



Midpeninsula Regional
Open Space District

R-22-37
Meeting 22-08
March 9, 2022

AGENDA ITEM 8

AGENDA ITEM

Legislative Position Recommendations

GENERAL MANAGER'S RECOMMENDATION: *den*

Approve the recommended list of legislative positions for the 2022 state legislative session.

SUMMARY

Each year, the state legislature introduces over a thousand new bills for consideration. Legislative consultants and Midpeninsula Regional Open Space District (District) staff have reviewed these bills and identified specific legislation (Attachment 1) that merit action.

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

DISCUSSION

The 2022 Legislative Program, which the Board approved on January 26, 2022, guides District priorities on legislative proposals affecting the District, its mission, and annual strategic goals. Throughout the session, staff fields time-sensitive requests from partners and monitors evolving pieces of legislation based on Board Policy 1.11 and the approved Legislative Program, using the bill disposition process described in Attachment 4 to assess and determine appropriate actions. Legislation deemed a priority by the Board pursuant to Board Policy 1.11 are tracked and, when appropriate, either supported or opposed (Attachment 5-Definitions). The General Manager keeps the Board notified of actions taken via separate memo (Attachment 6-Example Memo). Please refer to the Recommended Legislative Positions (Attachment 1) for an overview of the initial list of bills identified for District priority action in the 2021-22 legislative session.

February 18, 2022 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 had the potential to affect District interests, recommending an initial position and priority.

Based on the list of identified legislation, department managers assisted with a review of all the potential bills of interest and provided their recommended position and priority for each. Approximately 130 bills are currently tracked, though only bills that may initiate action by the

District at this time, i.e., those recommended as priority 1 or 2, are presented. At this time, five bills are recommended as priority 1 and 16 bills as 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 AND COMMITTEE REVIEW

On January 26, 2022 the full Board adopted the 2022 Legislative Program ([R-22-10](#), [minutes](#)), accepting recommendations from the Legislative, Funding, and Public Affairs Committee (LFPAC).

On December 14, 2021, LFPAC reviewed and provided input on the draft 2022 Legislative Program and took action to forward the item to the full Board of Directors for approval with their recommended changes incorporated ([R-21-171](#), [minutes](#)).

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

Based on the Board-adopted 2022 Legislative Program and the bills identified as “priority 1” by the Board at this meeting, staff, the Board President and Vice-President are tentatively scheduled to meet with the District’s state legislative delegation on March 22 and March 24 and the District’s federal delegation the week of March 28 to communicate District interests. Priority 2 bills will have position letters sent to their respective authors.

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 2022 – 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 – 2022

Responsible Department Head:
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Prepared by:
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Legislative Tracking Matrix						
February 28, 2022						
Measure	Author	Issue Area	Topic	Brief Summary	Position	Priority
AB 1445	Levine D	Climate	Planning and zoning: regional housing need allocation: climate change impacts.	Would, commencing January 1, 2025, require that a council of governments, a delegate subregion, or the Department of Housing and Community Development, as applicable, additionally consider among these factors emergency evacuation route capacity, wildfire risk, sea level rise, and other impacts caused by climate change.	Recommend Support	1
AB 1640	Ward D	Climate	Office of Planning and Research: regional climate networks: regional climate adaptation and resilience action plans.	Current law requires, by July 1, 2017, and every 3 years thereafter, the Natural Resources Agency to update, as prescribed, the state's climate adaptation strategy, known as the Safeguarding California Plan. Existing law establishes the Office of Planning and Research in state government in the Governor's office. Current law establishes the Integrated Climate Adaptation and Resiliency Program to be administered by the office to coordinate regional and local efforts with state climate adaptation strategies to adapt to the impacts of climate change, as prescribed. This bill would authorize eligible entities, as defined, to establish and participate in a regional climate network, as defined. The bill would require the office, through the program, to encourage the inclusion of eligible entities with land use planning and hazard mitigation planning authority into regional climate networks.	Recommend Support	2
SB 1217	Allen D	Climate	State-Regional Collaborative for Climate, Equity, and Resilience.	Would establish, until January 1, 2028, the State-Regional Collaborative for Climate, Equity, and Resilience to provide guidance, on or before January 1, 2024, to the State Air Resources Board for approving new guidelines for sustainable communities strategies. The collaborative would consist of one representative each of the state board, the Transportation Agency, the Department of Housing and Community Development, and the Strategic Growth Council, along with 10 public members representing various local and state organizations, as specified. The bill would require, on or before December 31, 2025, the state board to update the guidelines for sustainable communities strategies to incorporate suggestions from the collaborative.	Recommend Support	2

Measure	Author	Issue Area	Topic	Brief Summary	Position	Priority
AB 2128	Cooley D	Equity	State parks: California Admission Day: discounted admission.	Existing law requires the Department of Parks and Recreation to administer, protect, develop, and interpret the property under its jurisdiction in the state park system for the use and enjoyment of the public. Existing law provides for the department to charge various fees for use of state parks, but requires the department to offer free or reduced-rate admission to eligible persons under certain circumstances. This bill would require the department to grant 50%-discounted admission to the general public to each unit of the state park system on <u>September 9, California Admission Day</u> .	Recommend Support	2
AB 1789	Bennett D	Public Access	Outdoor recreation: California Trails Commission: Trails Corps Program: grant program.	Current law establishes within the Natural Resources Agency the Department of Parks and Recreation, which is under the control of the Director of Parks and Recreation. Current law creates the Recreational Trails Fund, and moneys in the fund are available, upon appropriation by the Legislature, to the department for competitive grants to cities, counties, districts, state and federal agencies, and nonprofit organizations with management responsibilities over public lands to acquire and develop recreational trails. This bill would create the California Trails Commission, to consist of 8 specified members, within the agency to promote policies and investment opportunities that maximize the health, fitness, and social benefits of nonmotorized natural surface trails, trail networks, and greenway corridors.	Recommend Support	1

