



Midpeninsula Regional
Open Space District

LEGISLATIVE, FUNDING, AND PUBLIC AFFAIRS COMMITTEE

R-23-41
April 25, 2023

REVISED AGENDA ITEM 2

AGENDA ITEM

Legislative Positions for Consideration by the Midpeninsula Regional Open Space District

GENERAL MANAGER'S RECOMMENDATION

Receive the Legislative Positions Report and provide feedback on bill selections for priority action.

SUMMARY

Each year, the state legislature introduces thousands of new bills for consideration. Legislative consultants and Midpeninsula Regional Open Space District (District) staff continually review bills and identify specific legislation (Attachment 1) that merits action. At its March 8, 2023 meeting, the Board of Directors (Board) established formal positions on an initial set of legislation. Since then, several bills, originally designated “spot bills” due to their non-substantive, placeholder introductory language, have been amended into a more substantive proposal. District staff have reviewed these bills and identified a subset to consider for an actionable position. **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-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.

The Legislative, Funding, and Public Affairs Committee (LFPAC, Committee) will review and provide feedback on the list of recently identified state legislation and bills for priority action that are of high interest to the District (Attachment 1).

DISCUSSION

The 2023 Legislative Program, which the Board approved on December 14, 2022, guides District priorities on legislative proposals affecting the agency, 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 and senior staff assisted with a review of all the new potential bills of interest and provided their recommended position and priority for each. At this time, approximately 145 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. Of the list of bills included in Attachment 1, no bills are recommended as priority 1 and 13 bills as priority 2; two of which are federal legislation. As the legislative session progresses, each bill may change (sometimes substantially), which would warrant further consideration concurrent with Board Policy 1.11.

FISCAL IMPACT

There is no fiscal impact associated with this briefing.

BOARD COMMITTEE REVIEW

On December 14, 2022, the full Board adopted the 2023 Legislative Program ([R-22-10, minutes](#)), accepting recommendations from 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 for approval with their recommended changes incorporated ([R-21-171, minutes](#)).

On March 8, 2023, the full Board took action to establish a position on an initial set of legislation ([R-23-29](#))

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

These recommended legislative positions, with LFPAC feedback incorporated, will be forwarded to the full Board at its May 10, 2023 regular meeting.

ATTACHMENTS

Attachment 1 – Legislative Position Recommendations

Attachment 2 – Board Policy 1.11 - Positions on Ballot Measures and Legislative Advocacy

Attachment 3 – Legislative Session Program ~~Bill Disposition Process~~

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

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MROSD Legislative Tracking Matrix
4/20/2023

Attachment 1						
Midpeninsula Regional Open Space District Legislative Positions Recommendations						
Measure	Author	Issue Area	Topic	Brief Summary	Position	Priority
AB 817	Pacheco D	Governance	Open meetings: teleconferencing: subsidiary body.	Current law, until January 1, 2026, authorizes the legislative body of a local agency to use alternative teleconferencing in certain circumstances related to the particular member if at least a quorum of its members participate from a singular physical location that is open to the public and situated within the agency's jurisdiction and other requirements are met, including restrictions on remote participation by a member of the legislative body. This bill would authorize a subsidiary body, as defined, to use alternative teleconferencing provisions similar to the emergency provisions indefinitely and without regard to a state of emergency. In order to use teleconferencing pursuant to the Ralph M. Brown Act, the bill would require the legislative body that established the subsidiary body by charter, ordinance, resolution, or other formal action to make specified findings by majority vote, before the subsidiary body uses teleconferencing for the first time and every 12 months thereafter.	Recommend Support	2
AB 68	Ward D	Land Protection	Land use: streamlined housing approvals: density, subdivision, and utility approvals.	Would streamline approval for urban, infill development that meets certain objective planning standards, including, but not limited to, a requirement that the proposed parcel for the development be a climate-smart parcel, as described, or be included in the applicable region's sustainable communities strategy as a priority development area. The bill also limits growth in areas designated as climate risk and climate refugia lands as specified and areas proximate to riparian corridors. The bill helps establish a sustainable pattern for future growth that limits encroachment of new development into natural and working lands.	Recommend Support	2

