EAST BAY REGIONAL PARK DISTRICT
BOARD LEGISLATIVE COMMITTEE
Friday, March 19, 2021
12:30 p.m.

COMMITTEE MEMBERS AND STAFF WILL ATTEND VIA TELECONFERENCE

Pursuant to Governor Newsom’s Executive Order No. N-29-20 and the Alameda County Health Officer’s current Shelter in Place Order, effective March 31, 2020, the East Bay Regional Park District (“Park District”) Headquarters will not be open to the public and the Board Legislative Committee and staff will be participating in the meetings via phone/video conferencing.

Members of the public can listen to the meeting via the Park District’s YouTube channel:
https://youtu.be/4o7RwIWyoPE

Public comments may be submitted one of three ways:

1. **Live via zoom.** If you would like to make a live public comment during the meeting this option is available through the virtual meeting platform: https://ebparks.zoom.us/j/98152553357 Note, this virtual meeting platform link will let you into the virtual meeting for the purpose of providing a public comment. **If you do not intend to make a public comment, please use the YouTube link at observe the meeting.** It is https://youtu.be/4o7RwIWyoPE preferred that those requesting to speak during the meeting contact the Legislative Committee Assistant by 4:00 p.m. on Thursday, March 18, 2021 via email at ypadmore@ebparks.org or voicemail (510) 544-2400 to provide name and the subject line public comments – not on the agenda or public comments – agenda item #.

2. **Via email** to recording secretary ypadmore@ebparks.org by 4:00 p.m. Thursday, March 18, 2021. Email must contain in the subject line public comments – not on the agenda or public comments – agenda item # followed by their name and place of residence, followed by their comments.

3. **Via voicemail** at 510-544-2002 by 4:00 p.m. Thursday, March 18, 2021. The caller must start the message by stating public comments – not on the agenda or public comments – agenda item# followed by their name and place of residence, followed by their comments.

Comments received during the meeting and up until the public comment period on the relevant agenda item is closed, will be provided in writing to the Board Legislative Committee, included transcribed voicemails. All comments received by the close of the public comment period will be available after the meeting as supplemental materials and will become part of the official meeting record. Please try to limit your written comments to no more than 300 words. The Park District cannot guarantee that its network and/or the site will be uninterrupted. To ensure that the Park District receives your comments, you are strongly encouraged to submit your comments in writing in advance of the meeting.

If you have any questions about utilizing the video stream, please contact the Assistant of the Committee, Yulie Padmore, at ypadmore@ebparks.org or at 510-544-2002. To ensure the best opportunity for Park District staff to address your question, please contact the Assistant prior to 4:00 p.m. on Thursday, February 18, 2020.
The following agenda items are listed for Committee consideration. In accordance with the Board Operating Guidelines, no official action of the Board will be taken at this meeting; rather, the Committee’s purpose shall be to review the listed items and to consider developing recommendations to the Board of Directors.

A copy of the background materials concerning these agenda items, including any material that may have been submitted less than 72 hours before the meeting, is available for inspection on the District’s website (www ebparks.org), the Headquarters reception desk, and at the meeting.

Accommodations and Access
District facilities and meetings comply with the Americans with Disabilities Act. If special accommodations are needed for you to participate, please contact the Clerk of the Board at 510-544-2020 as soon as possible, but preferably at least three working days prior to the meeting.

### AGENDA

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Protection, Extreme Heat Mitigation and Workforce Development Bond Act of 2022

6. SB 456 (Laird D-Santa Cruz) – Long Term Forest Management Plan
7. SB 604 (Hueso D-San Diego) – Career Pathways and Climate Resiliency Grant Programs
8. SB 799 (Glazer D-Orinda) – Preservation of the Alameda-Tesla Property of Carnegie State Vehicular Recreation Area
9. SB 804 (Glazer D-Orinda) – Forestry Corps Program for Formerly Incarcerated Individuals

B. OTHER STATE MATTERS
   1. Tree and Vegetation Mortality Update
   2. Other Matters

IV. OPEN FORUM PUBLIC COMMENT Individuals wishing to address the Committee on a topic not on the agenda may do so by completing a speaker’s form and submitting it to the recording secretary.