Measure	Author	Issue Area	Topic	Brief Summary	Position	Priority
SB 922	Wiener D	Public Access	California Environmental Quality Act: exemptions: transportation-related projects.	<p>CEQA, until January 1, 2030, exempts from its requirements bicycle transportation plans for an urbanized area for restriping of streets and highways, bicycle parking and storage, signal timing to improve street and highway intersection operations, and related signage for bicycles, pedestrians, and vehicles under certain conditions. This bill would extend the above exemption indefinitely. The bill would also repeal the requirement that the bicycle transportation plan is for an urbanized area and would extend the exemption to an active transportation plan or pedestrian plan, or for a feasibility and planning study for active transportation, bicycle facilities, or pedestrian facilities.</p> <p>Note: A question arose regarding the applicability of the proposed legislation to rural contexts where impacts on sensitive habitats may be heightened. District staff conferred with the author's office and examined the bill further. The bill does apply to rural settings where active transportation plans or pedestrian plans exist, in addition to its "urbanized" focus. However, this CEQA exemption would still be subject to the 'exceptions' that prohibit application for projects that would significantly impact biological resources.</p>	Recommend Support	2
AB 2789	Mullin D	Stewardship	Competitive bidding: design-build and best value construction contracting.	<p>Current law authorizes, until January 1, 2023, the Midpeninsula Regional Open Space District and the Santa Clara Valley Open-Space Authority to use the design-build process for the construction of facilities or other buildings in those entities, as specified. This bill would repeal the January 1, 2023, sunset date, thereby indefinitely extending the authority of the Midpeninsula Regional Open Space District and the Santa Clara Valley Open-Space Authority to use the design-build process for the construction of facilities or other buildings in those entities, as specified. The bill would also authorize the East Bay Regional Park District to use the design-build process for the construction of facilities or other buildings in that district.</p>	Sponsor/Support	1

Measure	Author	Issue Area	Topic	Brief Summary	Position	Priority
AB 2344	Friedman D	Stewardship	Wildlife connectivity: transportation projects.	Under existing law, the Department of Fish and Wildlife (DFW) has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species. Existing law authorizes DFW to approve compensatory mitigation credits for wildlife connectivity actions taken under specified programs. This bill would require DFW to investigate, study, and identify those areas in the state that are essential to wildlife movement and habitat connectivity and that are threatened by specified factors. The bill would require DFW, in coordination with Caltrans, to establish a wildlife connectivity action plan on or before January 1, 2024, and to update the plan at least once every 5 years thereafter. The bill would require the plan to include, among other things, maps that identify the locations of certain areas, including connectivity areas and natural landscape areas, as defined. This bill contains other related provisions and other existing laws.	Recommend Support	1
AB 1906	Stone D	Stewardship	Voluntary stream restoration: property owner liability: indemnification: claims.	Current law requires a qualifying state agency, as defined, that funds a project to restore fish and wildlife habitats to indemnify and hold harmless a real property owner who voluntarily allows their real property to be used for the project from civil liability for property damage or personal injury resulting from the project if the project qualifies for a specified exemption and meets specified requirements. Current law authorizes a qualifying state agency to indemnify and hold harmless a real property owner who voluntarily allows their real property to be used for that project from civil liability for property damage or personal injury resulting from the project in the case the project does not meet the specified exemption. Current law requires the costs of any civil liability incurred by a qualifying state agency to be promptly paid from the General Fund, and requires those costs to be submitted as a claim by the real property owner to the Department of General Services pursuant to specified provisions. This bill would delete the requirement that those costs be submitted as a claim by the real property owner to the Department of General Services, and would authorize the department to adopt any regulations necessary to establish a process for paying claims arising pursuant to these provisions.	Recommend Support	2

Measure	Author	Issue Area	Topic	Brief Summary	Position	Priority
AB 2160	Bennett D	Stewardship	Coastal resources: coastal development permits: fees.	Existing law, the California Coastal Act of 1976, requires any person wishing to perform or undertake any development in the coastal zone, as defined, in addition to obtaining any other permit required by law from any local government or from any state, regional, or local agency, to obtain a coastal development permit, as provided. The act further provides for the certification of local coastal programs by the California Coastal Commission. The act prohibits the commission, except as provided, from exercising its coastal development permit review authority, as specified, over any new development within the area to which the certified local coastal program, or any portion thereof, applies. Existing law requires a local government, if it has been delegated authority to issue coastal development permits, to recover any costs incurred from fees charged to individual permit applicants. Existing law authorizes the local government to elect to not levy fees, as provided. This bill would, at the request of an applicant for a coastal development permit, authorize a city or county to waive or reduce the permit fee for specified projects. The bill would authorize the applicant, if a city or county rejects a fee waiver or fee reduction request, to submit the coastal development permit application directly to the commission.	Recommend Support	2

