



Midpeninsula Regional
Open Space District

R-20-26
Meeting No. 20-06
March 11, 2020

AGENDA ITEM 7

AGENDA ITEM

Legislative Action Recommendations

GENERAL MANAGER'S RECOMMENDATIONS:

Approve the recommended list of legislative actions for the 2020 state legislative session.

SUMMARY

Midpeninsula Regional Open Space District (District) staff have reviewed active state legislation for the 2020 session and submit a list of recommended priority bills for consideration to the Board of Directors (Board) (Attachment 1).

Important Note: Most bills will change over the course of the legislative session. The legislative process is fluid and often fast moving. Based upon its guiding documents – Board Policy 1.11 (Attachment 2) and the Board-adopted Legislative Program (Attachment 3) – the General Manager and staff will pursue an appropriate position for each bill and ensure that District interests are promoted and protected.

DISCUSSION

The 2020 Legislative Program, which the Board approved at its February 12, 2020 meeting, reflects Board policy positions on issues affecting the District, its mission, and annual strategic goals. Staff and the District's legislative consultants actively use the Legislative Program to address newly introduced or amended bills and communicate District positions on bills, budget recommendations, and other legislative items to the respective authors and/or legislative committees. Throughout the session, staff fields time-sensitive requests from partners and monitors evolving pieces of legislation based on Board Policy 1.11. The process for reviewing and responding to legislation as it develops is described in Attachment 4, Legislative Bill Disposition Process.

Legislation deemed a priority by the Board, pursuant to Board Policy 1.11 and described in Attachment 5 - Legislation Position and Priorities Definitions, are tracked and, when appropriate, either supported or opposed. The General Manager keeps the Board notified of actions taken via separate memos (Attachment 6, Example Memo). Please refer to Attachment 1 for an overview of the initial list of bills that the District is tracking during the 2020 legislative session.

February 21, 2020 was the submittal deadline for new bills by State Assemblymembers and Senators (See Attachment 7, Legislative Calendar). District legislative consultants Public Policy Advocates (PPA) and Environmental and Energy Consulting (EEC) reviewed every bill

submitted to determine whether it has the potential to affect District interests, recommending a position and priority.

Department managers assisted with a review of all the potential bills of interest and provided a recommended position and priority for each bill of interest. Approximately 150 bills are currently tracked, though only bills that may initiate action by the District at this time – Priorities 1 and 2 – are presented. At this time, 2 bills are deemed Priority 1 and 13 bills are Priority 2. As the legislative session progresses, each bill may change (sometimes substantially), which warrants further consideration concurrent with Board Policy 1.11.

FISCAL IMPACT

There is no fiscal impact associated with this briefing.

BOARD COMMITTEE REVIEW

No prior Board committee review has occurred.

PUBLIC NOTICE

Public notice was provided as required by the Brown Act. No additional notice is required.

CEQA COMPLIANCE

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

NEXT STEPS

Based on both the Legislative Program legislative priorities adopted by the Board on February 12, 2020 and the bills identified as “priority 1” by the Board at this meeting, staff, the Board President and Vice-President are scheduled to travel to Sacramento on Tuesday, March 24 to communicate District interests to our legislative delegation.

Staff will also bring legislative updates and proposals to LFPAC throughout the state legislative session.

ATTACHMENTS

- Attachment 1 – District Legislative Tracking Matrix
- Attachment 2 – Board Policy 1.11 - Positions on Ballot Measures and Legislative Advocacy
- Attachment 3 – District Legislative Program for 2020 – Adopted
- Attachment 4 – District Bill Disposition Process
- Attachment 5 – District Legislation Position and Priorities Definitions
- Attachment 6 – Example of GM Legislative Memo to the Board
- Attachment 7 - State Legislative Calendar – 2020

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**Midpeninsula Regional Open Space District
Legislative Positions Recommendations**

Measure	Author	Focus Area	Goal	Topic	Brief Summary	Position	Priority
AB 2482	Stone, Mark D	Climate	Protect the positive environmental values of open space lands	Agriculture: environmental farming programs and grants.	Would require the Department of Food and Agriculture, upon appropriation by the Legislature of additional funds, to administer the State Water Efficiency and Enhancement Program (grant program) to provide grants to agricultural operations to implement irrigation systems that reduce greenhouse gases and energy use and increase water use efficiency, as prescribed. The bill would also require the department to fund culturally competent training on irrigation and nutrient management, authorize the department to contract with qualified third parties to measure grant program outcomes, and require the department to adopt guidelines for the grant program.	Support	2
AB 2619	Stone, Mark D	Climate	Protect the positive environmental values of open space lands	Coastal resources: Program for Coastal Resilience, Adaptation, and Access.	Would establish the Program for Coastal Resilience, Adaptation, and Access for the purpose of funding specified activities intended to help the state prepare, plan, and implement actions to address and adapt to sea level rise and coastal climate change. The bill would create the Coastal Resilience, Adaptation, and Access Fund in the State Treasury, and would authorize the California Coastal Commission and specified state agencies to expend moneys in the fund, upon appropriation in the annual Budget Act, to take actions, based upon the best scientific information, that are designed to address and adapt to sea level rise and coastal climate change, as prescribed.	Support	2
AB 2954	Rivas, Robert D	Climate	Protect the positive environmental values of open space lands	California Global Warming Solutions Act of 2006: climate goal: natural and working lands.	Would require the State Air Resources Board, in collaboration with the California Environmental Protection Agency, the Natural Resources Agency, the Office of Planning and Research, and other relevant departments, to identify by July 1, 2021, an overall climate goal for the state's natural and working lands, as defined, to sequester carbon and reduce atmospheric greenhouse gas emissions. As part of this process, the bill would require the state board, in collaboration with the same agencies and departments, to among other things, identify practices, policy incentives, and potential reductions in barriers that would help achieve the climate goal for integration into the next update to the scoping plan that immediately follows the identification of the climate goal and, on or before January 1, 2022, report to the Legislature recommended policy incentives that the state could enact to help reach the climate goal.	Support	2
SB 1296	Durazo D	Climate	Protect the positive environmental values of open space lands	Natural resources: the Nature and Parks Career Pathway and Community Resiliency Act of 2020.	Current law establishes various environmental and economic policies and programs. This bill would establish the Nature and Parks Career Pathway and Community Resiliency Act of 2020, which would require state conservancies, the Wildlife Conservation Board, and the Natural Resources Agency to establish independent grant programs to support climate-beneficial and climate resiliency projects that incorporate partnerships with nonprofit organizations that provide certifications and placement services for jobs and careers in the natural resources field, as specified.	Support	2



