



Midpeninsula Regional
Open Space District

R-23-29
Meeting 23-08
March 8, 2023

AGENDA ITEM 4

AGENDA ITEM

Legislative Position Recommendations

GENERAL MANAGER'S RECOMMENDATION: *den*

Approve the recommended list of legislative positions for the 2023 state legislative session.

SUMMARY

Each year, the state legislature introduces over a thousand new bills for consideration. Legislative consultants and Midpeninsula Regional Open Space District (District) staff have reviewed these bills and identified specific legislation (Attachment 1) that merit action. **Important Note:** Most bills will change over the course of the legislative session. The legislative process is fluid and often moves fast. Based upon the guiding documents of Board Policy 1.11 (Attachment 2) and the Board of Directors (Board)-adopted Legislative Program (Attachment 3), the General Manager and staff will pursue an appropriate position for each bill to ensure that District interests are promoted and protected.

DISCUSSION

The 2023 Legislative Program, which the Board approved on December 14, 2022, guides District priorities on legislative proposals affecting the District, its mission, and annual strategic goals. Throughout the session, staff fields time-sensitive requests from partners and monitors evolving pieces of legislation based on Board Policy 1.11 and the approved Legislative Program, using the bill disposition process described in Attachment 4 to assess and determine appropriate actions. Legislation deemed a priority by the Board pursuant to Board Policy 1.11 are tracked and, when appropriate, either supported or opposed (Attachment 5-Definitions). The General Manager keeps the Board notified of actions taken via separate memo (Attachment 6-Example Memo). Please refer to the Recommended Legislative Positions (Attachment 1) for an overview of the initial list of bills identified for District priority action in the 2023-24 legislative session.

February 17, 2023 was the submittal deadline for new bills by state assemblymembers and senators (see Attachment 7- Legislative Calendar). District legislative consultants Public Policy Advocates (PPA) and Environmental and Energy Consulting (EEC) reviewed every bill submitted (2741 for the 2023 session) to determine whether it had the potential to affect District interests, recommending an initial position and priority.

Based on the list of identified legislation, department managers assisted with a review of all the potential bills of interest and provided their recommended position and priority for each. Approximately 135 bills are currently tracked, though only bills that may initiate action by the

District at this time, i.e., those recommended as priority 1 or 2, are presented. At this time, 5 bills are recommended as priority 1 and 27 bills as priority 2. As the legislative session progresses, each bill may change (sometimes substantially), which warrants further consideration concurrent with Board Policy 1.11.

FISCAL IMPACT

None

PRIOR BOARD AND COMMITTEE REVIEW

On December 14, 2022, the full Board adopted the 2023 Legislative Program ([R-22-10, minutes](#)), accepting recommendations from the Legislative, Funding, and Public Affairs Committee (LFPAC).

On November 15, 2022, LFPAC reviewed and provided input on the draft 2023 Legislative Program and took action to forward the item to the full Board of Directors for approval with their recommended changes incorporated ([R-21-171, minutes](#)).

PUBLIC NOTICE

Public notice was provided as required by the Brown Act.

CEQA COMPLIANCE

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

NEXT STEPS

Based on the Board-adopted 2023 Legislative Program and the bills identified as “priority 1” by the Board at this meeting, staff, the Board President and Vice-President are tentatively scheduled to meet with the District’s state legislative delegation later in March to communicate District interests. Priority 2 bills will have position letters sent to their respective authors and policy committee chairs as appropriate.

ATTACHMENTS

Attachment 1 – District Legislative Tracking Matrix
Attachment 2 – Board Policy 1.11 - Positions on Ballot Measures and Legislative Advocacy
Attachment 3 – District Legislative Program for 2023 – Adopted
Attachment 4 – District Bill Disposition Process
Attachment 5 – District Legislation Position and Priorities Definitions
Attachment 6 – Example of GM Legislative Memo to the Board
Attachment 7 – State Legislative Calendar – 2023

Responsible Department Head:
Korrine Skinner, Public Affairs Manager

Prepared by:
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Legislative Position Recommendations						
March 8, 2023						
Measure	Author	Issue Area	Topic	Brief Summary	Position	Priority
AB 1195	Calderon D	Climate	Climate Change Preparedness, Resiliency, and Jobs for Communities Program: climate-beneficial projects: grant funding.	Would establish the Climate Change Preparedness, Resiliency, and Jobs for Communities Program, to be administered by the Strategic Growth Council, and would require the council to fund grants to develop and implement multibenefit, community-level, climate-beneficial projects to support community and landscape resiliency and workforce development. The bill would require the council to award competitive grants to eligible entities, as defined, through an application process, as provided. The bill would require the council, on or before July 1, 2024, to develop guidelines to implement the program and criteria to select projects eligible for grant funding that include, at a minimum, specified information related to community resiliency grants, landscape resiliency grants, and climate and career pathways grants.	Recommend Support	1
AB 1567	Garcia D	Climate	Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, and Workforce Development Bond Act of 2023.	This bill would enact the Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, and Workforce Development Bond Act of 2023, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$15,105,000,000 pursuant to the State General Obligation Bond Law to finance projects for safe drinking water, wildfire prevention, drought preparation, flood protection, extreme heat mitigation, and workforce development programs. This bill contains other related provisions.	Recommend Support	1
AB 411	Bennett D	Public Access	Transportation: trails.	Current law states the intent of the Legislature to annually allocate \$7,000,000 to the Environmental Enhancement and Mitigation Program Fund to provide grants to local, state, and federal agencies and nonprofit entities to undertake certain environmental enhancement and mitigation projects, including, but not limited to, urban forestry projects, acquisition or enhancement of resource lands, and projects to mitigate the impact of proposed transportation facilities or to enhance the environment. This bill would revise that statement of legislative intent to instead allocate \$10,000,000 annually for that purpose.	Recommend Support	1
AB 400	Rubio, Blanca D	Stewardship	Local agency design-build projects: authorization.	Current law authorizes local agencies, as defined, to use the design-build procurement process for specified types of projects, as prescribed. Current law, among other requirements for the design-build procurement process, requires specified information submitted by a design-build entity to be certified under penalty of perjury. These provisions authorizing the use of the design-build procurement process are repealed on January 1, 2025. This bill would remove the January 1, 2025, repeal date, thereby making these provisions operative indefinitely. Midpen's original design-build bill, SB 793 (Hill, 2017), was a 5-year pilot inside of the 10-year city/county pilot (SB 785(Wolk,2014)). The District's recent design-build bill (AB 2785 (Mullin, 2022)) last year made that portion permanent within the SB 785 pilot. AB 400 will make the entire pilot permanent.	Recommend Support	1