Measure	Author	Issue Area	Topic	Brief Summary	Position	Priority
AB 2225	Ward D	Stewardship	Resource conservation: traditional ecological knowledge: land management plans.	Existing law establishes the Natural Resources Agency, composed of departments, boards, conservancies, and commissions responsible for the restoration, protection, and management of the state’s natural and cultural resources.This bill would require the agency, on or before January 1, 2024, to conduct a listening tour of Native American tribes across the state to solicit their initial input, priorities, and concerns regarding traditional ecological knowledge, as defined, and provide reimbursement to the tribes for this consultation, as provided. The bill would require the agency, after completing the listening tour, but no later than January 1, 2024, to adopt a policy for incorporating traditional ecological knowledge into the conservation and management of lands owned or managed by the agency or the departments, boards, conservancies, or commissions under the agency, as provided. The bill, among other things, would require, on and after January 1, 2024, the agency and the departments, boards, conservancies, and commissions under the agency to incorporate the policy of traditional ecological knowledge into land management plans for lands managed for conservation purposes, as provided.	Recommend Support	2

Measure	Author	Issue Area	Topic	Brief Summary	Position	Priority
SB 1077	Bates R	Stewardship	Coastal resources: nonnative plants: removal and restoration.	The California Coastal Act of 1976 provides for the planning and regulation of development within the coastal zone, as defined. The act requires construction that alters natural shoreline processes to be permitted by the California Coastal Commission or a local government with an approved local coastal program when required to serve coastal-dependent uses or to protect existing structures or public beaches in danger from erosion and when designed to eliminate or mitigate adverse impacts on local shoreline sand supply. Existing law establishes the Natural Resources Agency and vests in the agency various powers, including those related to conservation of lands. This bill would require the agency to identify native plant species for each area within the coastal hazard mitigation zone, as defined, that are drought resistant and can withstand local soil conditions. The bill would appropriate \$7,000,000 from the General Fund to the agency for purposes of providing grants to local governments, nonprofit organizations, or property owners for the removal of nonnative plants and replacement with, or restoration of, native plants, as provided.	Recommend Support	2
SB 856	Dodd D	Stewardship	Wild pigs: validations.	Current law requires a person to procure, as specified, either a hunting license and a wild pig tag or a depredation permit in order to take a wild pig. However, existing law provides that any wild pig that is encountered while in the act of inflicting injury to, or damaging or destroying, or threatening to immediately damage or destroy, land or other property may be taken immediately by the owner or the owner's employee or agent, as specified. Under existing law, a violation of the Fish and Game Code is a crime. This bill would revise and recast the provisions applicable to wild pigs by, among other things, specifying that the wild pig is not a game mammal or nongame mammal. The bill would expand the definition of "wild pig" to include any pig that has 2 or more specified phenotypical characteristics and that does not have a permanent mark or visible tag, as specified, and any free-roaming pig, feral pig, or European wild boar having no visible tags, markings, or characteristics indicating that the pig or boar is from a domestic herd.	Recommend Support	2

Measure	Author	Issue Area	Topic	Brief Summary	Position	Priority
AB 2146	Bauer-Kahan D	Stewardship	Pesticides	<p>Existing law generally regulates pesticide use by the Department of Pesticide Regulation, and requires the Director of Pesticide Regulation to endeavor to eliminate from use a pesticide that endangers the agricultural or nonagricultural environment. A violation of those provisions and regulations adopted pursuant to those provisions is generally a misdemeanor. Existing law requires the department, on or before July 1, 2018, to issue a determination with respect to its reevaluation of neonicotinoids, and to adopt control measures necessary to protect pollinator health within 2 years, as specified.</p> <p>This bill would require, by January 1, 2024, the director to designate, by regulation, pesticides containing midacloprid, clothianidin, thiamethoxam, dinotefuran, or acetamiprid as restricted materials, and would prohibit, beginning January 1, 2024, the sale, possession, or use of these pesticides, except for use on an agricultural plant, as defined. The bill would authorize the director, in consultation with the Department of Food and Agriculture, to authorize, by written order, the sale, possession, or use of these pesticides that is prohibited if the director finds that it would address a valid environmental emergency and there are no other, less harmful alternatives, as specified. The bill would provide that these provisions do not apply to specified products and applications of these pesticides. Because a violation of these provisions and the regulations adopted pursuant to these provisions would be a misdemeanor, the bill would impose a state-mandated local program.</p>	Recommend Support	2

Measure	Author	Issue Area	Topic	Brief Summary	Position	Priority
AB 2362	Mullin D	Stewardship	Ecosystem restoration and climate adaptation projects: permitting.	Existing law requires the Natural Resources Agency, by July 1, 2017, and every 3 years thereafter, to update the state’s climate adaptation strategy to identify vulnerabilities to climate change by sectors and priority actions needed to reduce the risks in those sectors. Existing law requires the agency to explore, and authorizes the agency to implement, options within the agency’s jurisdiction to establish a more coordinated and efficient regulatory review and permitting process for coastal adaptation projects that use natural infrastructure.This bill would require the agency, on or before July 1, 2023, and in consultation with the State Water Resources Control Board, the Department of Food and Agriculture, and the California Environmental Protection Agency, to establish an interagency working group to accelerate and streamline permitting for ecosystem restoration and climate adaptation projects. The bill would require the interagency working group to develop resources for permit applicants and permittees that include, but are not limited to, a unified, online permit application process for existing and proposed projects that includes all appropriate state agencies with regulatory authority over ecosystem restoration and climate adaptation projects. The bill would require the agency, on or before July 1, 2024, and annually thereafter, to submit to the relevant policy committees of the Legislature, and post on the agency’s internet website, a report that includes, among other information, the number of ecosystem restoration and climate adaptation project permit applicants and permittees assisted by the interagency working group.	Recommend Support	2