SB 1323	Skinner D	Climate	Protect the positive environmental values of open space lands	Carbon sequestration: state goals: natural and working lands: registry of projects.	Would require, no later than July 1, 2021, that the Natural Resources Agency, in coordination with the California Environmental Protection Agency, the State Air Resources Board, and the department establish carbon sequestration goals for natural and working lands, as defined. The bill would require the board to include specified carbon dioxide removal targets as part of its scoping plan.	Support	2
AB 1922	Rivas, Luz D	Education	Connect people to open space and a regional environmental protection vision	Pupil instruction: science requirements: climate change.	Current law requires the adopted course of study for grades 1 to 6, inclusive, and the adopted course of study for grades 7 to 12, inclusive, to include certain areas of study, including, among others, English, mathematics, social sciences, science, and visual and performing arts, as specified. This bill, with respect to both of the above-referenced adopted courses of study, would require the science area of study to include an emphasis on the causes and effects of climate change. The bill would require that appropriate coursework including this material be offered to pupils as soon as possible, commencing no later than the 2021–22 school year.	Support	2
AB 3256	Garcia, Eduardo D	Funding	Strengthen organizational capacity and long-term financial sustainability to fulfill the mission	Climate risks: bond measure.	The California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Act of 2018, approved by the voters as Proposition 68 at the June 5, 2018, statewide direct primary election, authorizes the issuance of bonds in the amount of \$4,000,000,000 pursuant to the State General Obligation Bond Law to finance a drought, water, parks, climate, coastal protection, and outdoor access for all program. This bill would state the intent of the Legislature to enact a bond measure that would address climate risks to the State of California.	Support	1
ACR 179	Voepel R	Governance	Strengthen organizational capacity and long-term financial sustainability to fulfill the mission	Special Districts Week	This measure proclaims the week of May 17, 2020, to May 23, 2020, to be Special Districts Week.	Support	2
SB 1372	Monning D	Habitat Connectivity	Protect the positive environmental values of open space lands	Wildlife corridors and connectivity: Wildlife and Biodiversity Protection and Movement Act of 2020.	Current law requires the Department of Fish and Wildlife, contingent upon funding being provided by the Wildlife Conservation Board or from other appropriate bond funds, upon appropriation by the Legislature, to investigate, study, and identify those areas in the state that are most essential as wildlife corridors and habitat linkages, as well as the impacts to those wildlife corridors from climate change, and requires the department to prioritize vegetative data development in these areas. This bill would additionally require the department to investigate, study, and identify impacts to those wildlife corridors from state infrastructure projects, including transportation and water projects, large-scale development projects not covered by an existing natural community conservation plan or habitat conservation plan, and planned or potential land conversions.	Support	1



AB 2987	Flora R	Planning and Permitting	Strengthen organizational capacity and long-term financial sustainability to fulfill the mission	Local agency public contracts: bidding procedures.	The Uniform Public Construction Cost Accounting Act authorizes a public agency to elect to become subject to uniform construction cost accounting procedures. The act authorizes bidding procedures for public projects, as specified. Those bidding procedures include procedures for the publication or posting and electronic transmission of notice inviting formal bids. This bill would authorize a public agency, as an alternative to the publication or posting requirement, to meet the notice inviting formal bids requirement by transmitting notice electronically, as specified, and publishing the notice electronically in a prescribed manner on the public agency's internet website at least 14 calendar days before the date of opening the bids.	Support	2
AB 3005	Rivas, Robert D	Planning and Permitting	Protect the positive environmental values of open space lands	Leroy Anderson Dam and Reservoir: environmental review, permitting, and public contracting.	Would require the Department of Fish and Wildlife, within 15 days of receipt of the notification from the Santa Clara Valley Water District, to inform the department whether the Anderson Dam project, as defined, will not substantially adversely affect an existing fish and wildlife resource. If the department determines that the project will substantially adversely affect an existing fish and wildlife resource, the bill would specify the process by which the department is to issue a final agreement to the district that includes reasonable measures necessary to protect the affected resource.	Support	2
AB 2373	Rubio, Blanca D	Stewardship	Protect the positive environmental values of open space lands	Structural pest control: second generation anticoagulant rodenticides.	Current law provides for the licensure and regulation of structural pest control by the Structural Pest Control Board in the Department of Consumer Affairs. This bill would require a licensee, beginning July 1, 2021, to complete a training course of at least one hour on the ecological impact of second generation anti coagulant rodenticides, as defined, on wildlife with respect to primary and secondary poisoning. The bill would require the training course to be developed by the board or a provider approved by the board, and to meet and apply to the continuing education requirements for licensees established by the board.	Support	2
AB 2502	Quirk D	Water	Protect the positive environmental values of open space lands	Groundwater sustainability plans: impacts on managed wetlands.	The Sustainable Groundwater Management Act requires all groundwater basins designated as high- or medium-priority basins by the Department of Water Resources that are designated as basins subject to critical conditions of overdraft to be managed under a groundwater sustainability plan or coordinated groundwater sustainability plans by January 31, 2020. The act prescribes that plans contain certain required contents and requires that plans contain, where appropriate and in collaboration with the appropriate local agencies, additional analyses or components, including, among others, control of saline water intrusion, wellhead protection areas and recharge areas, a well abandonment and well destruction program, well construction policies, and impacts on groundwater dependent ecosystems. This bill would add impacts to managed wetlands, as specified, to the additional analyses or components that a plan is required to contain when appropriate.	Support	2



<p>AB 2518</p>	<p>Wood D</p>	<p>Water</p>	<p>Protect the positive environmental values of open space lands</p>	<p>Voluntary stream restoration landowner liability.</p>	<p>Would exempt a landowner who voluntarily allows land to be used for such a project to restore fish and wildlife habitat from civil liability for property damage or personal injury resulting from the project if the project is funded, at least in part, by a state or federal agency that promotes or encourages riparian habitat restoration, unless the property damage or personal injury is caused by willful, intentional, or reckless conduct of the landowner or by a design, construction, operation, or maintenance activity performed by the landowner.</p>	<p>Support</p>	<p>2</p>
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Midpeninsula Regional Open Space District

Board Policy Manual

<p>Positions on Ballot Measures and Legislative Advocacy</p>	<p>Policy 1.11 Chapter 1 – Administration and Government</p>
<p>Effective Date: 4/13/16</p>	<p>Revised Date: N/A</p>
<p>Prior Versions: N/A</p>	

Purpose

To establish a policy governing positions on local and state ballot measures/propositions and state and federal legislative advocacy. It is intended to cover all matters before the Legislature and the voters.

