



Midpeninsula Regional
Open Space District

R-22-92
Meeting 22-19
August 10, 2022

AGENDA ITEM 4

AGENDA ITEM

Federal Legislative Positions for Consideration by the Midpeninsula Regional Open Space District

GENERAL MANAGER'S RECOMMENDATION: *den*

Approve the recommended list of federal legislative positions for the 2021-22 federal legislative session as unanimously supported by the Legislative, Funding, and Public Affairs Committee.

SUMMARY

Each year, the U.S. Congress introduces thousands of 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. This is the first review of federal legislative positions for the 117th Congress (2021-2022). The Legislative, Funding, and Public Affairs Committee (LFPAC) reviewed and provided input on the draft recommended list of federal legislative positions on July 12, 2022 and unanimously moved to forward the item to the full Board of Directors (Board) for approval with no recommended changes.

DISCUSSION

The 2022 Legislative Program (Attachment 2), which the Board approved at its January 26, 2022, meeting, reflects Board policy positions on issues affecting the District, its mission, and annual strategic goals ([R-22-10](#)). The 2022 Legislative Matrix identifies priority legislation to track this year. Staff and the District's legislative consultants actively use the Board-approved Legislative Program to communicate District positions on bills, budget recommendations, and other legislative items to the respective authors and/or legislative committees, as appropriate. Throughout the session, staff fields time-sensitive requests from partners and monitors evolving pieces of legislation based on Board Policy 1.11 (Attachment 3). Legislation deemed a priority by the Board, pursuant to Board Policy 1.11, are tracked and, when appropriate, either supported or opposed. The General Manager keeps the Board notified of actions taken via separate memo. Please refer to Attachment 1 for an overview of the initial list of federal bills for proposed District priority action in the 2021-22 legislative session.

The District's federal legislative consultants, The Ferguson Group, have reviewed every bill submitted to the 117th Congress (2021-2022) to determine whether it had the potential to affect District interests and has recommended a position and priority.

Appropriate department managers have assisted with a review of all potential bills of interest and provided a recommended position and priority for each bill. Approximately 50 federal bills are currently tracked, though only bills that would initiate action by the District at this time –

priorities 1 and 2 – are presented (see Attachment 4 for District Legislation Position and Priorities Definitions). At this time, **no** federal bills are deemed priority 1 and eight are priority 2. Since this is the first active consideration of federal legislation, the District may pursue more proactive federal policy advocacy in the future as staff become more familiar with both the benefits of federal funding and policy and how to best use advocacy to influence a bill's course. At that point, bills may be deemed priority 1 and pursued accordingly. As the federal legislative session progresses, each bill may change (sometimes substantially), warranting further consideration and disposition 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 LFPAC.

On July 12, 2022, LFPAC reviewed and provided input on the draft recommended list of federal legislative positions and took action to forward the item to the full Board of Directors for approval. There were no recommended changes requested ([R-22-80](#), draft minutes attached).

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 2”, staff will communicate District interests to its federal delegation, along with a request for them to co-sponsor the individual bills.

ATTACHMENTS

1. Legislative Position Recommendations
2. 2022 Legislative Session Program – Adopted
3. Board Policy 1.11 - Positions on Ballot Measures and Legislative Advocacy
4. District Legislation Position and Priorities Definitions
5. Draft July 12, 2022 Legislative, Funding, and Public Affairs Committee Meeting Minutes

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Recommended Federal Legislative Positions

1. HR 159 (Sires): Community Parks Revitalization Act. - SUPPORT

Recommendation: Priority 2. Submit a letter of support to the author and ask its delegation to co-author.

Summary: This bill provides assistance for local park and recreation facilities, programs, and infrastructure. Specifically, the bill requires the Department of Housing and Urban Development (HUD) to carry out a community revitalization program to award grants to local governments for various park and recreation purposes. Additionally, HUD may make secured loans for parks and infrastructure projects to entities such as governmental entities, special purpose districts, and corporations.

Consistency with Legislative Program: Goal 3: Connect people to open space and a regional environmental protection vision: Position #5: Keeps preserves safe, clean, accessible and inviting for ecologically sensitive public enjoyment and education.

2. HR 1864 (Welch): RTP Full Funding Act of 2021. - SUPPORT

Recommendation: Priority 2. Submit a letter of support to the author and ask its delegation to co-author.

Summary: This bill amends title 23, United States Code, with respect to funding the recreational trails program (RTP), to require a study to determine the best available estimate of the total amount of nonhighway recreational fuel taxes received by the Secretary of the Treasury, and for other purposes.