MROSD Legislative Tracking Matrix
4/20/2023

Measure	Author	Issue Area	Topic	Brief Summary	Position	Priority
AB 566	Pellerin D	Land Protection	Department of Parks and Recreation: protection: stewardship: Santa Cruz Mountains region.	<p>Current law designates all parks, public campgrounds, monument sites, landmark sites, and sites of historical interest established or acquired by the state, or that are under its control, as the state park system, except as specified. Under current law, the Department of Parks and Recreation controls the state park system, which is made up of units.</p> <p>AB 566 authorizes the Department to enter into acquisition agreements with partner conservation organizations in advance of the partner purchasing an identified priority parcel of land. These agreements will provide greater certainty that the partners' investments in permanent protection of high-priority lands will result in the sale or transfer of the land to State Parks. Specifically, this bill requires the Department to, upon appropriation of the Legislature for acquisition, take all reasonable actions to acquire priority properties identified in an agreement within 24 months following the execution of an acquisition agreement, or as soon as reasonably practicable. Ultimately, AB 566 will allow State Parks to more effectively work with conservation organizations to permanently protect specified lands within the Santa Cruz State Parks District, covering portions of San Mateo, Santa Clara, and Santa Cruz Counties.</p>	Recommend Support	2

MROSD Legislative Tracking Matrix
4/20/2023

Measure	Author	Issue Area	Topic	Brief Summary	Position	Priority
AB 1024	Aguiar-Curry D	Stewardship	Water rights: small irrigation use: lake or streambed alteration agreements.	<p>The Water Rights Permitting Reform Act of 1988 requires the registration of water use to be made upon a form prescribed by the State Water Resources Control Board that requires, among other things, a certification that the registrant has contacted a representative of the Department of Fish and Wildlife and has agreed to comply with conditions set forth by the department. The act requires the board to establish reasonable general conditions to which all appropriations made pursuant to the act are required to be subject, including, among other things, that all conditions lawfully required by the department are conditions upon the appropriations. The act provides that the board is not required to adopt general conditions for small irrigation use until the board determines that funds are available for that purpose, and that a registration for small irrigation use pursuant to the act is not authorized until the board establishes general conditions for small irrigation use to protect instream beneficial uses, as specified.</p> <p>This bill would require the board to give priority to adopting, on or before June 30, 2027, except as provided, general conditions that permit a registrant to store water for small irrigation use during times of high streamflow in exchange for the registrant reducing diversions during periods of low streamflow, as specified. The bill would require that the actions of the board under these provisions be deemed an action taken for the protection of the environment for purposes of specified California Environmental Quality Act guidelines, if those actions do not result in the relaxation of streamflow standards.</p>	Recommend Support	2

MROSD Legislative Tracking Matrix
4/20/2023

Measure	Author	Issue Area	Topic	Brief Summary	Position	Priority
AB 1322	Friedman D	Stewardship	Pesticides: diphacinone.	<p>Current law regulates the use of pesticides and authorizes the Director of Pesticide Regulation to adopt regulations to govern the possession, sale, or use of any pesticide, as prescribed. Existing law prohibits the use of second generation anticoagulant rodenticides in wildlife habitat areas. Existing law additionally prohibits the use of second generation anticoagulant rodenticides, as defined, in the state until the director certifies to the Secretary of State that, among other things, the Department of Pesticide Regulation, in consultation with the Department of Fish and Wildlife, has adopted any additional restrictions necessary to ensure that continued use of second generation anticoagulant rodenticides is not reasonably expected to result in significant adverse effects to nontarget wildlife, as provided. Current law exempts the use of second generation anticoagulant rodenticides from these prohibitions under certain circumstances. Current law requires the director, and each county agricultural commissioner under the direction and supervision of the director, to enforce the provisions regulating the use of pesticides. A violation of these provisions is a misdemeanor.</p> <p>This bill would also prohibit the use of diphacinone in a wildlife habitat area and in the state and would apply the above provisions to diphacinone. The bill would change the above-described condition required for the director to make the certification to the Secretary of State to instead provide that the Department of Pesticide Regulation, in consultation with the Department of Fish and Wildlife, has adopted any additional restrictions necessary to ensure that fewer than 10% of individuals of specified species have a detectable level of any second generation anticoagulant rodenticide, diphacinone, or any of their metabolites in blood samples, as provided.</p>	Recommend Support	2