Measure	Author	Issue Area	Topic	Brief Summary	Position	Priority
AB 397	Essayli R	Climate	California Global Warming Solutions Act of 2006: scoping plan.	The State Air Resources Board is required to adopt rules and regulations to achieve the maximum technologically feasible and cost-effective greenhouse gas emissions reductions to ensure that the statewide greenhouse gas emissions are reduced to at least 40% below the statewide greenhouse gas emissions limit, as defined, no later than December 31, 2030. The act requires the state board to prepare and approve a scoping plan for achieving the maximum technologically feasible and cost-effective reductions in greenhouse gas emissions and to update the scoping plan at least once every 5 years. This bill would require the state board to include greenhouse gas emissions from wildlands and forest fires in the scoping plan.	Recommend Support	2
AB 882	Davies R	Climate	Coastal resources: Climate Ready Program: State Coastal Conservancy.	Current law establishes the Climate Ready Program, administered by the State Coastal Conservancy, in order to address the impacts and potential impacts of climate change on resources within the conservancy's jurisdiction. Current law requires the conservancy, when allocating specified funds, to do specified things, including prioritizing projects that use natural infrastructure in coastal communities to help adapt to climate change and prioritizing projects that provide multiple public benefits, as specified. This bill would require the conservancy to prioritize the review of applications for specified projects and to process those applications no later than 45 days from the date the conservancy receives the application.	Recommend Support	2
AB 1374	Alvarez D	Climate	Greenhouse Gas Reduction Fund: investment plan.	The California Global Warming Solutions Act of 2006 authorizes the State Air Resources Board to include the use of market-based compliance mechanisms. Current law requires all moneys, except for fines and penalties, collected by the state board as part of a market-based compliance mechanism to be deposited in the Greenhouse Gas Reduction Fund and to be available upon appropriation. Current law requires the Department of Finance, in consultation with the state board and any other relevant state agency, to develop, as specified, a 3-year investment plan for the moneys deposited in the fund. Current law requires the investment plan to allocate, among other things, a minimum of 25% of the available moneys in the fund to projects located within, and benefiting individuals living in, disadvantaged communities and an additional minimum of 5% to projects that benefit low-income households or to projects located within, and benefiting individuals living in, low-income communities located anywhere in the state. This bill would increase those amounts from 25% to 50% and from 5% to 15%.	Recommend Support If Amended	2
SB 12	Stern D	Climate	California Global Warming Solutions Act of 2006: emissions limit.	Under the California Global Warming Solutions Act of 2006, the State Air Resources Board is required to approve a statewide greenhouse gas emissions limit equivalent to the statewide greenhouse gas emissions level in 1990 to be achieved by 2020 and to ensure that statewide greenhouse gas emissions are reduced to at least 40% below the 1990 level by no later than December 31, 2030. Under the act, a violation of a rule, regulation, order, emission limitation, emission reduction measure, or other measure adopted by the state board under the act is a crime. This bill instead would require the state board to ensure that statewide greenhouse gas emissions are reduced to at least 55% below the 1990 level by no later than December 31, 2030.	Recommend Support	2