V. ARTICLES

VI. BOARD COMMENTS

(R) Recommendation for Future Board Consideration
(I) Information
(D) Discussion

Legislative Committee Members
Ayn Wieskamp (Chair); Dee Rosario, Dennis Waespi, Elizabeth Echols, Al Erich Pfuehler, Chief of Government and Legislative Affairs
Lisa Baldinger, Legislative and Policy Management Analyst

Future Meetings:
January 15
February 19
March 19
April 13
May 14
June 18
July 16
August – NO MTG
September 17
October 15
November – NO MTG
*December 10
Items to be discussed:

I. FEDERAL LEGISLATION / OTHER MATTERS
   A. NEW LEGISLATION – RECOMMENDED BILLS FOR SUPPORT
      1. H.R. 1 (Sarbanes D-MD) – For the People Act of 2021
         H.R. 1 would require states to offer online voter registration systems – which 40 states and Washington, D.C. already allow – and same-day voter registration during Federal elections. It would also require local officials to automatically register eligible voters. Eighteen states already have some type of automatic registration. National implementation could register 50 million new voters, according to the Brennan Center. The bill would require states to allow all voters the option of voting by mail. It would mandate 15 consecutive days of in-person early voting for at least 10 hours a day. States would be required to notify voters seven days before elections if their polling places have changed. The bill also seeks to force states to address long wait times on Election Day, requiring the allocation of enough resources aimed at ensuring voters don’t wait longer than 30 minutes.

         The bill would also limit how states can purge voter rolls. It would require the U.S. Postal Service to facilitate voter registration updates when people fill out change-of-address forms. The bill would require states to allow 16- and 17-year-olds to preregister when they get their driver’s licenses so they would be able to vote when they turn 18.

         Technological advances in the last two decades have made gerrymandering, the practice of drawing district lines that benefit one party over another, incredibly effective. The bill would ban district maps which "unduly" favor one party or another, as measured by "scientifically accepted measures of partisan fairness." The bill doesn’t specify a formula; several have been used in the past. A number of states, like California, have embraced independent redistricting commissions on their own, but the majority of states still let their legislatures draw the maps. Because of the 2020 census, all states are due to redraw their maps in the next year.

         The bill would establish a number of parameters to improve election security: standards for election vendors, rules for communicating potential cyberattacks to Federal authorities and requirements for states to protect voter registration databases from cyberattacks. The bill
would also create a security incentive program, which would allow security analysts to be paid for finding security flaws in the election system.

2. **H.R. 389 (Case D-HI) – Safe and Quiet Skies Act of 2021**
   In response to a commercial air tour helicopter accident, Representative Case’s bill would enact further safety requirements on commercial air tour flights. One of the proposed regulations is banning operation within a half mile of units of the National Wilderness Preservation System, National Park System or National Wildlife Refuge System. The legislation also grants State authority to prohibit flights over State or local parks (which could include District parklands) and other areas of State interest. This legislation is consistent with the District’s concern about drones being flown over parks. It would also allow for more local control of these types of restrictions. The District supported this bill last Congress.

3. **H.R. 463 (Espaillat D-NY) – Transportation Alternatives Enhancements Act**
   This bill would make several improvements to the Transportation Alternatives Program. The TAP program funds a variety of small-scale community transportation projects, rather than traditional highway construction, such as constructing bicycle facilities and infrastructure, improving pedestrian safety and access to transit, environmental mitigation, and more. Specifically, the bill would increase funding for TAP and ensure more of it is made available for local governments and agencies. The legislation seeks to restore more local control, an element of this program which was reduced under the 2015 Fixing America’s Surface Transportation Act (FAST). FAST converted the TAP program into a set-aside in the Surface Transportation Block Grant Program and mandated state reporting on their transportation alternatives plans. This legislation also allows for Federal TAP funding to be used for recreational trails. Eligible entities include “a local government” and “a natural resource or public land agency.” The bill limits the amount of funds controlled by regional Metropolitan Planning Organizations to no more than 50% of funds allocated to a region. In the Bay Area, this would limit the Metropolitan Transportation Commission’s ability to distribute more than 50% of the funds. This legislation has strong potential to support the District’s overall trails program.