MROSD Legislative Tracking Matrix
4/20/2023

Measure	Author	Issue Area	Topic	Brief Summary	Position	Priority
AB 720	Addis D	Stewardship	California Rangeland, Grazing Land, and Grassland Protection Program: grants for local programs.	Would expand the California Rangeland, Grazing Land, and Grassland Protection Program by requiring the Wildlife Conservation Board to administer a program to award grants to eligible entities, as defined, to administer, plan, and implement local programs to enhance or restore California's private rangelands, as specified. The bill would authorize the board to develop program grant guidelines. The bill would require the board and any program grantee, in evaluating proposed projects, to evaluate the ability of the project to meet the purposes of the California Rangeland, Grazing Land, and Grassland Protection Program and to consider specified selection criteria. The bill would permit the board to authorize a program grantee to use not more than 30% of the grant moneys for specified administrative, outreach, and assistance purposes relating to the grant program. The bill would require each program grantee, on or before a date determined by the board in the grant agreement, to submit to the board an annual report describing and evaluating the implementation of the project and the use of the grant moneys for the project during the previous year, as specified.	Recommend Support	2
AB 824	Calderon D	Stewardship	Highway greening: statewide strategic plan.	Would enact the Highway Greening Act, which would require the Department of Transportation to complete a statewide strategic plan, as specified, to work to achieve at least a 10% increase of green highways, as defined, in urban areas, disadvantaged communities, and low-income communities by 2035. The bill would require the department to submit the plan to the Legislature and specified committees of the Legislature on or before June 30, 2025.	Recommend Support	2
ACR 49	Berman D	Stewardship	California Native Plant Month.	Would proclaim the month of April, each year, as California Native Plant Month and would encourage community groups, schools, and citizens to undertake appropriate activities to promote the conservation, restoration, and appreciation of California's native plants.	Recommend Support	2
AB 1280	Maienschein D	Wildfire	Fire hazard severity zones: disclosures.	Current law generally requires the seller of a single-family residential property to make certain disclosures of natural hazards on a specified statement to a prospective buyer, including whether the property is located in a very high fire hazard severity zone. This bill, if a single-family residential property is located within a fire hazard severity zone, would require the above-described disclosure in the natural hazard statement to specify whether the property is located in a high or very high fire hazard severity zone.	Recommend Support	2

MROSD Legislative Tracking Matrix
4/20/2023

Measure	Author	Issue Area	Topic	Brief Summary	Position	Priority
AB 388	Connolly D	Wildfire	Wildfire and Forest Resilience Action Plan: implementation strategies: roadmap.	<p>Current law requires the Wildfire and Forest Resilience Task Force, including the Natural Resources Agency, the California Environmental Protection Agency, the Office of Planning and Research, and the Department of Forestry and Fire Protection, in coordination with certain public agencies, to develop a comprehensive implementation strategy to track and ensure the achievement of the goals and key actions identified in the Wildfire and Forest Resilience Action Plan, as provided.</p> <p>This bill would require the Director of Forestry and Fire Protection, in consultation with the task force, to establish a roadmap for developing and deploying larger landscape level projects to contribute to the achievement of the goals outlined in the implementation strategy. The bill would authorize the director to directly award regional block grants to eligible regional entities, forest collaboratives, and partnerships to implement regional plans, strategies, agreements, and initiatives.</p>	Recommend Support	2
SB 675	Limón D	Wildfire	Prescribed grazing: local assistance grant program: Regional Forest and Fire Capacity Program: Wildfire and Forest Resilience Task Force.	<p>Current law requires the Department of Forestry and Fire Protection to establish a local assistance grant program for eligible fire prevention and home hardening education activities in the state, including public education outreach activities, as provided. Current law, until January 1, 2024, authorizes the Director of Forestry and Fire Protection to authorize advance payments from a local assistance grant award, as provided. Existing law makes funding for this program subject to an appropriation by the Legislature.</p> <p>This bill would expand the definition of fire prevention activities to include prescribed grazing, defined as the lawful application of grazing by a specific kind of livestock at a determined season, duration, and intensity to accomplish defined vegetation or conservation goals, including reducing the risk of wildfire by reducing fuel loads, controlling undesirable or invasive plants, and promoting biodiversity and habitat for special status species.</p>	Recommend Support	2

