



## Midpeninsula Regional Open Space District

R-22-142  
Meeting 22-30  
December 14, 2022

### AGENDA ITEM 3

#### AGENDA ITEM

#### 2023 Legislative Program

#### GENERAL MANAGER'S RECOMMENDATION

Adopt the 2023 Legislative Program as recommended by the Legislative, Funding, and Public Affairs Committee, with any final changes from the Board of Directors, to set the legislative priorities and policies for Midpeninsula Regional Open Space District.

#### SUMMARY

Each year, staff reviews numerous legislative proposals at the local, state, and federal levels to identify opportunities that further the Midpeninsula Regional Open Space District's (District) mission, strategic and action plan priorities, and key projects. Though most bills are considered on a case-by-case basis, the annual Board-approved Legislative Program provides a publicly accessible, transparent, and proactive summary of priorities and policies to guide legislative activities for the year. The Legislative, Funding, and Public Affairs Committee (LFPAC) received an overview of the Draft 2023 Legislative Program on November 15, 2022 and provided comment and guidance on the legislative policy proposals. Staff incorporated LFPAC comments into the revised 2023 Legislative Program (Attachment 1) now under consideration by the full Board.

#### DISCUSSION

##### **Annual Legislative Program**

The Legislative Program serves as the touchstone for all legislative activities during the session, articulating to the public and focusing staff on the priorities of the Board of Directors, consistent with Board Policy 1.11 (Attachment 2). It also provides an opportunity for staff to think about its work in policy terms, beyond strictly project execution, helping to promote interdepartmental coordination and a culture of continuous improvement.

##### **Legislative Program Structure**

The proposed 2023 Legislative Program is broken into several sections:

- **Legislative Priorities** – These are the District's top state and local legislative priorities, grouped by key strategic areas. These priorities are consistent with the Board's Strategic Plan Goals and Objectives, reinforcing organizational alignment with Board priorities. ([https://www.openspace.org/sites/default/files/FY23\\_Strategic-Plan-Goals\\_Objectives.pdf](https://www.openspace.org/sites/default/files/FY23_Strategic-Plan-Goals_Objectives.pdf)). Annual priority setting is informed by Board-approved projects and initiatives, opportunities to support or oppose state legislative initiatives sponsored

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

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

### **Legislative Priorities**

The proposed policy positions and priorities in the 2023 Legislative Program incorporate recent input from District departments. The proposed legislative priorities are also grouped according to the Board's Strategic Plan Goals and Objectives to reinforce organizational alignment with Board priorities. Below are the proposed policy priorities:

#### **State Priorities:**

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

- **Wildlife Corridors:** Enable greater funding opportunities, permit streamlining, and intentional public roadway infrastructure design to preserve and enhance wildlife corridors; promote wildlife permeability in the built environment with a particular focus on local roadways.
- **Climate Adaptation Strategy:** Support and influence the development and implementation of the state's various climate adaptation, resiliency, and biodiversity initiatives to incorporate District priorities, including the California Climate Adaptation Strategy, Natural and Working Lands Climate Smart Strategy, California Air Resources Board (CARB) Scoping Plan and Pathways to 30x30 Strategy.

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

- **Ecologically Sensitive Vegetation Management:** Promote effective guidelines, streamlining, 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.
- **Cutting the Green Tape:** Support efforts by the California Natural Resources Agency (CNRA) to streamline permitting processes for environmental restoration and stewardship projects.
- **Sustainable Patterns of Development:** Encourage state agencies who regulate community growth plans to focus new development in ways that avoid climate change-related hazards and protects landscape-scale ecosystems and their ability to adapt to climate change.

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

- **Equitable Public Access:** Enhance funding resources that support expanding access to greenspace opportunities and a sense of belonging and inclusion for under-resourced communities and individuals with disabilities.
- **Multimodal and Public Access Infrastructure:** Expand resources available for the District to pursue strategies to address parking and traffic congestion issues, manage visitation, increase greener modes of transportation, improve accessibility for users with limited mobility and provide new transit connections to communities, including expanding transit-to-trails programs.

**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, staffing capacity, conservation workforce development and equitable access to nature, particularly in the Bay Area. This includes promoting the use of the “under-resourced communities” definition in new and existing state funding sources.
- **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.
- **General Manager Purchasing Authority:** Join East Bay Regional Park District’s pursuit to increase the general manager’s purchasing authority in light of increased inflation to maintain effective and timely project implementation and operations.