Measure	Author	Issue Area	Topic	Brief Summary	Position	Priority
SB 272	Laird D	Climate	Sea level rise: planning and adaptation.	Would require a local government, as defined, lying, in whole or in part, within the coastal zone, as defined, or within the jurisdiction of the San Francisco Bay Conservation and Development Commission, as defined, to implement sea level rise planning and adaptation through either submitting, and receiving approval for, a local coastal program, as defined, to the California Coastal Commission or submitting, and receiving approval for, a subregional San Francisco Bay shoreline resiliency plan to the San Francisco Bay Conservation and Development Commission, as applicable, on or before January 1, 2034. By imposing additional requirements on local governments, the bill would impose a state-mandated local program. The bill would require local governments that receive approval for sea level rise planning and adaptation on or before January 1, 2029, to be prioritized for sea level rise funding, upon appropriation by the Legislature, for the implementation of projects in the local government's approved sea level rise adaptation plan. The bill would require, on or before December 31, 2024, the California Coastal Commission and the San Francisco Bay Conservation and Development Commission, in close coordination with the Ocean Protection Council and the California Sea Level Rise State and Regional Support Collaborative, to establish guidelines for the preparation of that planning and adaptation. The bill would make the operation of its provisions contingent upon an appropriation for its purposes by the Legislature in the annual Budget Act or another statute.	Recommend Support	2
SB 867	Allen D	Climate	Drought and Water Resilience, Wildfire and Forest Resilience, Coastal Resilience, Extreme Heat Mitigation, Biodiversity and Nature-Based Climate Solutions, Climate Smart Agriculture, and Park Creation and Outdoor Access Bond Act of 2023.	Would enact the Drought and Water Resilience, Wildfire and Forest Resilience, Coastal Resilience, Extreme Heat Mitigation, Biodiversity and Nature-Based Climate Solutions, Climate Smart Agriculture, and Park Creation and Outdoor Access Bond Act of 2023, which, if approved by the voters, would authorize the issuance of bonds in an unspecified amount pursuant to the State General Obligation Bond Law to finance projects for drought and water resilience, wildfire and forest resilience, coastal resilience, extreme heat mitigation, biodiversity and nature-based climate solutions, climate smart agriculture, and park creation and outdoor access programs. <i>This bill would be designated priority 1 if AB 1567 (E.Garcia) fails to move forward.</i>	Recommend Support	2
AB 285	Rivas, Luz D	Education	Pupil instruction: science requirements: climate change.	Current law requires the adopted course of study for grades 1 to 6, inclusive, and the adopted course of study for grades 7 to 12, inclusive, to include certain areas of study, including, among others, English, mathematics, social sciences, science, and visual and performing arts, as specified. This bill, with respect to both of the above-referenced adopted courses of study, would require the science area of study to include an emphasis on the causes and effects of climate change and methods to mitigate and adapt to climate change. The bill would require that appropriate coursework including this material be offered to pupils as soon as possible, commencing no later than the 2024–25 school year.	Recommend Support	2

Measure	Author	Issue Area	Topic	Brief Summary	Position	Priority
ACA 1	Aguiar-Curry D	Finance	Local government financing: affordable housing and public infrastructure: voter approval.	<p>The California Constitution prohibits the ad valorem tax rate on real property from exceeding 1% of the full cash value of the property, subject to certain exceptions. This measure would create an additional exception to the 1% limit that would authorize a city, county, city and county, or special district to levy an ad valorem tax to service bonded indebtedness incurred to fund the construction, reconstruction, rehabilitation, or replacement of public infrastructure, affordable housing, or permanent supportive housing, or the acquisition or lease of real property for those purposes, if the proposition proposing that tax is approved by 55% of the voters of the city, county, or city and county, as applicable, and the proposition includes specified accountability requirements. The measure would specify that these provisions apply to any city, county, city and county, or special district measure imposing an ad valorem tax to pay the interest and redemption charges on bonded indebtedness for these purposes that is submitted at the same election as this measure.</p> <p>Among eligible purposes is "public infrastructure," which includes parks and open-space.</p>	Recommend Support	2
SB 240	Ochoa Bogh R	Governance	Surplus state real property.	<p>Current law requires a local agency or nonprofit affordable housing sponsor to satisfy certain requirements to be considered as a potential priority buyer of the surplus state real property, including that the local agency or nonprofit affordable housing sponsor demonstrate, to the satisfaction of the department, that the surplus state real property, or portion of that surplus state real property, is to be used by the local agency or nonprofit affordable housing sponsor for open space, public parks, affordable housing projects, or development of local government-owned facilities. Current law authorizes the Department of General Services to sell surplus state real property, or a portion of surplus state real property, to a local agency, or to a nonprofit affordable housing sponsor if no local agency is interested in the surplus state real property, for affordable housing projects at a sales price less than fair market value if the department determines that such a discount will enable the provision of housing for persons and families of low or moderate income. Current law also authorizes the Director of General Services to transfer surplus state real property to a local agency for less than fair market value if the agency uses the surplus state real property for parks or open-space purposes. This bill would remove authorization for a local agency or nonprofit affordable housing sponsor to be considered as a potential priority buyer of surplus state real property upon demonstration that the property is to be used by the agency or sponsor for open space or a public park. The bill would, where surplus state real property that is to be used by the local agency or nonprofit affordable housing sponsor for affordable housing projects and the affordable housing project is not completed within 5 years of the date the property was acquired by the local agency or nonprofit affordable housing sponsor, require the local agency or nonprofit affordable housing sponsor to pay a penalty in the amount of 1% of the purchase price. The bill would remove authorization to transfer surplus state real property to a local agency for less than fair market value if the agency proposes to use the surplus state real property for parks or open-space purposes.</p>	Recommend Oppose	2