Measure	Author	Issue Area	Topic	Brief Summary	Position	Priority
AB 2643	Friedman D	Stewardship	Public works: exemption	Existing law defines “public works,” for purposes of regulating public works contracts, as, among other things, construction, alteration, demolition, installation, or repair work that is performed under contract and paid for in whole or in part out of public funds. Pursuant to existing law, all workers employed on public works projects are required to be paid not less than the general prevailing rate of per diem wages for work, except as specified. Existing law exempts, until January 1, 2024, from these requirements work performed by a volunteer, a volunteer coordinator, or a member of the California Conservation Corps or a community conservation corps. This bill would extend that exemption until January 1, 2034.	Recommend Support	2
AB 2610	Friedman D	Wildfire	Wildlife Conservation Board: vegetation management: fire reduction.	Would state the intent of the Legislature to enact subsequent legislation related to establishing a grant program, to be administered by the Wildlife Conservation Board, for vegetation management treatments that reduce the risk of fire.	Recommend Support/ Sponsor	1
AB 1908	Maienschein D	Wildfire	Inmate firefighters.	Current law requires the Department of Forestry and Fire Protection to utilize incarcerated persons assigned to conservation camps in performing fire prevention, fire control, and other work of the department. Current law allows an incarcerated individual, as specified, who has successfully participated in either a California Conservation Camp program or a county program as an incarcerated individual hand crewmember, as determined by specified authorities, and has been released from custody, to file a petition for relief with a court. Current law allows a court, in its discretion, to permit a defendant to withdraw a plea of guilty or nolo contendere and enter a plea of not guilty or, if convicted after a plea of not guilty, to set aside the guilty verdict. This bill would allow an incarcerated individual, who successfully participated and completed trained in a program, as specified, as an incarcerated individual hand crewmember, be eligible for a firefighter certificate provided by the department. This bill would state the intent as well as findings and declarations of the Legislature relating to incarcerated individuals receiving firefighting certificates.	Recommend Support	2

Measure	Author	Issue Area	Topic	Brief Summary	Position	Priority
AB 2889	Wicks D	Wildfire	Wildfire mitigation plans: electrical infrastructure: undergrounding.	Would require an electrical corporation with more than 50% of its service territory located in a high fire-threat district to additionally include in its 2023 wildfire mitigation plan, a multiyear undergrounding plan, covering at least 7 years and not more than 10 years, as specified.	Recommend Support	2
SB 926	Dodd D	Wildfire	Prescribed Fire Liability Pilot Program: Prescribed Fire Claims Fund.	The Budget Act of 2021 appropriated to the Department of Forestry and Fire Protection \$20,000,000 to establish a Prescribed Fire Liability Pilot Program, in consultation with the Department of Insurance and the Natural Resources Agency, that creates a prescribed fire claims fund to support coverage for losses from permitted prescribed fires by nonpublic entities, such as Native American tribes, private landowners, and other nongovernmental entities. This bill would delete the provision requiring the task force to develop recommendations for the implementation of an insurance pool or other mechanisms for prescribed burn managers. The bill would require the Department of Forestry and Fire Protection to establish, consistent with the Budget Act of 2021, the Prescribed Fire Liability Pilot Program to support coverage for losses from permitted prescribed fires by nonpublic entities, such as Native American tribes, private landowners, and other nongovernmental entities through the Prescribed Fire Claims Fund, which the bill would establish.	Recommend Support	2
AB 2377	Muratsuchi D	Wildfire	Department of Forestry and Fire Protection: Chief of Wildfire Prevention.	Current law establishes in the Natural Resources Agency the Department of Forestry and Fire Protection, which is under the control of an executive officer known as the Director of Forestry and Fire Protection. Current law requires the director to be appointed by the Governor and to hold office at the pleasure of the Governor. Current law requires the director to appoint a cultural burning liaison who is required to do certain things, including advising the department on developing increased cultural burning activity. This bill would establish within the department a Chief of Wildfire Prevention, to be appointed by the Governor. The bill would require the chief to be responsible for certain activities, including prioritizing acres for fire and fuels treatment and executing those treatments.	Recommend Support	2

Midpeninsula Regional Open Space District

Board Policy Manual

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

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 2022

Adopted: January 26, 2022



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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 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 act on various proposed policies and state or federal budget items. In instances where time is so short that neither the full Board, nor LFPAC, can be convened to consider a particular legislative position, the General Manager will take action through Board Policy 1.11 utilizing appropriate due diligence and consideration of public sensitivity, which may include consultation with the Board President.

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
https://www.openspace.org/sites/default/files/FY23_Strategic-Plan-Goals_Objectives.pdf; 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 legislative consultants will represent District interests based upon the policies contained in this Legislative 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 from the GMO to ensure that positions taken are consistent with the Board-approved Legislative Program.

State Legislative Priorities

The following are the legislative priorities for the Midpeninsula Regional Open Space District during the 2022 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 2022 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 regional environmental protection vision with partners

- **Wildlife Corridors:** Enable greater funding opportunities and permit streamlining to preserve and enhance wildlife corridors; promote wildlife permeability in the built environment.
- **Climate Adaptation Strategy:** Support and influence the state's climate adaptation strategy to incorporate District priorities into its Safeguarding California Plan

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

- **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.
- **Wildfire Prevention Funding:** Promote wildfire-related funding sources that the District can utilize to implement its Wildland Fire Resiliency Program and comply with new Board of Forestry Minimum Fire Safe Standards.

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

- **Equitable Access:** Expand access to and enhance funding eligibility for greenspace opportunities for under-resourced communities.