MROSD Legislative Tracking Matrix
4/20/2023

Measure	Author	Issue Area	Topic	Brief Summary	Position	Priority
S.1149	Sen. Heinrich, Martin [D-NM]	Stewardship	The Recovering Americas Wildlife Act	<p>This is the re-introduction of last year's bill, S. 2372 (Heinrich, D-NM). A bill to amend the Pittman-Robertson Wildlife Restoration Act to make supplemental funds available for management of fish and wildlife species of greatest conservation need as determined by State fish and wildlife agencies, and for other purposes. The Recovering America's Wildlife Act allows states, territories, and tribes to invest up to \$1.4 billion annually in proactive, on-the-ground, collaborative efforts to help species at risk by restoring habitat, controlling invasive species, reconnecting migration routes, addressing emerging diseases, and more.</p> <p>Specifically, the bill will:</p> <ul style="list-style-type: none"> - Provide state and territorial wildlife agencies with up to \$1.4B annually so they can implement their federally-approved Wildlife Action Plans. - Invest up to \$98M annually in the wildlife conservation efforts led by Tribal Nations. - Support state, tribal, private, and national efforts to recover wildlife already identified as threatened or endangered. 	Recommend Support	2
H.R.1837	Rep. Kustoff, David [R-TN-8]	Governance	To amend the Internal Revenue Code of 1986 to reinstate advance refunding bonds	<p>This bill amends the Internal Revenue Code of 1986 to reinstate advance refunding bonds. Prior to 2017, advance refunding bonds were also tax-exempt and allowed counties to refinance municipal bonds once over the lifetime of the bond. Advance refunding bonds, when tax-exempt, allow state and local governments to lower borrowing costs and take advantage of more favorable interest rates. This frees up resources to be used for other important capital projects and minimizes costs to taxpayers. Advance refunding bonds also allow localities to address problematic bond terms and conditions or to restructure debt service payments for budget flexibility.</p> <p>On December 23, 2017, President Trump signed the Tax Cuts and Jobs Act (P.L. 115-97), the first major rewrite of the tax code since 1986. While the final bill retained tax-exempt status for municipal bonds, it eliminated the tax-exempt status of advance refunding bonds.</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

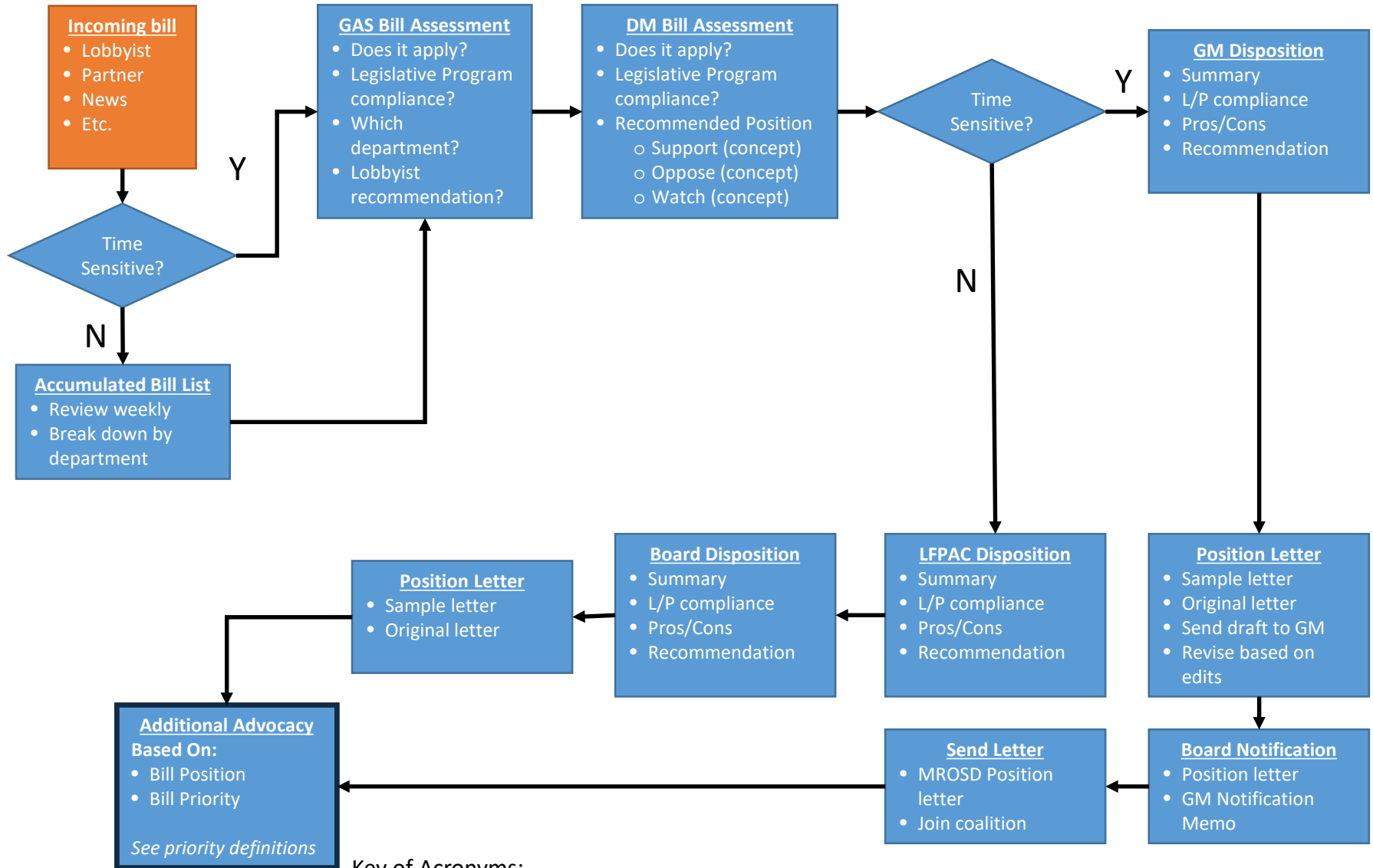
Objective 4 – Remain financially sustainable by preparing for, pursuing, and ensuring discretionary funding opportunities and partnerships