   This bill would establish an annual $3 billion grant program. Funds would be allocated to shovel-ready projects which restore a marine, estuarine, coastal or Great Lake habitat and/or to provide adaptation to climate change. The bill emphasized nature-based infrastructure which protects coastal communities from sea level rise, coastal storms or flooding. Projects which help stimulate the economy would be prioritized.

5. **H.R. 803 (DeGette D-CO) – Protecting America’s Wilderness and Public Lands Act**
   On February 26, the U.S. House of Representatives passed a package of several separate public land bills approved last year by the House – including four bills supported by the Park District:

   1. **Expansion of Rosie the Riveter/World War II Home Front National Historical Park Establishment Act of 2000.** This legislation would allow for the Nystrom Elementary School in Richmond, California to be added to the Rosie the Riveter/World War II
Home Front National Historical Park. Built during World War II to accommodate the large number of families who moved to Richmond to work at the Kaiser Shipyards, Nystrom Elementary School sits just north of the current historical park. Nystrom was built as part of a planned development that includes the Maritime Child Development Center, which has already been preserved as part of the park. The development also includes the Nystrom Housing Area, which has been scheduled for future preservation and redevelopment by the City of Richmond. Congressional approval of this addition is required by the law which created the Historical Park. The bill would also provide the National Park Service with the authority to add other historically relevant sites to the park’s boundaries. The original bill was sponsored by Rep. Mark DeSaulnier (D-CA).

2. The Northwest California Wilderness, Recreation and Working Forests Act includes critical provisions which support public access, outdoor recreation, fishing and hunting, while initiating fire resilient management policies that benefit local communities in northern California. The original bill was sponsored by Rep. Jared Huffman (D-CA).

3. The Central Coast Heritage Protection Act expands existing wilderness to 250,000 acres and adds 250 miles of waterways to the National Wild and Scenic Rivers System in central California. This is critical habitat for California’s wildlife. The Act also enhances access and opportunities for the public. The House bill was originally sponsored by Rep. Salud Carbajal (D-CA).

4. The San Gabriel Mountains Foothills and Rivers Protection Act adds over 30,000 acres of wilderness, designates 45 miles of river to the National Wild and Scenic Rivers System and establishes a National Recreation Area. The legislation also expands the boundaries of the San Gabriel Mountains National Monument to include the western areas of the Arroyo Seco in the Angeles National Forest – a watershed of the Los Angeles River. The House bill was originally sponsored by Rep. Judy Chu (D-CA).

The Protecting America’s Wilderness and Public Lands Act (PAW Act) provides permanent protections for these regions of California. While most of these are areas outside of the East Bay, it is a good proactive precedent in advancing many of the values included in the District’s Mission and Vision. The Northwest California Wilderness, Recreation and Working Forests Act has components of interest to the District. In particular, the attention to “enhancing late-successional forest structure, oak woodlands and grasslands.” This highlights much of the topography that is both part of the District’s landscape and at risk of wildfire. The bill’s focus on redwood restoration and collaborative partnerships is also a shared goal of the District. Save the Redwoods League worked with Rep. Huffman’s staff on the redwood section in the restoration component of the bill. While not branded, the language was designed specifically to support Redwoods Rising. Redwoods Rising is a collaboration between Save the Redwoods League, the National Park Service and California State Parks.

Some of the other public land bills included in the package are:
- The Colorado Wilderness Act which protects 660,000 acres in Colorado. The House bill was originally sponsored by Rep. Diane DeGette (D-CA)
- The CORE Act which protects 400,000 acres in Colorado. The House bill was originally introduced by Rep. Joe Neguse (D-CO).
• The Grand Canyon Protection Act which protects one million acres in Arizona. The House bill was originally introduced by Rep. Raul Grijalva (D-AZ).
• The Rim of the Valley Corridor Preservation Act which protects 191,000 acres in Southern California. The House bill was originally introduced by Rep. Adam Schiff (D-CA).
• The Wild Olympics Wilderness and Wild and Scenic Rivers Act which protects 131,900 acres in Washington State. The House bill was originally introduced by Rep. Derek Kilmer (D-WA).