Measure	Author	Issue Area	Topic	Brief Summary	Position	Priority
AB 557	Hart D	Governance	Open meetings: local agencies: teleconferences.	Current law, until January 1, 2024, authorizes a local agency to use teleconferencing without complying with specified teleconferencing requirements in specified circumstances when a declared state of emergency is in effect, or in other situations related to public health, as specified. If there is a continuing state of emergency, or if state or local officials have imposed or recommended measures to promote social distancing, existing law requires a legislative body to make specified findings not later than 30 days after the first teleconferenced meeting, and to make those findings every 30 days thereafter, in order to continue to meet under these abbreviated teleconferencing procedures. Current law requires a legislative body that holds a teleconferenced meeting under these abbreviated teleconferencing procedures to give notice of the meeting and post agendas, as described, to allow members of the public to access the meeting and address the legislative body, to give notice of the means by which members of the public may access the meeting and offer public comment, including an opportunity for all persons to attend via a call-in option or an internet-based service option. Current law prohibits a legislative body that holds a teleconferenced meeting under these abbreviated teleconferencing procedures from requiring public comments to be submitted in advance of the meeting and would specify that the legislative body must provide an opportunity for the public to address the legislative body and offer comment in real time. This bill would extend the above-described abbreviated teleconferencing provisions when a declared state of emergency is in effect, or in other situations related to public health, as specified, indefinitely.	Recommend Support	2
AB 99	Connolly D	Stewardship	State highways: vegetation management: herbicides and pesticides.	Current law prohibits each state agency that has responsibility for roadside vegetation control operations on, or along, a roadway, including a state highway, from conducting a roadside vegetation control operation on a portion of the roadway for which a property owner has made a request for information related to the roadside vegetation control operation until certain conditions are satisfied, as specified. This bill would require the Department of Transportation to develop and adopt a statewide policy to discontinue roadside spraying of herbicides and synthetic pesticides in each county where the county board of supervisors has adopted a resolution that opposes the spraying of herbicides and synthetic pesticides in the county, except where no alternative vegetation management practice is feasible or during a state of emergency relating to wildfire if the spraying is solely for purposes of preventing, combating, or mitigating the risk of wildfire.	Recommend Oppose Unless Amended	2
AB 233	Wilson D	Stewardship	Local government: animal waste disposal: horses.	Would authorize a local agency to require the rider of, or person otherwise responsible for, a horse to collect and dispose of any animal waste deposited by that horse on a street, sidewalk, or other public property.	Recommend Support	2
AB 345	Wilson D	Stewardship	Habitat restoration: flood control: advance payments.	Would authorize the Department of Water Resources to provide advance payments, as defined, to local agencies for projects that restore habitat for threatened and endangered species under state or federal law or improve flood protection, as provided. The bill would prohibit the amount of funds advanced by the department to the local agency at any one time from exceeding 25% of the entire amount authorized to be provided under the funding agreement between the department and the local agency.	Recommend Support	2

Measure	Author	Issue Area	Topic	Brief Summary	Position	Priority
AB 584	Hart D	Stewardship	California Coastal Act of 1976: coastal development: emergency waiver.	The California Coastal Act of 1976 requires the issuance of a coastal development permit if the proposed development is in conformity with the certified local coastal program. The act provides for the certification of local coastal programs by the California Coastal Commission. The act authorizes the requirement of having to obtain a permit to be waived when immediate action by a person or public agency performing a public service is required to protect life and public property from imminent danger, or to restore, repair, or maintain public works, utilities, or services destroyed, damaged, or interrupted by natural disaster, serious accident, or in other cases of emergency, as specified. The act provides that this waiver provision does not authorize the permanent erection of structures valued at more than \$25,000. This bill would increase the above-described amount to \$125,000.	Recommend Support	1
AB 590	Hart D	Stewardship	State-funded assistance grants and contracts: advance payments.	Current law authorizes an administering state agency of a grant program to advance a payment to a recipient entity, which means a local agency or a nongovernmental entity that is awarded a grant by an administering state agency and with whom the administering state agency has entered into a contract pursuant to that grant, in accordance with specified procedures. These procedures include stipulating an advance payment structure and request process within the grant agreement or contract and ensuring that the advance payment to the recipient entity does not exceed 25% of the total grant amount awarded to the recipient entity, except in specified circumstances. Current law establishing the pilot program further authorizes an administering state agency to advance payment to a recipient state agency awarded a grant in accordance with specified procedures, including stipulating an advance payment structure and request process within the grant agreement or contract between the state agency administering the program and the recipient state agency and requiring the recipient state agency to provide an itemized budget, spending timeline, and workplan. This bill would declare the intent of the Legislature to improve and expand the state's existing advance payment practices for state grants and contracts with nonprofits. The bill would authorize an administering state agency to advance a payment to a recipient entity, defined to mean a private, nonprofit organization qualified under federal law, subject to meeting specified requirements. The bill would require the administering state agency to prioritize recipient entities and projects serving disadvantaged, low-income, and under-resourced communities, and to ensure an advance payment to the recipient entity does not exceed 25% of the total grant or contract amount.	Recommend Support	2
AB 606	Mathis R	Stewardship	California Endangered Species Act: accidental take: farms or ranches.	The California Endangered Species Act requires the Department of Fish and Wildlife to adopt regulations for the issuance of incidental take permits. Existing law also generally provides that a violation of the Fish and Game Code is a crime. The act also provides, until January 1, 2024, that the accidental take of a candidate, threatened, or endangered species resulting from an act that occurs on a farm or a ranch in the course of otherwise lawful routine and ongoing agricultural activities is not prohibited by the act, as provided, and would require a person, when an accidental take is known to occur under these provisions, to report the take to the department within 10 days. This bill would extend indefinitely the above-mentioned exception to the act and the related reporting requirements. By extending the duration of this reporting requirement, the violation of which would be a crime, the bill would impose a state-mandated local program.	Recommend Oppose	2