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

Definitions for Bill Positions and Priority Levels

Support:

- **Support** – A position given to bills and propositions that would be a benefit to Midpen’s ability to serve its communities.
- **Support if Amended** – A position given to bills that may be a benefit to the Districts’ ability to serve its communities, so long as specific amendments are taken to the bill. If the requested amendments are taken by the author, public affairs department staff may recommend changing Midpen’s position to support.
- **Recommend Support**– Position recommended by legislative consultant and/or, along with a potential priority number, prior to GM or Board review.

Oppose:

- **Oppose** – A position given to bills and propositions that would be a detriment to Midpen’s ability to serve its communities.
- **Oppose unless Amended** – A position given to bills that may impede the District’s ability to serve its communities, so long as specific amendments are taken to the bill. If the requested amendments are taken by the author, public affairs department staff may recommend changing Midpen’s position to support.
- **Concerns** – A position given to bills that could be a detriment to the District, but political, policy or other reasons do not warrant or lend themselves to a full oppose position.
- **Recommend Oppose** – Position recommended by legislative consultant and/or, along with a potential priority number, prior to GM or Board review. Often staff and consultants will engage with the author’s office prior to assigning this designation.

Watch:

- **Watch** – A position given to bills that may directly affect Midpen but does not provide a significant benefit or impose a significant detriment to the District. Also includes bills that are in spot bill form on a subject area that concerns special districts and bills that are of notable interest to special districts, but do not warrant an active position or expenditure of Midpen resources. No position is taken; however, the progress and outcome of the bill is tracked. A position may be considered later.
- **Recommend Watch** – Position recommended by legislative consultant.

Priority:

Priority 1: Bills given a “1” priority have a major importance and directly affects the District, and/or may set a critical precedent. These bills will receive active attention by staff in public affairs and other impacted department(s). This may include extensive testimony in committee, meetings with the legislature, bill sponsorship, discussions with partner organizations, and public/media education, as appropriate.

Priority 2: Bills given a “2” priority have a significant impact on the District and/or set a critical, relevant precedent. The General Manager/Board sends a position letter or signs on to a coalition letter, and staff may discuss the item with the legislature and/or provide testimony in committee, as time permits.

Priority 3: Bills given a “3” priority may have a notable effect on the District, and/or set a meaningful precedent, but are determined to be a lower priority for staff resources. Public affairs staff, in collaboration with the impacted department(s), may sign on to a coalition letter with General Manager/Board approval. Committee testimony or discussions with the legislature may be conducted.



Midpeninsula Regional
Open Space District

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.