Consistency with Legislative Program: Federal Public Access Priority: 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.

3. HR 2682 (Crow): Outdoor Restoration Partnership Act of 2021. - SUPPORT

Recommendation: Priority 2. Submit a letter of support to the author and ask its delegation to co-author.

Summary: This bill provides direct support to local, collaborative efforts to restore habitat, expand outdoor access, and mitigate wildfire. It will also spur federal investment in areas at high-risk of wildfire, with high priority wildlife habitat, or in the wildland-urban interface - where homes and businesses meet wildland vegetation - to build climate resilience in the West. It also appropriates \$60 Million to this end.

Consistency with Legislative Program: Goal 2: Protect the positive environmental values of open space and agricultural lands. Goal 4: Strengthen organizational capacity and long-term financial sustainability to fulfill the mission: Position#10c: Provides funding and funding flexibility to achieve mission-related goals including, but not limited to: Wildfire prevention and fuel reduction. Federal Conservation and Species Protection Policy Priority: 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.

4. HR 2924 (Gomez): Transit to Trails Act of 2021. - SUPPORT

Recommendation: Priority 2. Submit a letter of support to the author and ask its delegation to co-author.

Summary: This bill establishes a program to award grants to entities that provide transportation connectors from critically underserved urban communities and rural communities to green spaces. The legislation takes an equitable approach to help communities nationwide with the highest need for better sustainable public transportation options, making access to these public lands more affordable and accessible for all.

Consistency with Legislative Program: Federal Public Access Priority: 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. Federal Public Access Priority: 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.

5. HR 4079 (Blumenauer): Saving America's Pollinators Act of 2021. - SUPPORT

Recommendation: Priority 2. Submit a letter of support to the author and ask its delegation to co-author.

Summary: The bill establishes a pollinator protection board to monitor the status of native pollinator populations and suspends the use of neonicotinoids and other pesticides harmful to pollinators until experts determine that they are safe to use.

Consistency with Legislative Program: Federal Conservation and Species Protection Policy Priority: 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.

6. HR 4092 (Huffman): Coastal Habitat Conservation Act of 2021. - SUPPORT

Recommendation: Priority 2. Submit a letter of support to the author and ask its delegation to co-author.

Summary: This bill authorizes the Secretary of the Interior, through the Coastal Program of the United States Fish and Wildlife Service, to work with willing partners and provide support to efforts to assess, protect, restore, and enhance important coastal areas that provide fish and wildlife habitat on which Federal trust species depend, and for other purposes. It also appropriates \$120 Million to this end.

Consistency with Legislative Program: Goal 2: Protect the positive environmental values of open space and agricultural lands: Position #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.

7. HR 4577 (Quigly): Park District Community Support Grant Program Act. - SUPPORT

Recommendation: Priority 2. Submit a letter of support to the author and ask its delegation to co-author.

Summary: This bill would establish the Park District Community Support Grant Program, which would allow the Department of the Interior to provide up to \$100 Million to park districts for a variety of projects to support community engagement and preserve and protect historic structures. The legislation would make park districts, and special purpose districts, eligible to receive grant funds for the maintenance of land and water for parks, the operation of new or renovation of outdoor recreation facilities, and for the building operation, maintenance, or refurbishment of indoor or outdoor park district facilities.

Consistency with Legislative Program: Goal 3: Connect people to open space and a regional environmental protection vision: Position #5: Keeps preserves safe, clean, accessible and inviting for ecologically sensitive public enjoyment and education.

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Midpeninsula Regional Open Space District Legislative Program 2022

Adopted: January 26, 2022



Contents

Introduction	4
Advocacy of the District’s Interests.....	4
State Legislative Priorities.....	6
Goal 1: Promote, establish, and implement a regional environmental protection vision with partners.....	6
Goal 2: Protect the positive environmental values of open space and agricultural lands.....	6
Goal 3: Connect people to open space and a regional environmental protection vision.....	6
Goal 4: Strengthen organizational capacity and long-term financial sustainability to fulfill the mission.....	6
Legislative Policy Positions	7
Goal 1: Promote, establish, and implement a regional environmental protection vision with partners:.....	7
Goal 2: Protect the positive environmental values of open space and agricultural lands:.....	8
Goal 3: Connect people to open space and a regional environmental protection vision.....	9
Goal 4: Strengthen organizational capacity and long-term financial sustainability to fulfill the mission.....	10
2022 Regional Priorities.....	12
Plan Bay Area 2050	12
Regional Housing Needs Allocation	12
Regional Collaboration.....	12
Active Transportation Programs	12
Public Transit Connections to Public Open Space Lands (aka “Transit to Trails”).....	12
2022 Federal Policy and Funding Priorities	13
Topic	13
Highway 17 Project.....	13
Protection of Wildlife Corridors	13
Regional trail connections.....	13
Topic	14
Fire Prevention and Resilience.....	14
Ecologically Sensitive Vegetation Management.....	14
Conservation & Species Protection	14