Regional Priorities:

- **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 and agricultural 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 and monitor developments regarding subsequent revisions of Plan Bay Area.
- **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, pedestrian safety improvements (e.g., signalized street intersections, roadway crossings, etc.) and other projects and programs (e.g., Vision Zero, Complete Streets, Safe Routes to Schools, etc.) that make multi-modal access to parks and open spaces, including walking and biking, easier, safer and more convenient.  
  
Promote funding and support for natural surface recreational trails as a means for the public to access and enjoy natural landscapes, as well as the expansion of funding for transit options to access public open space and parks.

Federal Priorities:

While the priorities below may be specific to federal initiatives, the broader policy positions contained in the legislative program apply to all levels of government. In general, federal priorities compliment the state priorities identified above. Due to the number of specified federal focus areas, the details for each policy and funding action can be found in Attachment 1.

- **Wildlife Crossings/Trail Connections**
  - Highway 17 Project
  - Protection of Wildlife Corridors
  - Regional Trail Connections
- **Wildfire Mitigation**
  - Fire Prevention and Resilience
  - Ecologically Sensitive Vegetation Management
- **Conservation & Species Protection**
  - Conservation Grazing
  - Habitat Enhancements
  - Protection of Scenic Landscapes and Maintaining Healthy Working Lands
  - Cutting the Green Tape Initiative & Streamlining Permitting Processes
- **Climate Change**
  - Greenhouse Gas Emissions Reductions
  - Carbon Sequestration and Forest Management
  - Climate Adaptation and Resiliency for Natural and Working Landscapes
- **Public Access**
  - Equitable Access
  - Multimodal Access Improvement to Parks and Open Spaces
  - Natural Surface Recreation Trails

**FISCAL IMPACT**

There are sufficient funds in the Fiscal Year 2022-23 Budget for the anticipated legislative activities, including to fund the work of state and federal legislative consultants.

**BOARD AND COMMITTEE REVIEW**

This item was reviewed by Legislative, Funding and Public Affairs Committee on November 15, 2022, with a request that the goals achieved with the passage of [AB 2344 \(Friedman, 2022\): Wildlife connectivity: transportation projects](#) be pursued also at the local level and that periodic updates be provided to the Board on the progress made toward this effort. The proposed 2023 Legislative Program under Board consideration incorporates LFPAC feedback.

**PUBLIC NOTICE**

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

**CEQA COMPLIANCE**

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

**NEXT STEPS**

Upon Board approval, the General Manager and staff would proceed with implementing the 2023 Legislative Program. LFPAC and the Board will receive periodic updates on the status of the legislative priorities and policies throughout the year.

**Attachments:**

1. Proposed 2023 Legislative Session Program
2. Board Policy 1.11: Positions on Ballot Measures and Legislative Advocacy

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# Midpeninsula Regional Open Space District Legislative Program 2023

Adopted: **TBD**



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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 Coastsides Protection Area Service Plan, a Coastsides mission was adopted in 2004:

*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 and report back to the Board 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](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 and federal 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 2023 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 2023 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, permit streamlining, and intentional public roadway infrastructure design to preserve and enhance wildlife corridors; promote wildlife permeability in the built environment with a particular focus on local roadways.
- **Climate Adaptation Strategy:** Support and influence the development and implementation of the state's various climate adaptation, resiliency, and biodiversity initiatives to incorporate District priorities, including the California Climate Adaptation Strategy, Natural and Working Lands Climate Smart Strategy, California Air Resources Board (CARB) Scoping Plan and Pathways to 30x30 Strategy.

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

- **Ecologically Sensitive Vegetation Management:** Promote effective guidelines, streamlining, 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.
- **Cutting the Green Tape:** Support efforts by the California Natural Resources Agency (CNRA) to streamline permitting processes for environmental restoration and stewardship projects.
- **Sustainable Patterns of Development:** Encourage state agencies who regulate community growth plans to focus new development in ways that avoid climate change-related hazards and protects landscape-scale ecosystems and their ability to adapt to climate change.

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

- **Equitable Public Access:** Enhance funding resources that support expanding access to greenspace opportunities and a sense of belonging and inclusion for under-resourced communities and individuals with disabilities.
- **Multimodal and Public Access Infrastructure:** Expand resources available for the District to pursue strategies to address parking and traffic congestion issues, manage visitation, increase greener modes of transportation, improve accessibility for users with limited mobility and provide new transit connections to communities, including expanding transit-to-trails programs.

### 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, staffing capacity, conservation workforce development and equitable access to nature, particularly in the Bay Area. This includes promoting the use of the “under-resourced communities” definition in new and existing state funding sources.
- **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.
- **General Manager Purchasing Authority:** Join East Bay Regional Park District’s pursuit to increase the general manager’s purchasing authority in light of increased inflation to maintain effective and timely project implementation and operations.