Measure	Author	Issue Area	Topic	Brief Summary	Position	Priority
AB 809	Bennett D	Stewardship	Salmonid populations: California Monitoring Program Fund.	Would establish the California Monitoring Program Fund in the State Treasury to, upon appropriation by the Legislature, support the program. The bill would specify the types of moneys that may be deposited into the fund and would make related findings and declarations. The bill would make operation of the above-mentioned provisions contingent upon an appropriation in the annual Budget Act or another statute for these purposes.	Recommend Support	2
AB 1042	1	Stewardship	Department of Pesticide Regulation: Sustainable Pest Management Workgroup.	Current law, added by the Governor's Reorganization Plan No. 1 of 1991, creates the Department of Pesticide Regulation and authorizes the Director of Pesticide Regulation, among other things, to adopt regulations for the issuance and renewal of licenses and certificates for pest control operations. This bill would require the department, by July 1, 2024, to establish a Sustainable Pest Management Workgroup that would identify pathways to minimize the use of toxic pesticides and expand the use of integrated pest management practices, among other things. The bill would repeal these provisions on January 1, 2026.	Recommend Support	1
AB 1197	Hart D	Stewardship	Agricultural Protection Planning Grant Program: grant limits.	Current law establishes the Agricultural Protection Planning Grant Program within the Department of Conservation, to provide planning grants to improve the protection of agricultural lands and grazing lands, including oak woodlands and grasslands. Current law prohibits the department from awarding a grant in excess of \$500,000 to any applicant and \$750,000 if the department determines that the grant application is for collaborative planning activities proposed to include 2 or more adjacent counties, cities, or city and county. This bill would change these grant limits to \$1,000,000 and \$1,500,000, respectively. The bill would also make nonsubstantive changes.	Recommend Support	2
AB 1469	Kalra D	Stewardship	Santa Clara Valley Water District.	The Santa Clara Valley Water District Act creates the Santa Clara Valley Water District, and authorizes the district to provide for the conservation and management of flood, storm, and recycled waters, and other waters, for beneficial uses and to enhance natural resources in connection with carrying out the purposes of the district. This bill would additionally authorize the district to assist unsheltered people living along streams, in riparian corridors, or otherwise within the district's jurisdiction, in consultation with cities and the County of Santa Clara, as appropriate, to provide solutions or improve outcomes for the unsheltered individuals.	Recommend Support	2
SB 23	Caballero D	Stewardship	Water supply and flood risk reduction projects: expedited permitting.	Current law prohibits an entity from substantially diverting or obstructing the natural flow of, or substantially changing or using any material from the bed, channel, or bank of, any river, stream, or lake, or deposit or dispose of debris, waste, or other material containing crumbled, flaked, or ground pavement where it may pass into any river, stream, or lake, except under specified conditions, including requiring the entity to send written notification to the Department of Fish and Wildlife regarding the activity in the manner prescribed by the department. This bill would require a project proponent, if already required to submit a notification to the department, to complete and submit environmental documentation to the department for the activity in the notification.	Recommend Support	2
SB 337	Min D	Stewardship	Environmental protection: biodiversity and conservation report.	Current law requires the Secretary of the Natural Resources Agency to prepare and submit, on or before March 31, 2024, and annually thereafter, a report to the Legislature on the progress made in the prior calendar year toward achieving the goal to conserve 30% of state lands and coastal waters by 2030. This bill would require the secretary to post the report on the agency's internet website, as provided.	Recommend Support	2

Measure	Author	Issue Area	Topic	Brief Summary	Position	Priority
AB 1495	Nguyen, Stephanie D	Tribes	Office of Tribal Affairs.	Existing law establishes within the office of the Governor, the office of the Governor's Tribal Advisor, which is headed by the Governor's Tribal Advisor who is appointed by and serves at the pleasure of the Governor. This bill would establish within the office of the Governor, the Office of Tribal Affairs, which would be headed by the Secretary of the Office of Tribal Affairs, would manage the state's tribal programs, and would help tribes connect with state officers' tribal leads. The bill would establish a Deputy of Tribal Affairs in every state agency, as defined, and in every constitutional office, as defined. The bill would establish a Tribal Advisor position in the executive office of every state agency, as defined. The bill would require the Governor to appoint a Tribal Advisory Committee, as specified, to the Secretary of the Office of Tribal Affairs.	Recommend Support	2
AB 297	Fong, Vince R	Wildfire	Wildfires: local assistance grant program: advance payments.	Current law requires the Department of Forestry and Fire Protection to establish a local assistance grant program for fire prevention and home hardening education activities. Under existing law, the Director of Forestry and Fire Protection may, until January 1, 2024, authorize advance payments from a grant program award, not to exceed 25% of the total grant award, except as specified. This bill would extend the director's authority to authorize advance payments from a grant program award to January 1, 2034.	Recommend Support	2
AB 1554	Patterson, Joe R	Wildfire	California Environmental Quality Act: exemption: wildfire fuels reduction projects.	This bill would expressly exempt from CEQA a project reduction of fuels in areas within moderate, high, and very high fire hazard severity zones, as provided. Because a lead agency would be required to determine whether a project qualifies for this exemption, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.	Recommend Oppose	2
SB 310	Dodd D	Wildfire	Prescribed fire: civil liability: cultural burns.	Current law provides that no person shall be liable for any fire suppression or other costs otherwise recoverable for a prescribed burn if specified conditions are met, including, among others, a burn boss, as certified through a certification program developed by the State Fire Marshal, has reviewed and approved a written prescription for the burn, the burn complies with that written prescription, and either the landowner has provided written permission or the governing body of a Native American tribe has given approval, as provided. Current law exempts cultural burns conducted by a cultural fire practitioner from those requirements that a person certified as a burn boss review and approve a written prescription and that the burn be conducted in compliance with the written prescription. Existing law defines cultural burn and cultural fire practitioner, as provided. This bill would revise and recast those provisions by, among other things, expanding the definition of burn boss to also include a person qualified for specified positions through the National Wildfire Coordinating Group, as provided, and limiting the tribal approval condition to the approval of the governing body of a California Native American tribe.	Recommend Support	2

