



Midpeninsula Regional
Open Space District

R-21-25
Meeting 21-05
February 10, 2021

AGENDA ITEM 7

AGENDA ITEM

2021 Legislative Program

GENERAL MANAGER'S RECOMMENDATION

Adopt the 2021 Legislative Program as recommended by the Legislative, Funding, and Public Affairs Committee, with any final changes from the Board of Directors, to set the legislative priorities and policies for Midpeninsula Regional Open Space District.

SUMMARY

Each year, staff reviews numerous legislative proposals at the local, state, and federal levels to identify opportunities that further the Midpeninsula Regional Open Space District's (District) mission, strategic and action plan priorities, and key projects. Though most bills are considered on a case-by-case basis, the annual Board-approved Legislative Program provides a publicly accessible, transparent, and proactive summary of priorities and policies to guide legislative activities for the year. The Legislative, Funding, and Public Affairs Committee (LFPAC) received an overview of the Draft 2021 Legislative Program on February 2, 2021 and provided comment and guidance on the legislative policy proposals. Staff incorporated LFPAC comments into the revised 2021 Legislative Program (Attachment 1) now under consideration by the full Board.

DISCUSSION

Annual Legislative Program

The Legislative Program serves as the touchstone for all legislative activities during the session, articulating the priorities of the Board of Directors and focusing staff, consistent with Board Policy 1.11 (Attachment 3). It also provides an opportunity for District staff to think about its work in policy terms, beyond strictly project execution, helping to promote interdepartmental coordination and a culture of continuous improvement.

Legislative Program Structure

The Draft 2021 Legislative Program is broken into several sections:

- **Legislative Priorities** – These are the District's top state and local legislative priorities, grouped by key strategic areas. These priorities are consistent with the Board's Strategic Plan Goals and Objectives, reinforcing organizational alignment with Board priorities. (https://www.openspace.org/sites/default/files/FY22%20Strategic%20Plan%20Goals%20and%20Objectives_Board%20Adopted.pdf). Annual priority setting is informed by Board-approved projects or initiatives, opportunities to support or oppose state legislative

initiatives sponsored by others that affect the District’s mission, and other issues identified by the Board as particularly significant. Bond measures and actions to allocate existing funding sources or create new ones are the most common of these priorities.

- **Legislative Policy Positions** – The District’s ability to deliver on its mission and remain a sustainable organization can be impacted by legislation proposed at the local, state or federal level. To effectively respond to legislative developments, proactive Board-approved policy positions that respond to a variety of issues can help crystalize thinking among Board members and staff to ensure consistent and timely advocacy. These policy positions are first organized by the Board’s Strategic Plan Goals and Objectives and then grouped into key themes.
- **Regional and Federal Legislative Priorities** – These are the top regional and federal legislative priorities for the District. Participation in these items are considered on a case-by-case basis and subject to staff capacity.

Legislative Priorities

The proposed policy positions and priorities in the 2021 draft Legislative Program incorporate recent input received from LFPAC and District departments. The proposed legislative priorities are also grouped according to the Board’s Strategic Plan Goals and Objectives to reinforce organizational alignment with Board priorities. Below are the proposed policy priorities:

State-Level Priorities:

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

1. **Wildlife Corridors:** Enable greater funding opportunities and permit streamlining to preserve and enhance wildlife corridors; promote wildlife permeability in the built environment.

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

1. **Ecologically Sensitive Vegetation Management:** Promote effective guidelines and funding 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. **Green Jobs for Youth:** Enable greater numbers of youth to participate in conservation careers.
2. **Equitable Access:** Expand access to and enhance funding eligibility for greenspace opportunities for underserved communities.

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

1. **Nuisance Abatement Powers:** Pursue state legislation that enables special districts created by Public Resources Code 5500 to possess nuisance abatement powers and the ability to recover costs incurred abating those nuisances, including attorney’s fees. This would invoke the same statutory authority that a city, county, and certain other types of special districts have.
2. **Climate Change Bond:** Pursue climate change-related funding that benefits a wide range of open space priorities and promotes landscape climate resilience, particularly in

the Bay Area.

3. **Cap and Trade Funding:** Channel state cap and trade funding to support the climate resiliency benefits of open space and working lands, including carbon sequestration.
4. **Cutting the Green Tape:** Support efforts by the California Natural Resources Agency (CNRA) to streamline permitting processes for environmental restoration and stewardship projects.

Regional-Level Priorities:

1. **Plan Bay Area 2050:** Ratification of the final preferred scenario of Plan Bay Area 2050 that curbs urban boundary expansion, more tightly integrates open space preservation and stewardship, and funds Priority Conservation Areas (PCA).
2. **Regional Housing Needs Allocation:** Ensure regional housing allocations and zoned housing locations do not impact sensitive habitats, wildlife corridors, and areas at high risk for wildfire.
3. **Regional Collaboration:** Expand funding and enhance opportunities for regional collaboration and coordination of conservation and public access plans.
4. **Active Transportation Programs:** Expand funding for the construction of bicycle/pedestrian paths, installation of bike racks and other projects and programs that make walking or biking easier, safer and more convenient.

Federal-Level Priorities:

1. **Land and Water Conservation Fund:** Support implementation of the Great American Outdoors Act and funding guidelines that allow District projects to be eligible for the federal Land and Water Conservation Fund.
2. **Infrastructure Investment:** Support inclusion of active transportation and parks/open space-related projects in federal funding allocations for infrastructure.
3. **National Monument Preservation:** Support policies that protect and designate national monuments within our region that are important to fulfilling the District's mission.
4. **Wildlife Corridors:** Support policies that enhance habitat connectivity on nonfederal lands through wildlife crossings and other habitat connectivity projects.

FISCAL IMPACT

None. Staff will provide the fiscal impact summary of individual legislative priorities and initiatives as they evolve, based on the 2021 Legislative Program in upcoming Legislative Update Reports that are presented to LFPAC and the Board.

BOARD COMMITTEE REVIEW

This item was reviewed by LFPAC on February 2, 2021. Among the issues raised were:

1. Add language to Goal 2, Policy Position #8 emphasizing the benefits of local contracting with regard to the potential to reduce greenhouse gas generation in support of the District's adopted Climate Action Plan.

Due to the format of Policy Position #8 and the challenge of cleanly integrating the new language, the amendment was added as an additional position, #9: *“Enables contracting methods that aid greenhouse gas emission reductions and support the implementation of the Board-adopted Climate Action Plan.”*

2. After deliberation, it was decided by the Committee that the program document should be updated to include consideration of public sensitivity for when the General Manager considers taking a legislative position on behalf of the District. Language has been added accordingly on page 4 of the document.

The proposed 2021 Legislative Program under Board consideration incorporates LFPAC feedback.

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

Upon Board approval, the General Manager and staff will proceed with implementing the 2021 Legislative Program. LFPAC and the Board will receive periodic updates on the status of the legislative priorities and policies throughout the year.

Attachments:

1. Draft 2021 Legislative Session Program
2. Board Policy 1.11: Positions on Ballot Measures and Legislative Advocacy
3. LFPAC Committee Draft Minutes from February 2, 2021.

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