Definitions

For the purposes of the *Positions on Ballot Measures and Legislative Advocacy* policy, the following terms and definitions shall be used:

Measure – may be included on a municipal, county, or district ballot and includes ordinances, initiatives, referenda, advisory measures, issuance or refunding of bonds, city or county charter amendments, or any other measure or proposition a legislative body may submit to the voters within the body’s jurisdiction.

Ballot Proposition – can be a referendum or an initiative measure that is submitted to the electorate for a direct decision or direct vote. Propositions may be placed on the ballot by the California State Legislature or by a qualifying petition signed by registered voters.

Initiative – power of the electors to propose legislation, and to adopt or reject them. Any proposed ordinance may be submitted to the legislative body by means of a petition.

Referendum – applies to the process for repealing newly enacted legislation. Within specified time limits, the electors may file a petition protesting the adoption of that legislation.

Local Legislation – typically ordinances, which are the laws of a city, charter, or district, often having the force of law, but only within the local jurisdiction.

State or Federal Legislation – bills or proposed legislation under consideration by the legislature at the state or federal level.

Policy

1. Positions on Matters Before the Voters
 - a. From time to time the Board of Directors may be asked or may desire to take a position on local or state measures. The Board may consider taking a position on the measure/proposition if the measure/proposition:
 - i. Would directly impact the District's finances, responsibilities, legal authority, or operations; AND
 - ii. Is in line with or inconsistent with the District's mission and/or commitment to preserve open space within its boundaries and sphere of influence.

The Board, by majority vote, may direct the General Manager to research the measure/proposition and return to the Board at a future meeting with information and a General Manager recommendation. At that time, the Board may vote to take a position on a measure/proposition.
 - b. Measures/propositions determined to not impact District business may nonetheless be analyzed by the General Manager when directed by a majority vote of the Board, of which the analysis report would include possible alternatives for Board action, but no position recommendation.

2. Local, State, and Federal Legislative Advocacy
 - a. The Legislative, Funding, and Public Affairs Committee (LFPAC) receives periodic updates regarding the District's legislative program. When LFPAC determines that proposed legislation may affect District business, it may direct the General Manager to prepare a recommendation for consideration by the full Board or where there is not adequate time to convene the full Board, may direct the General Manager to take action to support or oppose the legislation without full Board approval. In such cases, the General Manager or designee shall report to the Board any actions taken to support or oppose legislation at or before the next Board meeting.
 - 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.
 - c. Full Board action is required regarding legislation that is not clearly within the criteria listed above under Section 2.b. or guided by direction previously given by LFPAC.

3. Full Board action is required to support or oppose any type of grassroots advocacy action, such as social, political, or economic movements, that are not legislation.
4. Board members representing the District in their official capacity on regional or other bodies may, at his or her discretion, take actions based on the principles above consistent with previously approved Board positions and policies.
5. This policy is not intended to limit the prerogative of individual Board members from expressing their individual support for or opposition to any local ballot measure, State proposition, State or Federal legislation, or grassroots advocacy actions. However, in doing so, the member should clearly state they are speaking for themselves, and not in an official capacity on behalf of the Board or the District. Individual Board Members who take a position in support or opposition to ballot measure or legislation for which the Board has not previously taken a position are encouraged as a professional courtesy to include the language *for identification purposes only* parenthetically following their signature referencing their position on the Board.

Midpeninsula Regional Open Space District Legislative Program 2020

Adopted February 12, 2020

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Introduction

Midpeninsula Regional Open Space District's Mission:

To acquire and preserve a regional greenbelt of open space land in perpetuity, protect and restore the natural environment, and provide opportunities for ecologically sensitive public enjoyment and education.

As part of the Coastside Protection Area Service Plan, a Coastside mission was adopted:

To acquire and preserve in perpetuity open space land and agricultural land of regional significance, protect and restore the natural environment, preserve rural character, encourage viable agricultural use of land resources, and provide opportunities for ecologically sensitive public enjoyment and education.

To further these missions, the Midpeninsula Regional Open Space District (District) annually reviews opportunities and challenges and establishes legislative program priorities and policy statements to guide its advocacy activities at the regional, state and federal levels.

Advocacy of the District's Interests

While this document attempts to cover a wide variety of legislative issues that may impact the District, it is not comprehensive, complete or final. Throughout the state and federal legislative sessions, the District will review and take positions on various proposed policies and state or federal budget items.

Per Section 2.0 of Board Policy 1.11, legislative advocacy is considered in the following manner:

Section 2.0: Local, State, and Federal Legislative Advocacy

- a. The Legislative, Funding, and Public Affairs Committee (LFPAC) receives periodic updates throughout the year regarding the District's legislative program. When LFPAC determines that proposed legislation may affect District business, it may direct the General Manager to prepare a recommendation for consideration by the full Board or may direct the General Manager to take action to support or oppose the legislation without full Board approval when there is not adequate time to convene the full Board. In such cases, the General Manager or designee shall report to the Board any actions taken to support or oppose legislation at or before the next Board meeting.
- 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 the District's annual [Strategic Plan Goals and Objectives](#); 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.
- c. Full Board action is required regarding legislation that is not clearly within the criteria listed above under Section 2.b. or guided by direction previously given by LFPAC.