Measure	Author	Issue Area	Topic	Brief Summary	Position	Priority
SB 436	Dodd D	Wildfire	Wildfire safety: The California Wildfire Mitigation Strategic Planning Act.	<p>The California Energy Infrastructure Safety Act authorizes the Office of Energy Infrastructure Safety to do many things related to energy infrastructure safety, including determining that a regulated entity is not in compliance with any matter under the authority of the office. If necessary, the act authorizes the office to undertake an investigation into whether the regulated entity is noncompliant with its duties and responsibilities or has otherwise committed violations of any laws, regulations, or guidelines within the authority of the office. The act authorizes the office to issue a notice of defect or violation to direct the regulated entity to correct any defect or noncompliance with the approved wildfire mitigation plan or failure to comply with any laws, regulations, or guidelines within the authority of the office. This bill would require the office, on or before April 1, 2025, and every 3 years thereafter, to prepare a Wildfire Risk Baseline and Forecast for the state, as provided. The bill would require the forecast to accomplish certain things, including establishing key risk metrics for wildfire risk for the state as a whole, by county, and by geographic location.</p>	Recommend Support	2

Midpeninsula Regional Open Space District

Board Policy Manual

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

Purpose

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

Definitions

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

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

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

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

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

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

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

Policy

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

The Board, by majority vote, may direct the General Manager to research the measure/proposition and return to the Board at a future meeting with information and a General Manager recommendation. At that time, the Board may vote to take a position on a measure/proposition.
 - b. Measures/propositions determined to not impact District business may nonetheless be analyzed by the General Manager when directed by a majority vote of the Board, of which the analysis report would include possible alternatives for Board action, but no position recommendation.
2. Local, State, and Federal Legislative Advocacy
 - a. The Legislative, Funding, and Public Affairs Committee (LFPAC) receives periodic updates regarding the District's legislative program. When LFPAC determines that proposed legislation may affect District business, it may direct the General Manager to prepare a recommendation for consideration by the full Board or where there is not adequate time to convene the full Board, may direct the General Manager to take action to support or oppose the legislation without full Board approval. In such cases, the General Manager or designee shall report to the Board any actions taken to support or oppose legislation at or before the next Board meeting.
 - b. When time is so short that neither the full Board nor LFPAC can be convened to consider positions to support or oppose local, state or federal legislation, the General Manager is authorized to take a position on behalf of the District if the legislation:
 - i. Is related to the District's mission; AND
 - ii. Would directly impact the District's business, such as project delivery, operations, finances, legal authority, or other District responsibilities; AND
 - iii. The position being taken is consistent/inconsistent with existing District policy, past action, or District Strategic Plan; OR
 - iv. The legislation carries other considerations that make it contrary to the District's interests.

In such instances, the General Manager or designee shall report to the Board any actions taken to support or oppose the legislation at or before the next Board meeting.
 - c. Full Board action is required regarding legislation that is not clearly within the criteria listed above under Section 2.b. or guided by direction previously given by LFPAC.

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

Midpeninsula Regional Open Space District Legislative Program 2023

Adopted: December 14, 2022



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Introduction

Midpeninsula Regional Open Space District's Mission:

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

As part of the Coastside Protection Area Service Plan, a Coastside mission was adopted 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; 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>Policy: Support legislation that enables the completion of the Highway 17 Crossings project.</p> <p>Funding: 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>Policy: 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>Funding: Research and evaluate funding opportunities to facilitate the protection of wildlife corridors and habitat connectivity opportunities.</p>
Regional trail connections	<p>Policy: Support legislation to increase funding opportunities for trails and trail connectors.</p> <p>Funding: 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>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 and prescribed fire 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.</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	<p>Policy: Identify and support measures the District can participate in with regards to the Biden Administration's 30x30 Initiative, America</p>

Maintaining Healthy Working Lands	<p>the Beautiful. Research and evaluate opportunities to acquire land for conservation.</p> <p>Funding: 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>Policy: 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>Policy: 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>Funding: 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>Policy: 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>Funding: Research and evaluate federal funding to support District-related carbon sequestration activities.</p>
Climate Adaptation and Resiliency for Natural and Working Landscapes	<p>Policy: 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>Funding: 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 Inflation Reduction Act and the 2021 Infrastructure Investment and Jobs Act.</p>
Equitable Access	<p>Policy: 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>Funding: 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>Policy: 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>Funding: 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>Policy: 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>Funding: 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 the protection of natural resources

Objective 4 – Reflect the diverse communities we serve in the District’s visitors, staff, volunteers, and partners

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

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

Objective 2 – Update the financial and operational sustainability model to guide operational growth and areas of focus to effectively and efficiently deliver Vision Plan projects and priority initiatives