Topic	14
Conservation Grazing	14
Habitat Enhancements	14
Protection of Scenic Landscapes and Maintaining Healthy Working Lands	15
Cutting the Green Tape Initiative & Streamlining Permitting Processes.....	15
Topic	15
Greenhouse Gas Emission Reductions.....	15
Carbon Sequestration and Forest Management	15
Climate Adaptation and Resiliency for Natural and Working Landscapes	15
Topic	16
Equitable Access.....	16
Multi-modal Access Improvements to Parks and Open Spaces.....	16
Natural Surface Recreation Trails.....	16
Appendix A:.....	17
Midpeninsula Regional Open Space Strategic Plan for FY2022-23.....	17
Goal 1 – Promote, establish, and implement a regional environmental protection vision with partners.....	17
Goal 2 – Protect the positive environmental values of open space and agricultural lands...	17
Goal 3 – Connect people to open space and a regional environmental protection vision.....	17
Goal 4 – Strengthen organizational capacity and long-term financial sustainability to fulfill the mission	18

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

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.

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 and/or, along with a potential priority number, prior to GM or Board 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 and/or, along with a potential priority number, prior to GM or Board review. Often staff and consultants will engage with the author’s office prior to assigning this designation.

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

MIDPENINSULA REGIONAL OPEN SPACE DISTRICT

LEGISLATIVE, FUNDING, AND PUBLIC AFFAIRS COMMITTEE

The Board of Directors conducted this meeting in accordance with California Government Code section 54953(e) and Midpeninsula Regional Open Space District Resolution 21-33. All Board members and staff participated via teleconference.

Tuesday, July 12, 2022

DRAFT MINUTES

CALL TO ORDER

Director Holman called the meeting of the Legislative, Funding, and Public Affairs Committee to order at 1:05 p.m.

ROLL CALL

Members present: Larry Hassett, Karen Holman, and Pete Siemens

Members absent: None

Staff present: General Manager Ana Ruiz, General Counsel Hilary Stevenson, Assistant General Manager Brian Malone, Assistant General Manager Susanna Chan, Chief Financial Officer Stefan Jaskulak, District Clerk/Assistant to the General Manager Jennifer Woodworth, Public Affairs Manager Kori Skinner, Governmental Affairs Specialist Josh Hugg

ORAL COMMUNICATIONS

No public comments submitted.

COMMITTEE BUSINESS

1. Approve the April 12, 2022 Legislative, Funding, & Public Affairs Committee meeting minutes.

Motion: Director Siemens moved, and Director Hassett seconded the motion to approve the April 12, 2022 Legislative, Funding, and Public Affairs committee meeting minutes.

Public comment opened at 1:07 p.m.

Ms. Woodworth reported no public comments had been submitted.

Public comment closed at 1:07 p.m.

ROLL CALL VOTE: 3-0-0

2. Federal Legislative Positions for Consideration by the Midpeninsula Regional Open Space District (R-22-80)

Governmental Affairs Specialist Josh Hugg reviewed the process for tracking, analyzing, and making recommendations for federal legislation. Mr. Hugg described the seven pieces of legislation District staff is recommending a support position on, including legislation to support funding for recreational trails, outdoor restoration, transit to trails, coastal habitat conservation, etc.

The Committee members requested and received clarification regarding the federal legislation process and the bills proposed for District support.

Chair Holman suggested seeking additional support for the various pieces of legislation from other local agencies and organizations, such as support from the City of East Palo Alto for the Transit to Trails Act of 2021.

Chair Holman suggested including information regarding the status of the legislation that staff have been tracking.

Mr. Hugg stated staff can include status updates in the biweekly report for the federal legislation in addition to the state legislation updates currently included in the biweekly report.

Public comment opened at 1:52 p.m.

Ms. Woodworth reported no public comments had been submitted for this item.

Public comment closed at 1:52 p.m.

ADJOURNMENT

Chair Holman adjourned the meeting of the Legislative, Funding, and Public Affairs Committee at 1:52 p.m.

Jennifer Woodworth, MMC
District Clerk