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

- **State Funding:** Pursue funding that benefits a wide range of open space priorities and promotes landscape-level climate resilience and equitable access to nature, particularly in the Bay Area.

- **Cutting the Green Tape:** Support efforts by the California Natural Resources Agency (CNRA) to streamline permitting processes for environmental restoration and stewardship projects.
- **Design Build Authority:** Make permanent the District's ability to utilize design build authority on construction projects to help lower costs, reduce implementation time and hire the best qualified contractors appropriate to the project.
- **Relationship Building:** Continue to build strong relationships with legislators representing the District, prioritizing legislative districts that have changed substantially due to the 2021 redistricting.

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 grouped by strategic plan goals.

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

1. Promotes and enhances the ability to acquire open space and agricultural lands consistent with District policies and goals.
2. Protects public open space as well as associated 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; prevents pressure to develop open spaces and further encroach upon 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. Protects natural and working lands from future development threats.
8. Supports land protection and biodiversity goals set forth by Governor Newsom's Executive Order N-82-20 to establish the California Biodiversity Collaborative issued on October 7, 2020. This collaborative brings together governmental partners, California Native American tribes, experts, business and community leaders and other stakeholders from across California to protect and restore the State's biodiversity.

9. Promotes the use of green infrastructure and natural solutions in combating the effects of climate change.

Goal 2: Protect the positive environmental values of open space and agricultural 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 planning and construction projects; promotes the protection, installation, and maintenance of wildlife corridors and support infrastructure.
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 and streamlining for natural resources protection and restoration 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 connecting waters for environmentally sustainable and prudent use by current and future generations.

14. Engages Native American communities in cultural and land management practices to restore and protect natural and cultural 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 protecting rare and endangered species and avoiding the spread of invasive species.
17. Supports prescribed fires as a natural component of a healthy ecosystem.
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. Protects natural lands from the destruction caused by illegal marijuana grows, prohibits marijuana grows on public lands, and restores damaged habitats.
22. Supports efforts to create and make available more complete sets of data for managing natural and working lands.
23. Provides economic support for agricultural infrastructure maintenance and improvements.

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

1. Helps expand educational opportunities for under-resourced and non-English speaking communities about the natural resources and benefits of open space and increases public appreciation for the environment.
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 ecologically sensitive public enjoyment and education.
6. Promotes awareness and access to open space programs and activities.
7. Protects cultural 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. Supports federal, state and regional programs that provide local mobility/multi-modal alternatives for all residents.
10. Facilitates linkages between preserve trails and 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, ordinances or District permitting to preserve the tranquility of outdoor experiences, prevent disruptions and impacts to the natural resources and minimize wildfire risk.
13. Supports advances in broadband and telecommunications technology that provide internet access in open space.

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%.
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 and workers compensation exemptions for volunteers.
8. Preserves and promotes streamlined, cost-effective, fair, and efficient contracting practices that give taxpayers the best value for their dollar and attracts greater contractor and vendor competition, particularly among local providers.

9. Enables contracting methods that aid greenhouse gas emission reductions and support the implementation of the Board-adopted Climate Action Plan.
10. Provides funding and funding flexibility to achieve mission-related goals including, but not limited to:
 - a. District operations and infrastructure.
 - b. Integrated Pest Management and ecologically sensitive vegetation management, including approaches like conservation grazing.
 - c. Wildfire prevention and fuel reduction.
 - d. Programs that hire youth to work in parks and open space and encourages them to consider careers in conservation.
 - e. Environmental education partnerships and public outreach efforts at local and state levels.
 - f. Improvements that meet the Americans with Disability Act (ADA) and other accessibility standards in District preserves.
 - g. The protection of prime and sustainable agricultural lands, including investments in agricultural-support infrastructure.
 - h. Funding for local partners to receive technical support for agriculture and natural resources enhancements.
 - i. Wildlife corridors and crossing infrastructure.
 - j. Low-intensity, ecologically sensitive public access opportunities.
 - k. Public interpretation of natural, cultural and historic resources.
11. Promotes closer collaboration and coordination between regulatory agencies to enhance permit processing efficiency and reduce overall project costs.
12. Improves and streamlines permitting, CEQA review and compliance processes for emergency repairs, routine maintenance, habitat restoration, and public access projects.
13. Provides open space districts the authority to utilize a variety of contracting methods to construct projects, including design-build methodologies.
14. Promotes implementation of and education about sustainable design and construction, including but not limited to LEED buildings, stormwater treatment and runoff reduction, local (within 50-mile radius of a project) contractor/consultant hiring, construction material reuse/recycling, and use of green/energy efficient materials and equipment.
15. Supports the District's diversity, equity and inclusion goals.

2022 Regional 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 2022, the District will focus on the following regional topics:

Plan Bay Area 2050

Monitor to ensure that the implementation of Plan Bay Area 2050's environmental strategy – Expand Access to Parks and Open Space – continues to pursue urban growth boundaries, protect and manage high-value conservation lands, and expand parks, trails and recreation facilities. In addition, actively participate in the re-scoping of the Priority Conservation Area (PCA) program to ensure District priorities are supported.

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.

Regional Collaboration

Participate in regional collaboration and coordination efforts that focus on land conservation, resource protection, and ecologically sensitive public access.

Active Transportation Programs

Promote funding for the construction of bicycle/pedestrian paths, installation of bike racks and other projects and programs that make multi-modal access, including walking and biking easier, safer and more convenient.

Promote funding and support for natural surface recreation trails as a means for the public to access and enjoy natural landscapes.