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

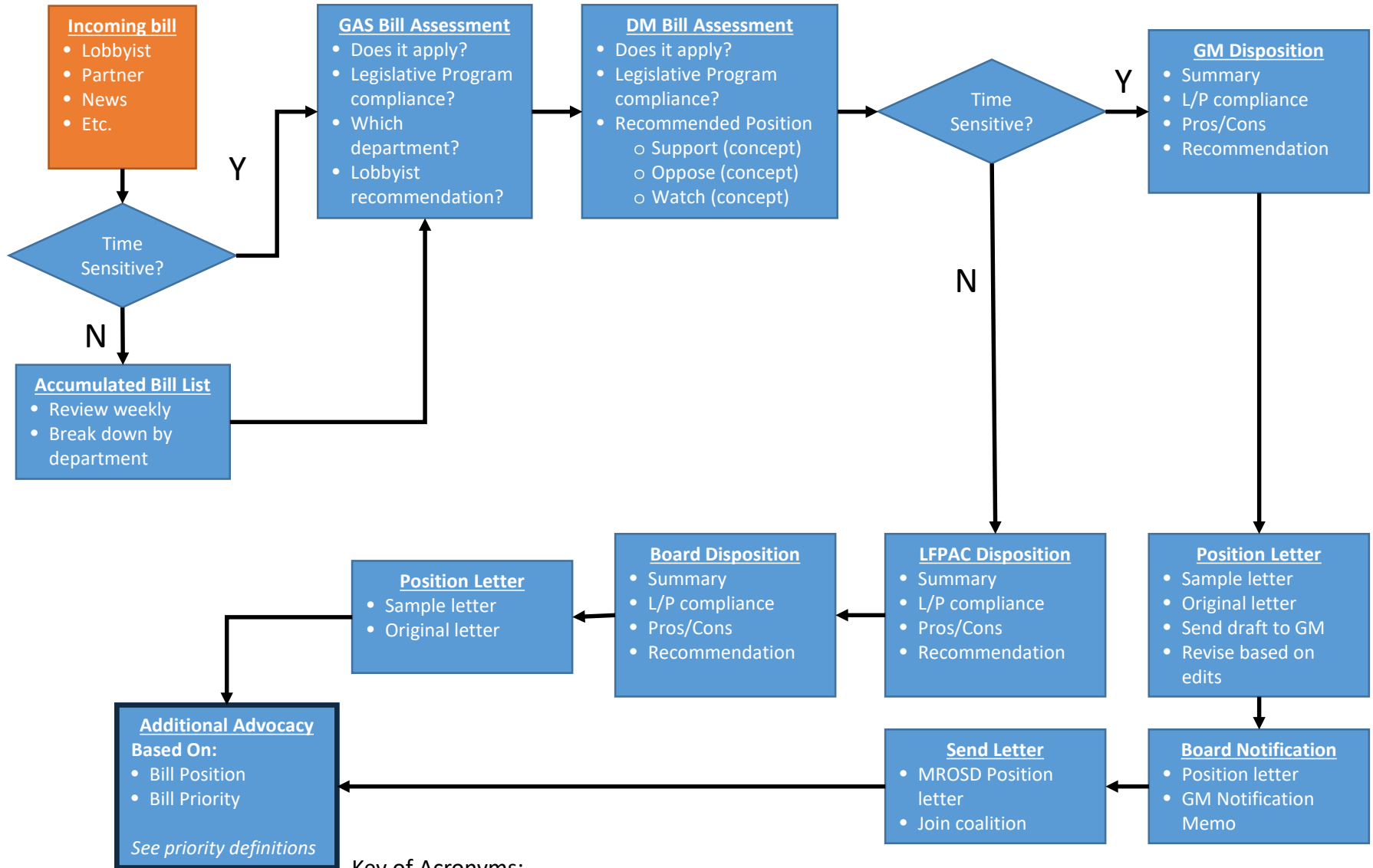
Objective 4 – Remain financially sustainable by preparing for, pursuing, and ensuring discretionary funding opportunities and partnerships

Objective 5 – Ensure large capital expenses and land acquisitions, including associated public access and land management costs, are evaluated within the long-term financial model and remain financially sustainable

Objective 6 – Continue to recruit, develop and retain talented staff to implement the District's mission and strengthen our organizational capacity

MROSD Legislative Bill Disposition Process

Board Policy 1.11



Key of Acronyms:

- GM: General Manager
- DM: Department Manager

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



Midpeninsula Regional
Open Space District

Memorandum

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

BACKGROUND

Board Policy 1.11 titled “Positions on Ballot Measures and Legislative Advocacy,” Section 2.0b, provides the General Manager the ability to take position on pending legislation in time-sensitive situations. More specifically:

- b. When time is so short that neither the full Board nor LFPAC can be convened to consider positions to support or oppose local, state or federal legislation, the General Manager is authorized to take a position on behalf of the District if the legislation:
 - i. Is related to the District’s mission; AND
 - ii. Would directly impact the District’s business, such as project delivery, operations, finances, legal authority, or other District responsibilities; AND
 - iii. The position being taken is consistent/inconsistent with existing District policy, past action, or District Strategic Plan; OR
 - iv. The legislation carries other considerations that make it contrary to the District’s interests.

In such instances, the General Manager or designee shall report to the Board any actions taken to support or oppose the legislation at or before the next Board meeting.