## 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 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 Board-approved 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, as well supports land protection and biodiversity goals set forth by [Executive Order N-82-20, 2020](#). This order elevates the role of natural and working lands and the advancement of biodiversity conservation in the fight against climate change as an administration priority. It also commits California to the goal of conserving 30 percent of statewide lands and coastal waters by 2030.

2. Protects public open space and associated property rights, interests and easements.
3. Enhances or funds regional collaboration and coordination of conservation efforts.
4. Promotes the use of urban infill and urban growth boundaries to avoid sprawl to protect natural and working lands; prevents pressure to develop open spaces and further encroach upon the wildland-urban interface, riparian areas 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. Promotes the use of green infrastructure and natural solutions in promoting climate resiliency and 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 state greenhouse gas (GHG) reduction goals, such as Senate Bill 32 (2016), the Global Warming Solutions Act, that establishes a GHG emissions target of 40 percent below 1990 levels by 2030, and Assembly Bill 1279 (2022), that establishes a target to reach statewide net carbon neutrality no later than 2045.
3. Furthers the implementation of Assembly Bill 1757 (Garcia, 2022), which recognizes the importance of natural and working lands for the purpose of carbon sequestration and storage and requires the California Natural Resources Agency to establish a range of targets for natural carbon sequestration for 2030, 2038, and 2045.
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-wide climate 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 related 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 transportation networks.
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; supports existing and future Native American-led conservation and climate resilience initiatives.
15. Protects and restores watersheds, water quality, natural water courses, wetlands and hydrologic processes consistent with the District's Resource Management Policies.
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. Removes barriers to carrying out prescribed fires and cultural burns as a natural component of a healthy ecosystem, such as prohibitive liability standards
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.
24. Promotes access to peer-reviewed data and modeling of climate change impacts to California's natural and working landscapes and use of these resources to plan and prioritize work to enhance landscape resilience.

### 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 and cultural 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 equitable access to open space programs and activities that include tools and measures for addressing language, physical and transportation barriers.
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 transportation 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 and promotes cleaner transportation options 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 cell phone reception and internet access in open space.
14. Supports electric vehicle charging infrastructure that facilitates the Governor's Executive Order N-79-20, which directs agencies to require that, by 2035, all new cars and passenger trucks sold in California be zero-emission vehicles. In addition, support the California Air Resources Board's (CARB) effort to convert all government fleets to 100% zero-emission by 2035.

#### 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, onboarding, professional development, firing and day-to-day oversight of staff at all levels.
6. Preserves and promotes open, transparent, accountable government administrative practices that enable 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 and prescribed fire implementation.
  - d. Research on climate change impacts, carbon sequestration and carbon storage on natural and working lands.



- e. Programs that hire youth to work in parks and open space and encourages them to consider careers in conservation.
  - f. Environmental education partnerships and public outreach efforts at local and state levels.
  - g. Improvements that meet the Americans with Disability Act (ADA) and other accessibility standards in District preserves.
  - h. The protection of prime and sustainable agricultural lands, including investments in agricultural-support infrastructure.
  - i. Funding for local partners to receive technical support for agriculture and natural resources enhancements.
  - j. Wildlife corridors and crossing infrastructure.
  - k. Low-intensity, ecologically sensitive public access opportunities.
  - l. Public interpretation of natural, cultural and historic resources.
  - m. Public outreach and engagement planning of equitable public access opportunities for diverse communities.
11. Promotes closer collaboration and coordination between regulatory agencies to enhance permit processing efficiencies and reduce overall project costs.
  12. Improves and streamlines permitting, CEQA and NEPA review and compliance processes for emergency repairs, routine maintenance, habitat restoration, and public access projects.
  13. Builds organizational capacities of regulatory/resource agencies from whom the District needs permitting approvals for our projects
  14. Provides open space districts the authority to utilize a variety of contracting methods to construct projects, including design-build methodologies.
  15. Promotes implementation of and education about sustainable design and construction, including, but not limited to LEED buildings, stormwater treatment and runoff reduction, local (within 50-mile radius of a project) contractor/consultant hiring, construction material reuse/recycling, and use of green/energy efficient materials and equipment.
  16. Supports the District's diversity, equity and inclusion goals.

## 2023 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 2023, 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 and agricultural 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 and monitor developments regarding subsequent revisions of Plan Bay Area.

### 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, pedestrian safety improvements (e.g. signalized street intersections, roadway crossings, etc.) and other projects and programs (e.g. Vision Zero, Complete Streets, Safe Routes to Schools, etc.) that make multi-modal access to parks and open spaces, including walking and biking easier, safer and more convenient.