All legislation on which the District takes a position will be closely tracked by the General Manager's Office (GMO) and reported to the Board of Directors. Public Affairs staff will be responsible for reporting similar information to key departments. Contracted state advocacy teams will represent District interests based upon the policies contained in the Legislative Session Program. In addition to District position letters, Board members and District staff may be asked to testify before or meet with relevant legislators or members of the executive branch to discuss issues requiring heightened advocacy. If this is the case, District staff must first notify and/or confirm approval of the GMO to ensure that positions taken are consistent with the Board-approved Legislative Session Program.

District Legislative Priorities

The following are the legislative priorities for the Midpeninsula Regional Open Space District during the 2020 State Legislative Session. Annual priority-setting considers a combination of issues that relate directly to important District-led projects or initiatives, opportunities to support or oppose state legislative initiatives sponsored by others that affect the District's mission, and any issues that are identified by the Board as particularly significant. Funding measures are the most common of these priorities and are generally tied to the creation of new funding sources or the processes that prescribe the allocation of existing funding sources. The 2020 legislative priorities are listed and grouped below consistent with the Board's annual Strategic Plan Goals and Objectives (See Appendix A) to provide a clear connection to agency priorities:

Goal 1: Promote, establish, and implement a common environmental protection vision with partners

1. **Wildlife Corridors:** Greater funding opportunities and permit streamlining to preserve and enhance wildlife corridors; promote wildlife permeability in the built environment.
2. **Anticoagulant Rodenticides:** Eliminate the use of second-generation anticoagulant rodenticides to protect raptors, large mammals and other nontarget native wildlife.

Goal 2: Protect the positive environmental values of open space lands

1. **Responsible Wildland Fire Vegetation Management:** Effective guidelines for wildland fire fuel reduction efforts that minimize potential impacts to rare and endangered species and the risk of exacerbating the spread of invasive species.

Goal 3: Connect people to open space and a regional environmental protection vision

1. **Equitable Access:** Expanded access to and enhanced funding eligibility for new and improved greenspace opportunities for underserved communities.
2. **Trail Corridors:** Linking of preserve trails to regional trails and ultimately to the places where people live and work.

Goal 4: Strengthen organizational capacity and long-term financial sustainability to fulfill the mission

1. **Climate Change Bond:** Climate change funding that benefits a wide range of open space priorities and promotes landscape climate resilience, particularly in the Bay Area.
2. **Proposition 68 Implementation:** Efforts to ensure that parks bond funds are allocated in a timely, equitable, and responsible manner, and that the resulting grant programs support District open space and public access projects.
3. **Cap and Trade/Climate-Related Funding:** Funding that supports the climate resiliency

benefits of open space and working lands, including carbon sequestration.

4. **Green Bonds:** Efforts to allow the California Natural Resources Agency to work with the State Treasurer's Office to develop standards for green bond projects, in which California can invest.
5. **Public Safety Power Shutoffs:** State efforts to ease the burden of PG&E Public Safety Power Shutoffs on local agency operations.

District Legislative Policy Positions

The ability of the District to deliver its mission and remain a sustainable organization can be impacted by legislation proposed on the local, state or federal level. To this end, proactive, Board-approved policy positions taken by the District on a variety of relevant issue areas help to ensure consistency in advocacy. District policy positions are then grouped by strategic plan goals.

Goal 1: Promote, establish, and implement a common environmental protection vision with partners

1. Enhances the purchase or acquisition of regional and strategic open space lands and connects District lands to federal, state, county, city and other protected open space, parklands, bay lands, watershed lands, wildlife corridors and agricultural lands.
2. Protects public open space, property rights, interests and easements.
3. Enhances and funds regional collaboration and coordination of conservation efforts.
4. Promotes the use of urban infill and urban growth boundaries to avoid sprawl and prevent pressure on developing open spaces and further encroachment into the wildland-urban interface and open space buffer areas.
5. Expands and restores protected open space lands to enhance biodiversity, climate change resilience, and scenic, rural character.
6. Ensures that the zoning of permanently protected lands supports activities that further the District's mission (preservation, natural resource protection, public access and education, agriculture).
7. Enhances the District's ability to create and pursue opportunities to acquire an integrated greenbelt of protected open space, trails and habitat corridors.
8. Protects natural and working lands from future development threats.

Goal 2: Protect the positive environmental values of open space lands

1. Ensures reasonable setback requirements that allow minimum defensible space clearances to be met by private property owners to prevent catastrophic fires that damage habitats and pose a high public safety hazard.

2. Furthers implementation of Senate Bill 32 (2016), the Global Warming Solutions Act that establishes a greenhouse gas (GHG) reduction target for the state of 40 percent below 1990 levels by 2030.
3. Recognizes and incentivizes the use of natural and working lands for the purpose of carbon sequestration.
4. Supports effective and comprehensive Districtwide, regional and statewide measures that respond to sea level rise and other effects of climate change and enhance ecological and community resilience.
5. Enhances or streamlines the integration of wildlife corridors into transportation infrastructure and promotes its ongoing maintenance within District lands and adjacent entities, which may extend to statewide and international linkages.
6. Promotes advance mitigation programs to enhance wildlife corridor networks.
7. Connects habitats that support a diverse array of native plants and animals.
8. Encourages public road management agencies to control invasive plant populations and incorporate safe pedestrian and wildlife crossings across roadways and highways.
9. Eliminates the use of second-generation anticoagulant rodenticides.
10. Supports increased knowledge, management and ultimately the eradication of Sudden Oak Death disease.
11. Provides permit exemptions for natural resources protection and restoration projects from regulations aimed to protect the natural environment from typical development projects.
12. Supports maintaining state and federal lists of endangered species justified through conclusive biological evidence.
13. Helps efforts to protect, conserve, restore and enhance the natural resources of the District, its coast, and adjacent waters for environmentally sustainable and prudent use by current and future generations.
14. Enables Native American communities' involvement in cultural and land management practices to restore and protect natural resources and enhance landscape resilience.
15. Protects and restores watersheds, water quality, natural water courses, wetlands and hydrologic processes consistent with the District's Resource Management Plan.
16. Promotes expedited removal of select trees and brush by public agencies for fire protection, public safety and enhanced climate resilience, while minimizing potential impacts to rare and endangered species and the risk of exacerbating the spread of invasive species.
17. Supports wildland fire management to become a more natural component of the ecosystem and minimizes its negative effects on the community and environment.
18. Supports working farms and ranches on public open space land that further conservation and climate resilience goals.
19. Supports the creation of and repairs to farm labor housing to foster farm operation sustainability that ultimately furthers conservation and climate resilience goals.