6. **H.R. 1678 (Barragan D-CA) – Parks, Jobs and Equity Act**

Rep. Nanette Diaz Barragán (D-CA) was joined by Rep. Michael Turner (R-OH) and Rep. Joe Neguse (D-CO) in introducing a bipartisan bill to provide a historic one-time stimulus of $500 million for urban parks. The Parks, Jobs and Equity Act would provide a funding boost for urban parks through a formula grant to states aimed at funding local park projects, which will ensure investments are quickly executed to help communities recover from dual public health and economic crises. Of the $500 million, 50 percent is designated for low-income communities. In addition, two percent of funds will be allocated by the Interior Department to Indian Tribes.

If enacted, it’s estimated the Parks, Jobs and Equity Act would:
- Create more than 8,000 new jobs.
- Add $1.37 billion to local economies.
- Fund more than 1,000 new or upgraded local parks.

The recently completed *East Bay Regional Park District Improvement Projects Economic and Social Impact Analysis* by Beacon Economics identified East Bay park projects to have direct, indirect and induced benefits on the local economy and jobs. The analysis provided estimates for 93 upcoming green infrastructure projects. It found the one-time impact for these projects would be $214.4 million in economic output, 1,199 job years of employment, $107.1 million in labor income and $25.4 million in tax revenue. Annually, the completed projects support $23.7 million in economic output, 131 job years, $13.4 million in labor income and $3.6 million in tax revenue. The Parks, Jobs and Equity Act would further support investments in projects like those of the Park District’s, thus supporting nationwide jobs, parks and economic growth.

B. **OTHER FEDERAL MATTERS**

1. **The American Rescue Plan - $1.9 Trillion Covid-19 Relief Funding Package**

On Friday, March 11, President Biden signed the American Rescue Plan into law. The measure passed 220 to 211 in the House and 50 to 49 in the Senate.

The $1.9 trillion package includes $350 billion in aid to state and local governments. Despite the District’s efforts, the package does not include a set aside or funding formula for special districts. Congressional staff believe the Park District would be eligible but would need to work with the state and county governments.

The package includes $1,400 direct payments to individuals making up to $75,000 annually and $14 billion for vaccine distribution. The bill also provides $130 billion to elementary, middle and high schools to assist with safe reopening of schools. It includes an additional
$300 billion in weekly jobless benefits through September and an expanded tax credit of up to $3,600 per child, initially distributed in monthly installments. The child tax credit could raise four million children out of poverty, according to an analysis by the Center on Budget and Policy Priorities.

More than $50 billion will be distributed to small businesses, including $7 billion for the Paycheck Protection Program. The bill also provides $25 billion of relief for small and mid-sized restaurants, which have suffered significantly during the pandemic.

The measure expands eligibility for subsidies to purchase health insurance to people of all incomes under the Affordable Care Act (ACA). It also incentivizes states to expand Medicaid under the ACA by having the Federal government pay for new recipients. Several million people could save hundreds of dollars in health care costs.

Federal advocate Peter Umhofer will provide a verbal update on the American Rescue Plan.

2. Better Utilizing Investment to Leverage Development (BUILD) Federal Transportation Grant Update
   Staff and Advocate Peter Umhofer will provide a verbal update about the ongoing effort to apply for a BUILD grant.

3. Other Matters

II. STRATEGY FOR INCLUSIVE COMMUNITY ENGAGEMENT – COMMUNITY LISTENING SESSIONS AND SURVEY UPDATE
   Chief of Government and Legislative Affairs Erich Pfuehler and Legislative and Policy Management Analyst Lisa Baldinger will provide an update about the Strategy for Inclusive Community Engagement. As part of the presentation, staff will be joined by the U.C. Davis Center for Regional Change to update the Committee about the recently completed community listening sessions and next steps.

III. STATE LEGISLATION / OTHER MATTERS
   A. NEW LEGISLATION RECOMMENDED BILLS FOR SUPPORT
      1. AB 897 (Mullin D-South San Francisco – Regional Climate Networks and Adaptation Action Plans
         This bill encourages the formation of regional climate networks to develop adaptation action plans. The bill requires the Governor’s Office of Planning and Research to, by July 1, 2022, make recommendations to the Legislature about developing state support for the work of regional climate networks. The report is to include potential sources of financial assistance. It will also suggest options for distributing state funds to support the creation and implementation of regional plans. Among the objectives of the plans are to reduce the risk of climate change impacts, including, but not limited to, extreme heat, wildfire, sea level rise, drought and flooding. Special districts are listed as eligible entities.