DISCUSSION

On behalf of the District, the General Manager has taken the following time-sensitive action:

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

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

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

Consistency with Legislative Program:

- **LEGISLATIVE PRIORITIES – Cap and Trade/Climate-related Funding:** The District supports efforts to emphasize and increase the recognition for the use of natural and working land (NWL) for the purposes of carbon sequestration and subsequent allocations of Cap and Trade funding. With the passage of SB 32 (Pavely, 2016) there is increased pressure to not only eliminate sources of greenhouse gas generation, but also find ways to capture emissions as well. This further promotes the recognition of the region's greenbelt as its "life support system."
- **LEGISLATIVE PRIORITIES – Watershed Protection:** The District supports legislative or regulatory efforts that enhance the ability to protect watershed land, as well as restore and maintain associated habitats.
- **LEGISLATIVE PRIORITIES – Wildlife Corridors:** The District supports efforts to bring greater funding opportunities and permit streamlining to conservation related to wildlife corridors.
- **LEGISLATIVE PRIORITIES – Regional Benefits:** The District supports efforts to work with regional and statewide partners to ensure that relevant statewide funding sources are optimized and made available for Bay Area needs, and to ensure that underserved communities in the region benefit from these state resources.
- **Natural Resources Protection and Restoration #8** – Supports wildfire management to become a more natural component of the ecosystem, and minimize negative effects on the community and environment.
- **Natural Resources Protection and Restoration #14b** – Forest health programs that reduce GHG emissions through fuel reduction.
- **Natural Resources Protection and Restoration #14c** – Expands funding for wildlife corridor projects that improve wildlife habitat connectivity.

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

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

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

Consistency with Legislative Program:

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

Prepared by: Joshua Hugg, Governmental Affairs Specialist

Example

2023 TENTATIVE LEGISLATIVE CALENDAR

COMPILED BY THE OFFICE OF THE ASSEMBLY CHIEF CLERK AND THE OFFICE OF THE SECRETARY OF THE SENATE
Revised 11-4-22

DEADLINES

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

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

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

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

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

- Jan. 1** Statutes take effect (Art. IV, Sec. 8(c)).
- Jan. 4** Legislature reconvenes (J.R. 51(a)(1)).
- Jan. 10** Budget must be submitted by Governor (Art. IV, Sec. 12(a)).
- Jan. 16** Martin Luther King, Jr. Day.
- Jan. 20** Last day to submit **bill requests** to the Office of Legislative Counsel.

- Feb. 17** Last day for bills to be **introduced** (J.R. 61(a)(1), J.R. 54(a)).
- Feb. 20** Presidents' Day.

- Mar. 30** **Spring Recess** begins upon adjournment (J.R. 51(a)(2)).
- Mar. 31** Cesar Chavez Day observed.

- Apr. 10** Legislature reconvenes from **Spring Recess** (J.R. 51(a)(2)).
- Apr. 28** Last day for **policy committees** to hear and report to fiscal committees **fiscal bills** introduced in their house (J.R. 61(a)(2)).
- May 5** Last day for **policy committees** to hear and report to the Floor **nonfiscal bills** introduced in their house (J.R. 61(a)(3)).
- May 12** Last day for **policy committees** to meet prior to June 5 (J.R. 61(a)(4)).
- May 19** Last day for **fiscal committees** to hear and report to the Floor bills introduced in their house (J.R. 61(a)(5)).
- Last day for **fiscal committees** to meet prior to June 5 (J.R. 61(a)(6)).
- May 29** Memorial Day.
- May 30-June 2** **Floor session only.** No committee may meet for any purpose except Rules Committee, bills referred pursuant to A.R. 77.2, and Conference Committees (J.R. 61(a)(7)).

*Holiday schedule subject to final approval by Rules Committee.

2023 TENTATIVE LEGISLATIVE CALENDAR

COMPILED BY THE OFFICE OF THE ASSEMBLY CHIEF CLERK AND THE OFFICE OF THE SECRETARY OF THE SENATE
Revised 11-4-22

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

- June 2** Last day for each house to pass bills introduced in that house (J.R. 61(a)(8)).
- June 5** Committee meetings may resume (J.R. 61(a)(9)).
- June 15** Budget Bill must be passed by midnight (Art. IV, Sec. 12(c)(3)).

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

- July 4** Independence Day.
- July 14** Last day for **policy committees** to meet and report bills (J.R. 61(a)(10)).
- Summer Recess** begins upon adjournment, provided Budget Bill has been passed (J.R. 51(a)(3)).

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

- Aug. 14** Legislature reconvenes from Summer Recess (J.R. 51(a)(3)).

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

- Sept. 1** Last day for **fiscal committees** to meet and report bills (J.R. 61(a)(11)).
- Sept. 4** Labor Day.
- Sept. 5-14** **Floor session only.** No committees may meet for any purpose, except Rules Committee, bills referred pursuant to Assembly Rule 77.2, and Conference Committees (J.R. 61(a)(12)).
- Sept. 8** Last day to **amend** on the Floor (J.R. 61(a)(13)).
- Sept. 14** Last day for each house to pass bills. (J.R. 61(a)(14)).
- Interim Recess** begins upon adjournment (J.R. 51(a)(4)).

IMPORTANT DATES OCCURRING DURING INTERIM RECESS

- 2023**
- Oct. 14 Last day for Governor to sign or veto bills passed by the Legislature on or before Sept. 14 and in the Governor's possession on or after Sept. 14 (Art. IV, Sec. 10(b)(1)).
- 2024**
- Jan. 1 Statutes take effect (Art. IV, Sec. 8(c)).
- Jan. 3 Legislature reconvenes (J.R. 51(a)(4)).

*Holiday schedule subject to final approval by Rules Committee.