20. Incentivizes agricultural operations to invest in energy-efficient and water-efficient irrigation technologies that reduce greenhouse gas emissions and water use.
21. Aids enforcement of marijuana laws related to the implementation of Prop 64 (2016) to protect natural lands from the destruction caused by illegal marijuana grows.
22. Protects natural lands from the destruction caused by illegal marijuana grows, prohibits marijuana grows on public lands, and restores damaged habitats.

Goal 3: Connect people to open space and a regional environmental protection vision

1. Helps expand educational opportunities for underserved and non-English speaking communities about natural resources and the benefits of open space.
2. Promotes volunteer involvement and engagement of diverse communities in ongoing conservation, restoration, enhancement and interpretation of the District's natural resources.
3. Engages children and parents in the enjoyment and appreciation of outdoor open spaces to inspire the next generation of conservation champions.
4. Funds and enables programs that hire youth to work in parks and open space and encourages them to consider careers in conservation.
5. Keeps preserves safe, clean, accessible and inviting for healthy exercise and enjoyment.
6. Promotes awareness and access to programs and activities that increase outdoor physical activity.
7. Protects and helps fund the protection and public interpretation of cultural and historic resources located on natural open space and working lands.
8. Helps fund and streamline emergency repairs to District infrastructure, including trails and public access amenities.
9. Increases public access to preserved land regionwide.
10. Helps link preserve trails to other regional trails and ultimately to the places where people live and work.
11. Improves local transportation to enable better connectivity between communities and open space preserves.
12. Limits public use of drones (unmanned aerial vehicles) consistent with Board policies to preserve the tranquility of outdoor experiences, natural activities, and minimize risk of wildfire.

Goal 4: Strengthen organizational capacity and long-term financial sustainability to fulfill the mission

1. Preserves existing tax revenues and tax authority.
2. Lowers the vote threshold for locally imposed special taxes from two-thirds to 55 percent.

3. Preserves tax-exempt status for municipal bonds on a state and federal level.
4. Expands state and federal incentives that promote the issuance of green bonds.
5. Preserves and promotes managerial discretion in effective and productive recruiting, hiring, firing and day-to-day oversight of staff at all levels.
6. Preserves and promotes open, transparent, accountable government administrative practices that promote the efficient and timely delivery of public services, facilitate public involvement, and support effective and timely decision-making.
7. Maintains prevailing wage exemptions for volunteers.
8. Enables statewide efforts to increase broadband connectivity to public agency infrastructure in remote areas.
9. Preserves and promotes cost-effective, fair, and efficient contracting practices that give taxpayers the best value for their dollar.
10. Enables streamlining of contracting and bidding processes and attracts greater contractor and vendor competition.
11. Provides funding and funding flexibility to achieve mission-related goals including, but not limited to:
 - a. District operations and infrastructure
 - b. Integrated Pest Management
 - c. Programs that hire youth to work in parks and open space and encourages them to consider careers in conservation
 - d. Partnership approaches to environmental education and public outreach efforts at local and state levels.
 - e. Implementation of improvements that meet the Americans with Disability Act (ADA) and other accessibility standards in District preserves.
 - f. The protection of prime and sustainable agricultural lands, including investments in agricultural-support infrastructure.
 - g. Funding for local partners to receive technical support for agriculture and natural resources enhancement.
12. Promotes closer collaboration and coordination between regulatory agencies to enhance permit processing efficiency and reduces overall project costs.
13. Improves and streamlines permitting, CEQA review and compliance processes for emergency repairs, routine maintenance, habitat restoration, and public access projects.
14. Provides open space districts the authority to utilize a variety of contracting methods to construct projects, including design-build methodologies.
15. Promotes implementation of and education about sustainable design and construction, including but not limited to LEED buildings, stormwater treatment and runoff reduction, local (within 150-mile radius of project) contractor/consultant hiring, construction material reuse/recycling, and use of green/energy efficient materials and equipment.

2020 Regional/Local Priorities

Though there is a growing recognition of the importance of regional planning and coordination, local land use authority dominates California planning processes in both the built and natural environments.

In 2020, the District supports:

Plan Bay Area 2050

Ratification of the final preferred scenario of the Plan Bay Area 2050 that curbs urban boundary expansion, more tightly integrates open space preservation and stewardship, and funds District priorities in adopted Priority Conservation Areas (PCA).

San Francisco Bay Restoration Authority Measure AA Implementation

Grant program guidelines for SFBRA's Measure AA funds that enable implementation of District priority projects.

Santa Clara Valley Transportation Authority Measure B Implementation

Advance mitigation allocation guidelines for VTA's recently passed Measure B funds that enable implementation of District priority projects.

San Mateo County Transit District Measure W Implementation

Allocation guidelines that enable regional bicycle/pedestrian network connectivity with District projects and regional trail plans.

Regional Collaboration

Efforts to enhance and fund regional collaboration and coordination of conservation plans.

2020 Federal Legislative Priorities

Given the outcomes of the 2016 federal elections, active advocacy at the federal level may be most effectively directed toward protecting existing environmental priorities and regulations.

In 2020, the District will focus on the following:

Land and Water Conservation Fund

Fully funding the federal Land and Water Conservation Fund.

Infrastructure Investment

Inclusion of active transportation and parks-related projects in federal funding allocations for infrastructure.

National Monument Preservation

Policies that protect and designate national monuments within our region that are important to fulfilling the District's mission.

Wildlife Corridors

Policies that enhance habitat connectivity on nonfederal lands through wildlife crossings and other habitat connectivity projects.