Public Transit Connections to Public Open Space Lands (aka “Transit to Trails”)

Support the expansion of funding for public transit options to access public open space and parks.

2022 Federal Policy and Funding Priorities

With the recent change in leadership at the federal level, the District is optimistic about the opportunities that may lie ahead to pursue specific policy and funding priorities with our congressional and senate delegation. While the priorities below may be specific to federal initiatives, the policy positions contained within the broader 2022 Legislative Program apply to all levels of government. In general, federal priorities compliment the state priorities identified above. Also, participation in federal focus areas is considered on a case-by-case basis and subject to staff capacity.

In 2022, the District will focus on the following:

Wildlife Crossings/ Trail Connections	
Topic	Action Item:
Highway 17 Project	<p><u>Policy:</u> Support legislation that enables the completion of the Highway 17 Crossings project.</p> <p><u>Funding:</u> Identify and obtain federal funding for the Highway 17 Crossings Project in coordination with Caltrans and VTA programming. Pursue requests for the federal FY 2023 (<i>federal FY 2023: Oct. 1, 2022 – Sept. 30, 2023</i>) appropriations process for pre-construction funding through a Community Project Funding or Congressionally Directed Spending request.</p>
Protection of Wildlife Corridors	<p><u>Policy:</u> Support legislation to increase funding opportunities for wildlife crossings and corridors. Engage in congressional hearings on the importance of wildlife crossings for both wildlife and driver safety. Engage with administration officials on the processes for future wildfire crossings and corridors programs through the U.S. Department of Transportation and the U.S. Fish and Wildlife Service.</p> <p><u>Funding:</u> Research and evaluate funding opportunities to facilitate the protection of wildlife corridors and habitat connectivity opportunities.</p>
Regional trail connections	<p><u>Policy:</u> Support legislation to increase funding opportunities for trails and trail connectors.</p> <p><u>Funding:</u> Identify and research funding sources for trail development, connection, and upgrades. Research and evaluate a Community Project Funding or Congressionally Directed Spending request for multi-modal access projects in a future federal fiscal year appropriations process.</p>

Wildfire Mitigation	
Topic	Action Item:
Fire Prevention and Resilience	<p>Policy: Support legislation to increase western wildland fire resiliency and prevention. Engage with congressional and administration staff on the continued need for, and importance of, wildfire prevention and resiliency programs and funding across the Western U.S.</p> <p>Funding: Research and evaluate a Community Project Funding or Congressionally Directed Spending request for wildfire mitigation and prevention in a future federal fiscal year appropriations process.</p>
Ecologically Sensitive Vegetation Management	<p>Policy: Support legislation that promotes the principles of ecologically sensitive vegetation management.</p> <p>Funding: Research and evaluate federal funding opportunities to support vegetation and land management, including fuel reduction to promote wildfire resiliency and prevention.</p>

Conservation & Species Protection	
Topic	Action Item:
Conservation Grazing	<p>Policy: Support legislation that includes conservation grazing as a measure of wildfire mitigation and natural resource management. Engage with congressional staff on the importance of conservation grazing and its necessity as a tool for biodiversity conservation.</p> <p>Funding: Research and evaluate funding opportunities and federal actions to support conservation grazing and grazing for the purpose of fuel reduction and invasive species control.</p>
Habitat Enhancements	<p>Policy: Support legislation to conserve endangered, threatened, or at-risk critical species in the Bay Area and the State of California. This includes identifying funding opportunities to support habitat and wildlife on the peninsula.</p> <p>Funding: Research and evaluate federal funding to support natural and working lands, including native species and habitat.</p>

Protection of Scenic Landscapes and Maintaining Healthy Working Lands	<p><u>Policy:</u> Identify and support measures the District can participate in regarding the Biden Administration’s 30x30 Initiative, America the Beautiful.</p> <p><u>Funding:</u> Research and evaluate opportunities to acquire land for conservation. Identify funding opportunities to support current District land management and conservation efforts.</p>
Cutting the Green Tape Initiative & Streamlining Permitting Processes	<p><u>Policy:</u> Identify and pursue congressional action and/or administrative regulation to streamline permitting processes for environmental restoration and natural resource projects and increase regulatory staff capacity to process applications.</p>

Climate Change	
Topic	Action Item:
Greenhouse Gas Emission Reductions	<p><u>Policy:</u> Support legislation and engage in congressional action to reduce greenhouse gas emissions and promote climate resilience. Engage with the Biden Administration’s 30x30 initiative and support provisions to reduce greenhouse emissions.</p> <p><u>Funding:</u> Research and evaluate federal funding for activities to reduce greenhouse gas emissions and climate impacts. Pursue federal funding for electric vehicle charging infrastructure.</p>
Carbon Sequestration and Forest Management	<p><u>Policy:</u> Engage with federal legislation and regulation that encourages carbon sequestration activities.</p> <p><u>Funding:</u> Research and evaluate federal funding to support District-related carbon sequestration activities.</p>
Climate Adaptation and Resiliency for Natural and Working Landscapes	<p><u>Policy:</u> Support policies to gather information about climate change, impacts, and management strategies. Support legislation and regulation to increase public land resiliency to climate change. Engage in congressional hearings on the impacts of climate change on public lands. Identify and participate in legislative processes regarding partnerships on reducing invasive species and negative climate impacts. Upon more information, pursue the Biden Administration’s 30x30 initiative to provide incentives for voluntary conservation practices on working lands.</p>