Promote funding and support for natural surface recreational trails as a means for the public to access and enjoy natural landscapes, as well as the expansion of funding for transit options to access public open space and parks..

## 2023 Federal Policy and Funding Priorities

Depending on the results of the federal 2022 mid-term election, the outlook for federal partnerships may change. With a President who prioritizes climate resilience and environmental protection still in office, and conservation and climate change funding allocated through the 2022 [Inflation Reduction Act](#) and the 2021 [Infrastructure Investment and Jobs Act](#), there should still be opportunities for federal support of District priorities through at least 2024. While the priorities below may be specific to federal initiatives, the policy positions contained within the broader 2023 Legislative Program apply to all levels of government. In general, federal priorities will complement 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 2023, the District will focus on the following:

Wildlife Crossings/ Trail Connections	
Topic	Action Item:
Highway 17 Project	<p><b>Policy:</b> Support legislation that enables the completion of the Highway 17 Crossings project.</p> <p><b>Funding:</b> 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><b>Policy:</b> 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><b>Funding:</b> Research and evaluate funding opportunities to facilitate the protection of wildlife corridors and habitat connectivity opportunities.</p>
Regional trail connections	<p><b>Policy:</b> Support legislation to increase funding opportunities for trails and trail connectors.</p> <p><b>Funding:</b> Identify funding sources for trail development, connections, and upgrades. Research and evaluate a Community Project Funding or Congressionally Directed Spending request for multimodal access projects in a future appropriations process.</p>

Wildfire Mitigation	
Topic	Action Item:
Fire Prevention and Resilience	<p><b>Policy:</b> 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><b>Funding:</b> 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><b>Policy:</b> Support legislation that promotes the principles of <a href="#">ecologically sensitive vegetation management</a>.</p> <p><b>Funding:</b> Research and evaluate federal funding opportunities to support vegetation and land management, including fuel reduction and prescribed fire to promote wildfire resiliency and prevention.</p>

Conservation & Species Protection	
Topic	Action Item:
Conservation Grazing	<p><b>Policy:</b> 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><b>Funding:</b> 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><b>Policy:</b> Support legislation to conserve endangered, threatened, or at-risk critical species in the Bay Area and the State of California.</p> <p><b>Funding:</b> 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><b><u>Policy:</u></b> Identify and support measures the District can participate in with regards to the Biden Administration's 30x30 Initiative, America the Beautiful. Research and evaluate opportunities to acquire land for conservation.</p> <p><b><u>Funding:</u></b> Identify funding opportunities to support new land acquisitions and current land management and conservation efforts.</p>
Cutting the Green Tape Initiative & Streamlining Permitting Processes	<p><b><u>Policy:</u></b> Identify and pursue congressional action and/or administrative regulation to streamline environmental review and 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><b><u>Policy:</u></b> 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><b><u>Funding:</u></b> 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><b><u>Policy:</u></b> Engage with federal legislation and regulation that encourages carbon sequestration activities, especially through natural ecosystem processes. Support legislation and regulation the promote forest management methods to improve the long-term resilience of forest carbon stocks.</p> <p><b><u>Funding:</u></b> Research and evaluate federal funding to support District-related carbon sequestration activities.</p>
Climate Adaptation and Resiliency for Natural and Working Landscapes	<p><b><u>Policy:</u></b> 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:
Green Infrastructure	<p><b>Funding:</b> Research and evaluate federal funding opportunities to increase and expand green infrastructure in rural and open space areas and to assist with operational reductions in carbon footprints. This includes funding provided by the 2022 <a href="#">Inflation Reduction Act</a> and the 2021 <a href="#">Infrastructure Investment and Jobs Act</a>.</p>
Equitable Access	<p><b>Policy:</b> 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><b>Funding:</b> Research and evaluate federal funding opportunities to increase and expand parks access to underserved, under resourced, and disadvantaged communities. This includes equitable access for individuals with disabilities and promotes whole-access to parks, trails and open space.</p>
Multimodal Access Improvements to Parks and Open Spaces	<p><b>Policy:</b> Identify and pursue congressional action and/or administrative regulation to increase multimodal 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 improved accessibility in the Bay Area.</p> <p><b>Funding:</b> Research and evaluate funding opportunities to increase access and connections to bring visitors to the District, including expansion of multimodal transportation options.</p>
Natural Surface Recreation Trails	<p><b>Policy:</b> 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><b>Funding:</b> 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](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 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

<b>Positions on Ballot Measures and Legislative Advocacy</b>	<b>Policy 1.11</b> <b>Chapter 1 – Administration and Government</b>
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.