Appendix A:

Midpeninsula Regional Open Space Strategic Plan for FY2020-21

Online at: https://www.openspace.org/sites/default/files/StrategicPlan_2021.pdf

Goal 1 – Promote, establish, and implement a regional environmental protection vision with partners

- Objective 1 – Continue implementation of the District’s Vision Plan and communicate progress on projects through reporting results and building partner relationships
- Objective 2 – Build and strengthen diverse partnerships to implement a collaborative and science-based approach to regional environmental protection
- Objective 3 – Build and strengthen relationships with legislators to advocate environmental protection goals
- Objective 4 – Preserve open space lands of local and regional significance

Goal 2 – Protect the positive environmental values of open space lands

- Objective 1 – Take a regional leadership role in promoting the benefits of open space
- Objective 2 – Protect and restore the natural environment in a manner that expands regional resiliency and climate change adaptation to preserve healthy natural systems
- Objective 3 – Work with fire agencies and surrounding communities to strengthen the prevention of, preparation for and response to wildland fires for enhanced ecosystem resiliency and public safety
- Objective 4 – Support the viability of sustainable agriculture and character of rural communities

Goal 3 – Connect people to open space and a regional environmental protection vision

- Objective 1 – Communicate the benefits of a regional environmental protection vision
- Objective 2 – Refine and implement a comprehensive public engagement strategy, including the outreach to diverse communities and enhanced public education programs
- Objective 3 – Expand opportunities to connect people to their public open space preserves consistent with an environmental protection vision
- Objective 4 – Reflect the diverse communities we serve in the District’s, staff, volunteers, and partners

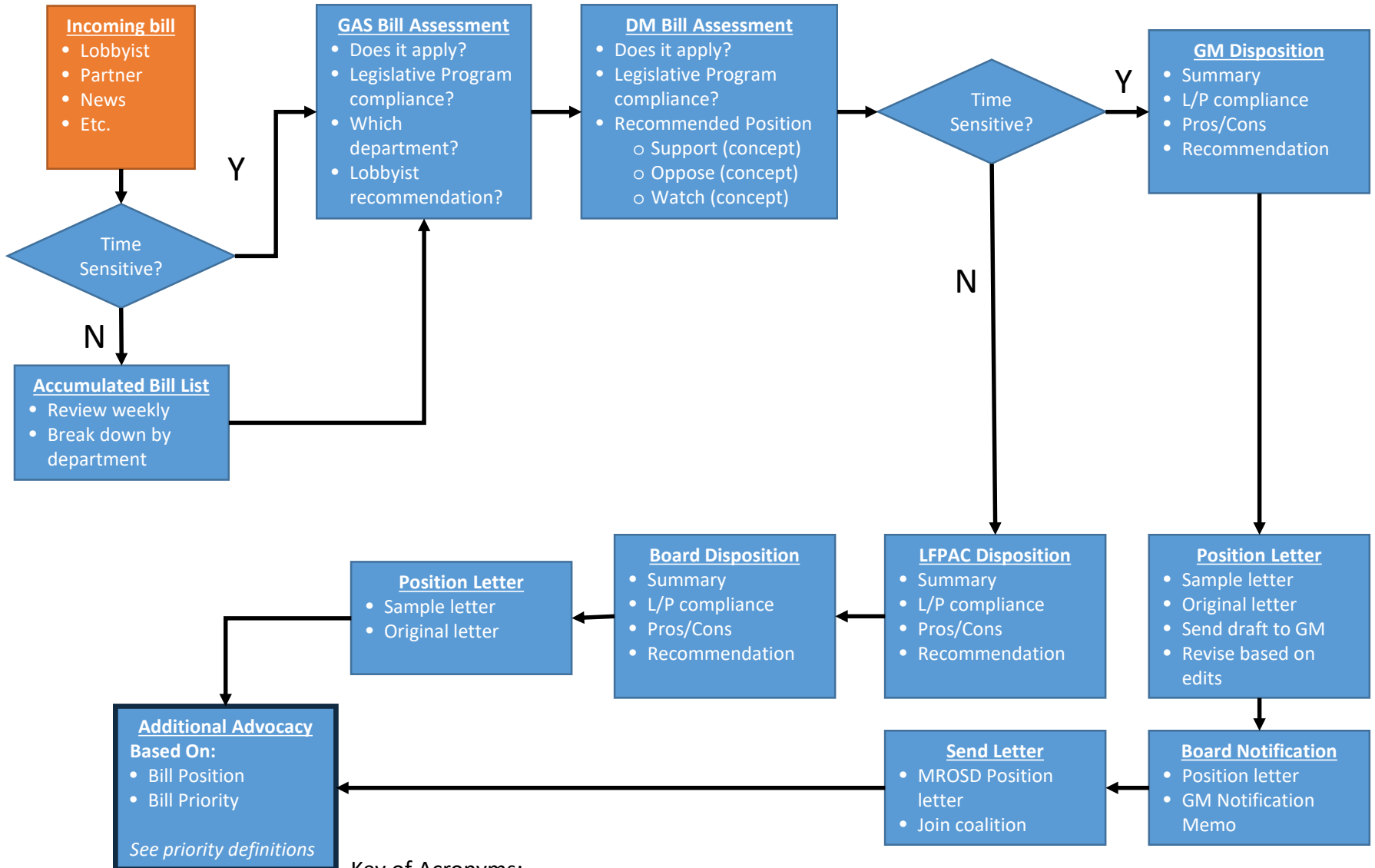
Goal 4 – Strengthen organizational capacity and long-term financial sustainability to fulfill the mission

- Objective 1 – Provide the necessary resources, tools, training, and infrastructure, including technology upgrades and capacity building

- Objective 2 – Continuously evaluate and improve processes and business model to effectively and efficiently deliver Vision Plan projects and the District’s ongoing functions
- Objective 3 - Build state of readiness for potential disruptions by completing a risk assessment and creating a business continuity plan
- Objective 4 – Continue to engage constituents for bond sales and via the work of the Bond Oversight Committee – “Promises made, promises kept.”
- Objective 5 – Remain financially sustainable by pursuing and ensuring discretionary funding opportunities and partnerships to augment operating, capital, and bond funding sources, and ensure that large capital expenses and land acquisitions, including associated public access and land management costs, are evaluated within the long-term financial model and remain financially sustainable
- Objective 6 – Continue to recruit, develop and retain talented staff to implement the District's mission and strengthen our organizational capacity

MROSD Legislative Bill Disposition Process

Board Policy 1.11



Key of Acronyms:

- GM: General Manager
- GAS: Governmental Affairs Specialist
- DM: Department Manager
- L/P: Legislative Program

MROSD Bill Positions and Priorities

Support:

- **Support** – A position given to bills and propositions that would be a benefit to Midpen’s ability to serve its communities.
- **Support if Amended** – A position given to bills that may be a benefit to the Districts’ ability to serve its communities, so long as specific amendments are taken to the bill. If the requested amendments are taken by the author, public affairs department staff may recommend changing Midpen’s position to support.
- **Recommend Support**– Position recommended by legislative consultant, along with a potential priority number, prior to staff review.