Public Access	
Topic	Action Item:
Equitable Access	<p><u>Policy:</u> Identify and pursue congressional action and/or administrative regulation to clearly define eligibility terms, including underserved, under-resourced, and disadvantaged. This also includes opportunities to establish definitions that recognize fundamental regional differences across the U.S.</p> <p><u>Funding:</u> Research and evaluate federal funding opportunities to increase and expand parks access to underserved, under resourced, and disadvantaged communities.</p>
Multi-modal Access Improvements to Parks and Open Spaces	<p><u>Policy:</u> Identify and pursue congressional action and/or administrative regulation to increase multi-modal access to District lands. Support legislation to promote urban connections to open space and recreation opportunities. Engage with congressional staff to place importance on open space access and the need for accessibility in the Bay Area.</p> <p><u>Funding:</u> Research and evaluate funding opportunities to increase access and connections to bring visitors to the District, including expansion of multi-modal transportation options.</p>
Natural Surface Recreation Trails	<p><u>Policy:</u> Support federal legislation and regulation to promote natural surface recreation trails. Engage with congressional and administrative staff to emphasize the importance of natural surface recreation trails.</p> <p><u>Funding:</u> Research and evaluate funding opportunities to develop and expand recreational trails.</p>

Appendix A:

Midpeninsula Regional Open Space Strategic Plan for FY2022-23

Online at: https://www.openspace.org/sites/default/files/FY23_Strategic-Plan-Goals_Objectives.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 and other elected officials to advocate environmental protection goals

Objective 4 – Preserve and connect open space and agricultural lands of local and regional significance

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

Objective 1 – Take a regional leadership role in promoting the benefits of open space

Objective 2 – Protect and restore the natural environment to preserve healthy natural systems

Objective 3 – Implement the Climate Action Plan, expand regional resiliency, and implement climate change adaptation strategies.

Objective 4 – 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 5 – 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 – Engage the public in realizing the benefits and responsibilities of a regional environmental protection vision to further the District’s achievements in protecting open space and agricultural lands

Objective 2 – Implement diversity, equity, and inclusion (DEI) strategies to build and strengthen partnerships, increase broad and inclusive public outreach and engagement, and instill DEI values across all levels of the organization

Objective 3 –Expand opportunities, including multimodal options, to equitably connect people to their public open space preserves in balance with ~~while balancing~~ the protection of natural resources

Objective 4 – Reflect the diverse communities we serve in the District’s visitors, 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 – Update the financial and operational sustainability model to guide operational growth and areas of focus to effectively and efficiently deliver Vision Plan projects and priority initiatives

Objective 3 – Maintain a state of readiness for potential disruptions and leverage new resiliency practices and procedures to improve business operations, public participation, and communications

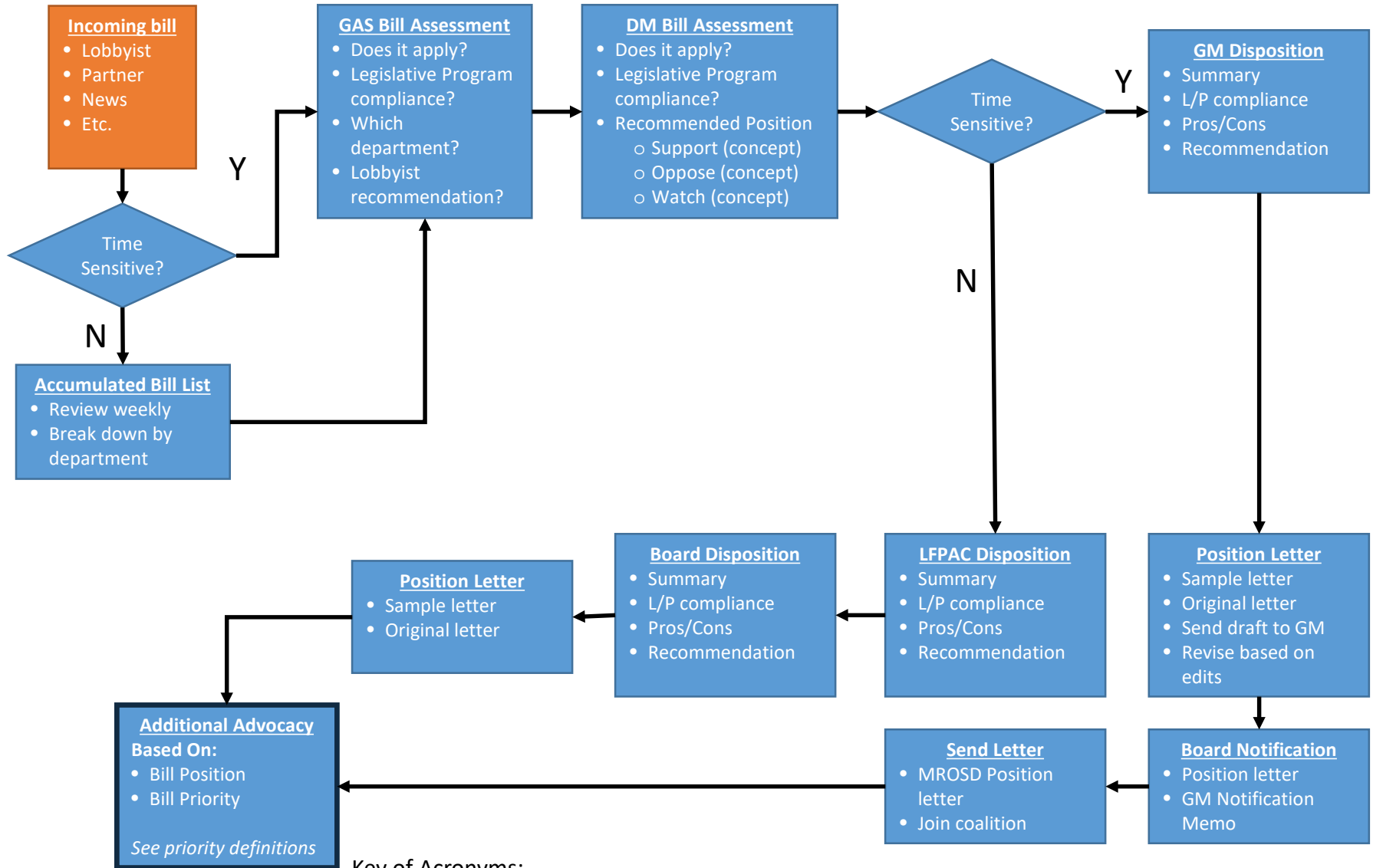
Objective 4 – Remain financially sustainable by preparing for, pursuing, and ensuring discretionary funding opportunities and partnerships

