse gas emissions reduction projects that provide local economic, environmental, and health benefits to disadvantaged communities, as defined.

The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The act authorizes the state board to include the use of market-based compliance mechanisms. Existing law requires all moneys, except for fines and penalties, collected by the state board as part of a market-based compliance mechanism to be deposited in the Greenhouse Gas Reduction Fund and to be available upon appropriation.

This bill would require the council to establish no less than 10 regional climate assistance centers, equitably distributed across urban and rural areas of the state, to build the capacity of local community organizations, municipalities, and small businesses from disadvantaged communities to participate in state climate investment programs, as specified. Funds would be allocated through the Greenhouse Gas Reduction Fund to community based and nonprofit organizations to engage with climate assistance centers and conduct outreach in disadvantaged communities, as specified. The bill would require the council and the state board to make a specified report to the Legislature.

AB 1433 (Wood D) Climate Adaptation and Resilience Based on Nature Act

Introduced: 2/17/2017 **Status:** 2/17/2017-Read first time, **Last Amended Date:** 4/27/2017, **Status:** Passed the Assembly and Waiting for Committee Assignment in the Senate

Summary: Would create the Climate Adaptation and Resilience Based on Nature Account in the Greenhouse Gas Reduction Fund and, upon appropriation by the Legislature in the annual Budget Act, make available the moneys in the account to the Wildlife Conservation Board for grants and programs that facilitate actions to protect and improve the resilience of natural systems and to reduce emissions of greenhouse gases.

AB 1530 (Gonzalez Fletcher D) Urban forestry

Introduced: 2/17/2017 **Status:** 2/17/2017-Read first time. To print, **Last Amended Date:** 5/15/2017, **Status:** Referred to Senate Natural Resources and Water Committee

Summary: The California Urban Forestry Act of 1978 has as a stated purpose the promotion of the use of urban forest resources for purposes of increasing integrated projects with multiple benefits in urban communities. This bill would provide that the purpose of the act is also to promote policies and incentives that advance improved maintenance of urban forest canopy to optimize multiple benefits, among other purposes. This bill contains other related provisions and other current laws.

LA COUNTY UPDATE

Los Angeles County Legislation approved by the voters in November 2016 potentially of interest to the RMC.

MEASURE A: Safe, Clean Neighborhood Parks, Open Space, Beaches, Rivers Protection, and Water Conservation Measure. To replace expiring local funding for safe, clean neighborhood/ city/ county parks; increase safe playgrounds, reduce gang activity; keep neighborhood recreation/ senior centers, drinking water safe; protect beaches, rivers, water resources, remaining natural areas/ open space; levy of 1.5 cents annually per square foot of improved property in Los Angeles County, with bond authority, requiring citizen oversight, independent audits, and funds used locally.

This measure was overwhelmingly approved by the required 2/3 supermajority of votes on November 8, 2016 by 73.48%, or 1,568,781 votes.

MEASURE M: Los Angeles County Sales Tax

To improve freeway traffic flow/safety; repair potholes/sidewalks; repave local streets; earthquake retrofit bridges; synchronize signals; keep senior/disabled/student fares affordable; expand rail/subway/bus systems; improve job/school/airport connections; and create jobs; shall voters authorize a Los Angeles County Traffic Improvement Plan through a ½ ¢ sales tax and continue the existing ½ ¢ traffic relief tax until voters decide to end it, with independent audits/oversight and funds controlled locally?

Approval of Measure M ("Measure") would adopt an ordinance known as the Los Angeles County Traffic Improvement Plan ("Ordinance") proposed by the Los Angeles County Metropolitan Transportation Authority ("Metro"), which placed this Measure on the ballot by resolution dated June 23, 2016. The Ordinance would impose a retail transactions and use tax ("Sales Tax") at the rate of

one-half of one percent (.5%) within Los Angeles County (“County”), beginning on the first day of the first calendar quarter commencing not less than 180 days after adoption of the ordinance. The Sales Tax will increase to one percent (1%) on July 1, 2039, when the Measure R tax of one-half of one percent (.5%) tax imposed by Metro by Ordinance number 08-01 expires. The Sales Tax is in addition to any other taxes authorized by law. The Sales Tax has no expiration date.

This measure was overwhelmingly approved by the required 2/3 supermajority of votes on November 8, 2016 by 69.79% of votes, or 1,594,427 voters that voted yes.

FEDERAL LEGISLATION CURRENT AS OF 6/16/17

As part of an administration-wide review of the designation of 27 large national monuments, Secretary of Interior Ryan Zinke made his first recommendation to President Trump, to reduce the size of Bears Ears National Monument in southern Utah.

President Trump executive order asked for a recommendation from Secretary Zinke by June 10 the recommendation was submitted June 12. The comment period for the other 26 monuments runs through July 9.

If President Trump accepts Secretary Zinke’s recommendation, a likelihood, it raises the possibility of a lawsuit under the Antiquities Act of 1906. That law authorizes a President to designate national monuments, but some experts question whether it authorizes the de-designation of monuments, or significant portions of monuments.