Oppose:

- **Oppose** – A position given to bills and propositions that would be a detriment to Midpen’s ability to serve its communities.
- **Oppose unless Amended** – A position given to bills that may impede the District’s ability to serve its communities, so long as specific amendments are taken to the bill. If the requested amendments are taken by the author, public affairs department staff may recommend changing Midpen’s position to support.
- **Concerns** – A position given to bills that could be a detriment to the District, but political, policy or other reasons do not warrant or lend themselves to a full oppose position.
- **Recommend Oppose** – Position recommended by legislative consultant, along with a potential priority number, prior to staff review.

Watch:

- **Watch** – A position given to bills that may directly affect Midpen but does not provide a significant benefit or impose a significant detriment to the District. Also includes bills that are in spot bill form on a subject area that concerns special districts and bills that are of notable interest to special districts, but do not warrant an active position or expenditure of Midpen resources. No position is taken; however, the progress and outcome of the bill is tracked. A position may be considered later.
- **Recommend Watch** – Position recommended by legislative consultant.

Priority:

Priority 1: Bills given a “1” priority have a major importance and directly affects the District, and/or may set a critical precedent. These bills will receive active attention by staff in public affairs and other impacted department(s). This may include extensive testimony in committee, meetings with the legislature, discussions with partner organizations, and public/media education, as appropriate.

Priority 2: Bills given a “2” priority have a significant impact on the District and/or set a critical, relevant precedent. The General Manager/Board sends a position letter or signs on to a coalition letter, and staff may discuss the item with the legislature and/or provide testimony in committee, as time permits.

Priority 3: Bills given a “3” priority may have a notable effect on the District, and/or set a meaningful precedent, but are determined to be a lower priority for staff resources. Public affairs staff, in collaboration with the impacted department(s), may sign on to a coalition letter with General Manager/Board approval. Committee testimony or discussions with the legislature may be conducted.



Midpeninsula Regional
Open Space District

Memorandum

DATE: March 12, 2019
 MEMO TO: Legislative, Finance, and Public Affairs Committee Members
 FROM: Ana M. Ruiz, General Manager *AMR*
 SUBJECT: Legislative Actions Update

BACKGROUND

Board Policy 1.11 titled “Positions on Ballot Measures and Legislative Advocacy,” Section 2.0b, provides the General Manager the ability to take 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:

- **SB 45 (Allen): Wildfire, Drought, and Flood Protection Bond Act of 2020.**

Action: At the behest of the statewide Wildlife Corridors Working Group and open space legislative consultants, Midpen has taken a SUPPORT position and signed onto a group letter addressed to the Chair of the Senate Natural Resources and Water Committee on March 6, 2019, ahead of their March 12 hearing.

Bill Summary: Would enact the Wildfire, Drought, and Flood Protection Bond Act of 2020, which, if approved by the voters, would authorize the issuance of bonds in an amount of \$4,300,000,000 pursuant to the State General Obligation Bond Law to finance projects to restore fire damaged areas, reduce wildfire risk, create healthy forest and watersheds, reduce climate impacts on urban areas and vulnerable populations, protect water supply and water quality, protect rivers, lakes, and streams, reduce flood risk, protect fish and wildlife from climate impacts, improve climate resilience of agricultural lands, and protect coastal lands and resources.

Consistency with Legislative Program:

- **LEGISLATIVE PRIORITIES – Cap and Trade/Climate-related Funding:** The District supports efforts to emphasize and increase the recognition for the use of natural and working land (NWL) 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."
- **LEGISLATIVE PRIORITIES – Watershed Protection:** The District supports legislative or regulatory efforts that enhance the ability to protect watershed land, as well as restore and maintain associated habitats.
- **LEGISLATIVE PRIORITIES – Wildlife Corridors:** The District supports efforts to bring greater funding opportunities and permit streamlining to conservation related to wildlife corridors.
- **LEGISLATIVE PRIORITIES – Regional Benefits:** The District supports efforts to work with regional and statewide partners to ensure that relevant statewide funding sources are optimized and made available for Bay Area needs, and to ensure that underserved communities in the region benefit from these state resources.
- **Natural Resources Protection and Restoration #8** – Supports wildfire management to become a more natural component of the ecosystem, and minimize negative effects on the community and environment.
- **Natural Resources Protection and Restoration #14b** – Forest health programs that reduce GHG emissions through fuel reduction.
- **Natural Resources Protection and Restoration #14c** – Expands funding for wildlife corridor projects that improve wildlife habitat connectivity.

AB 209 (Limón): Parks: environmental education: grant program.

Action: At the behest of the California State Parks Foundation, Midpen has taken a SUPPORT position and signed onto a group letter to the Chair of the Assembly Water, Parks, and Wildlife Committee on March 5, 2019, ahead of their March 12 hearing.

Bill Summary: Would require the Director of Parks and Recreation to establish the Outdoor Equity Grants Program, to increase the ability of underserved and at-risk populations to participate in outdoor environmental educational experiences at state parks and other public lands where outdoor environmental education programs take place. The bill would require the director to, among other things, give priority for funding to outdoor environmental education programs that primarily provide outreach to and serve students who are eligible for free or reduced-price meals, foster youth, or pupils of limited English proficiency, as provided.

Consistency with Legislative Program:

- **District Priority:** Every Kid in a Park Initiative: The District supports national and state efforts to mobilize children and parents to visit and enjoy America's outdoor spaces to encourage the next generation to discover America's public lands and waters.