Objective 5 – Ensure 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
- DM: Department Manager

- GAS: Governmental Affairs Specialist
- L/P: Legislative Program

Definitions for Bill Positions and Priority Levels

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, bill sponsorship, 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

2022 TENTATIVE LEGISLATIVE CALENDAR

COMPILED BY THE OFFICE OF THE ASSEMBLY CHIEF CLERK AND THE OFFICE OF THE SECRETARY OF THE SENATE

Revised 10-21-21

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

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

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

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

MAY							
	S	M	T	W	TH	F	S
Wk. 1	1	2	3	4	5	6	7
Wk. 2	8	9	10	11	12	13	14
Wk. 3	15	16	17	18	19	20	21
No Hrgs.	22	23	24	25	26	27	28
Wk. 4	29	30	31				

DEADLINES

- Jan. 1

Statutes take effect (Art. IV, Sec. 8(c)).
- Jan. 3

Legislature reconvenes (J.R. 51(a)(4)).
- Jan. 10

Budget must be submitted by Governor (Art. IV, Sec. 12(a)).
- Jan. 14

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. 17

Martin Luther King, Jr. Day.
- Jan. 21

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 (J.R. 61(b)(3)) (Art. IV, Sec. 10(c)).

- Feb. 18

Last day for bills to be **introduced** (J.R. 61(b)(4), J.R. 54(a)).
- Feb. 21

Presidents' Day.

- Apr. 1

Cesar Chavez Day observed.
- Apr. 7

Spring Recess begins upon adjournment (J.R. 51(b)(1)).
- Apr. 18

Legislature reconvenes from Spring Recess (J.R. 51(b)(1)).
- Apr. 29

Last day for **policy committees** to hear and report to fiscal committees **fiscal bills** introduced in their house (J.R. 61(b)(5)).
- May 6

Last day for **policy committees** to hear and report to the floor **nonfiscal** bills introduced in their house (J.R. 61(b)(6)).
- May 13

Last day for **policy committees** to meet prior to May 31 (J.R. 61(b)(7)).
- May 20

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 May 31 (J.R. 61 (b)(9)).
- May 23 – 27

Floor session only. No committee may meet for any purpose except for Rules Committee, bills referred pursuant to Assembly Rule 77.2, and Conference Committees (J.R. 61(b)(10)).
- May 27

Last day for each house to pass bills introduced in that house (J.R. 61(b)(11)).
- May 30

Memorial Day.
- May 31

Committee meetings may resume (J.R. 61(b)(12)).

*Holiday schedule subject to final approval by Rules Committee.

2022 TENTATIVE LEGISLATIVE CALENDAR

COMPILED BY THE OFFICE OF THE ASSEMBLY CHIEF CLERK AND THE OFFICE OF THE SECRETARY OF THE SENATE

Revised 10-21-21

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

June 15 Budget Bill must be passed by midnight (Art. IV, Sec. 12(c)).

June 30 Last day for a legislative measure to qualify for the Nov. 8 General Election ballot (Elections Code Sec. 9040).

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

July 1 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 4 Independence Day.

AUGUST							
	S	M	T	W	TH	F	S
Wk. 1		1	2	3	4	5	6
Wk. 2	7	8	9	10	11	12	13
No Hrgs.	14	15	16	17	18	19	20
No Hrgs.	21	22	23	24	25	26	27
No Hrgs.	28	29	30	31			

Aug. 1 Legislature reconvenes from **Summer Recess** (J.R. 51(b)(2)).

Aug. 12 Last day for **fiscal committees** to meet and report bills (J.R. 61(b)(15)).

Aug. 15 – 31 Floor session only. No committee may meet for any purpose except Rules Committee, bills referred pursuant to Assembly Rule 77.2, and Conference Committees (J.R. 61(b)(16)).

Aug. 25 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)).

IMPORTANT DATES OCCURRING DURING FINAL RECESS

2022

- Sept. 30Last 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)).
- Oct. 2Bills enacted on or before this date take effect January 1, 2023. (Art. IV, Sec. 8(c)).
- Nov. 8General Election.
- Nov. 30Adjournment *sine die* at midnight (Art. IV, Sec. 3(a)).
- Dec. 52023-24 Regular Session convenes for Organizational Session at 12 noon. (Art. IV, Sec. 3(a)).

2023

- Jan. 1Statutes take effect (Art. IV, Sec. 8(c)).

*Holiday schedule subject to final approval by Rules Committee.