Prepared by: Joshua Hugg, Governmental Affairs Specialist

Example

2020 TENTATIVE LEGISLATIVE CALENDAR

COMPILED BY THE OFFICES OF THE SECRETARY OF THE SENATE AND THE OFFICE OF THE CHIEF CLERK
October 18, 2019 (Final)

DEADLINES

JANUARY						
S	M	T	W	TH	F	S
			<u>1</u>	2	3	4
5	<u>6</u>	7	8	9	<u>10</u>	11
12	13	14	15	16	<u>17</u>	18
19	<u>20</u>	21	22	23	<u>24</u>	25
26	27	28	29	30	<u>31</u>	

FEBRUARY						
S	M	T	W	TH	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	<u>17</u>	18	19	20	<u>21</u>	22
23	24	25	26	27	28	29

MARCH						
S	M	T	W	TH	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	<u>27</u>	28
29	30	31				

APRIL						
S	M	T	W	TH	F	S
			1	<u>2</u>	3	4
5	6	7	8	9	10	11
12	<u>13</u>	14	15	16	17	18
19	20	21	22	23	<u>24</u>	25
26	27	28	29	30		

MAY						
S	M	T	W	TH	F	S
					<u>1</u>	2
3	4	5	6	7	<u>8</u>	9
10	11	12	13	14	<u>15</u>	16
17	18	19	20	21	22	23
24	<u>25</u>	<u>26</u>	<u>27</u>	<u>28</u>	<u>29</u>	30
31						

- Jan. 1** Statutes take effect (Art. IV, Sec. 8(c)).
- Jan. 6** Legislature Reconvenes (J.R. 51(a)(4)).
- Jan. 10** Budget must be submitted by Governor (Art. IV, Sec. 12(a)).
- Jan. 17** Last day for **policy committees** to hear and report to **fiscal committees** fiscal bills introduced in their house in the **odd-numbered year** (J.R. 61(b)(1)).
- Jan. 20** Martin Luther King, Jr. Day.
- Jan. 24** Last day for any committee to hear and report to the **floor** bills introduced in that house in the odd-numbered year (J.R. 61(b)(2)). Last day to **submit bill requests** to the Office of Legislative Counsel.
- Jan. 31** Last day for each house to **pass bills introduced** in that house in the odd-numbered year (Art. IV, Sec. 10(c)), (J.R. 61(b)(3)).
- Feb. 17** Presidents' Day.
- Feb. 21** Last day for bills to be **introduced** (J.R. 61(b)(4)), (J.R. 54(a)).
- Mar. 27** Cesar Chavez Day observed
- Apr. 2** **Spring Recess** begins upon adjournment of this day's session (J.R. 51(b)(1)).
- Apr. 13** Legislature reconvenes from **Spring Recess** (J.R. 51(b)(1)).
- Apr. 24** Last day for **policy committees** to hear and report to **fiscal committees** fiscal bills introduced in their house (J.R. 61(b)(5)).
- May 1** Last day for **policy committees** to hear and report to the floor **nonfiscal** bills introduced in their house (J.R. 61(b)(6)).
- May 8** Last day for **policy committees** to meet prior to June 1 (J.R. 61(b)(7)).
- May 15** Last day for **fiscal committees** to hear and report to the floor bills introduced in their house (J.R. 61(b)(8)). Last day for **fiscal committees** to meet prior to June 1 (J.R. 61(b)(9)).
- May 25** Memorial Day
- May 26 - 29** **Floor Session Only.** No committees, other than conference or Rules Committees, may meet for any purpose (J.R. 61(b)(10)).
- May 29** Last day for each house to pass bills introduced in that house (J.R. 61(b)(11)).

*Holiday schedule subject to Senate Rules committee approval.

2020 TENTATIVE LEGISLATIVE CALENDARCOMPILED BY THE OFFICES OF THE SECRETARY OF THE SENATE AND THE OFFICE OF THE CHIEF CLERK
October 18, 2019 (Final)

JUNE						
S	M	T	W	TH	F	S
	<u>1</u>	2	3	4	5	6
7	8	9	10	11	12	13
14	<u>15</u>	16	17	18	19	20
21	22	23	24	<u>25</u>	<u>26</u>	27
28	29	30				

June 1 Committee meetings may resume (J.R. 61(b)(12)).**June 15** **Budget Bill** must be **passed** by **midnight** (Art. IV, Sec. 12(c)(3)).**June 25** Last day for a legislative measure to qualify for the November 3 General Election ballot (Election code Sec. 9040).**June 26** Last day for **policy committees** to hear and report **fiscal bills** to fiscal committees (J.R. 61(b)(13)).

JULY						
S	M	T	W	TH	F	S
			1	<u>2</u>	<u>3</u>	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

July 2 Last day for **policy committees** to meet and report bills (J.R. 61(b)(14)). **Summer Recess** begins upon adjournment provided Budget Bill has been passed (J.R. 51(b)(2)).**July 3** Independence Day observed.

AUGUST						
S	M	T	W	TH	F	S
						1
2	<u>3</u>	4	5	6	7	8
9	10	11	12	13	<u>14</u>	15
16	<u>17</u>	<u>18</u>	<u>19</u>	<u>20</u>	<u>21</u>	22
23	<u>24</u>	<u>25</u>	<u>26</u>	<u>27</u>	<u>28</u>	29
30	<u>31</u>					

Aug. 3 Legislature reconvenes from **Summer Recess** (J.R. 51(b)(2)).**Aug. 14** Last day for **fiscal committees** to meet and report bills (J.R. 61(b)(15)).**Aug. 17 – 31** **Floor Session only**. No committees, other than conference and Rules committees, may meet for any purpose (J.R. 61(b)(16)).**Aug. 21** Last day to **amend bills** on the Floor (J.R. 61(b)(17)).**Aug. 31** Last day for **each house to pass bills** (Art. IV, Sec. 10(c), (J.R. 61(b)(18)). **Final recess** begins upon adjournment (J.R. 51(b)(3)).

*Holiday schedule subject to Senate Rules committee approval.

IMPORTANT DATES OCCURRING DURING FINAL RECESS**2020****Sept. 30** Last day for Governor to sign or veto bills passed by the Legislature before Sept. 1 and in the Governor's possession on or after Sept. 1 (Art. IV, Sec. 10(b)(2)).**Nov. 3**

General Election

Nov. 30Adjournment *Sine Die* at midnight (Art. IV, Sec. 3(a)).**Dec. 7**

12 m. convening of 2021-22 Regular Session (Art. IV, Sec. 3(a)).

2021**Jan. 1**

Statutes take effect (Art. IV, Sec. 8(c)).