      2. AB 909 (Frazier D-Discovery Bay) – Wildfire Risk Assessment Map
         This bill would require the Department of Forestry and Fire Protection (CAL FIRE), in consultation with the California Fire Science Consortium and the Department of Insurance, to develop a fire risk assessment map for the state. The map would quantify the risks of
wildfire for a parcel of land over a 50-year time span. The bill would require CAL FIRE to annually update the wildfire risk assessment map. The bill would require the CAL FIRE to make the wildfire risk assessment map available to the public.

3. **AB 959 (Mullin D-South San Francisco) – Nuisance Abatement Authority for Special Park Districts**

This bill has been the work of Park District Legal and Government Affairs staff, Midpeninsula Regional Open Space District Legal and Government Affairs staff and respective Sacramento Advocates. This legislation seeks to ensure Public Resources Code (PRC) 5500 Park Districts have adequate legal tools to prevent unauthorized uses of their lands. Currently, PRC 5500 does not specifically authorize the Park District to abate and recover costs when protecting parkland from encroachments and other public nuisances. Currently, the Park District must work through county District Attorneys to address encroachments. District Attorneys are typically more focused on addressing issues within their urban service areas rather than on Park District lands. Consequently, it can take years for the District to properly address a nuisance.

The proposed legislative fix would be to provide Park Districts public nuisance abatement power within the PRC 5500, similar to a city’s or county’s abilities. The proposed legislation would give a Park District the following powers:

1. The ability to declare by ordinance what constitutes a public nuisance.
2. Explicit authority to abate those public nuisances by either administrative and/or civil actions.
3. Recover costs incurred abating those public nuisances, including attorneys’ fees.

Having the full set of options aimed at addressing illegal encroachments which cities and counties have, in particular the ability to administratively abate and recover costs, would give Park Districts the necessary tools to efficiently protect the parks and open spaces they are responsible for operating and maintaining, without initiating a costly and lengthy civil or criminal action in the courts.

This statewide bill applies only to four independent special districts listed below. Dependent districts enabled under Public Resources Code Section 5500 may already utilize county powers of nuisance abatement.

1. East Bay Regional Park District
2. Midpeninsula Regional Open Space District
3. Monterey Peninsula Regional Park District
4. Napa County Regional Park and Open Space District

4. **AB 1141 (Frazier D-Discovery Bay) – Wildland Urban Interface Fire Research Center**

This bill seeks to establish a Wildland Urban Interface (WUI) Fire Research Center. The Center would specifically address the fire challenges in wildland urban interface areas. The Center would consider the needs of wildfire prevention, detection and mitigation, as well as planning, building and response. It would also look at the related economic, insurance and modeling practices in the state. The author’s intent is for the WUI Fire Research Center to act as a think-tank where fire personnel could discuss policy, exchange information and train personnel in best practices.
5. **AB 1500 (Garcia D-Coachella) – Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation and Workforce Development Bond Act of 2022**

Assembly Member Eduardo Garcia (D-Coachella) and Assembly Member Kevin Mullin (D-South San Francisco) have introduced this $6.7 billion bond proposal. Chapter breakdowns are listed below. One important allocation is the $1 billion to the State Coastal Conservancy. Of the total, $300 million is allocated to the San Francisco Bay Restoration Authority (Restoration Authority), yet only $10 million is allocated to the San Francisco Bay Area Conservancy Program (Bay Program). The Bay Program funding is much more flexible than the Restoration Authority. The District has historically benefitted much more from the Bay Program. District staff, Advocate Houston and TOGETHER Bay Area are seeking equity in the distribution for the two programs and calling for $300 million to be allocated to the Bay Program. The Chapter breakdowns are as follows:

**General Provisions (Chapter 1)**
- At least 25% set aside for projects benefitting vulnerable populations, under-resourced, or disadvantaged communities, with at least an additional 10% for severely disadvantaged communities
- Up to 10% may be allocated for technical assistance and capacity building
- Up to 5% for ongoing monitoring and scientific review
- Allows advanced payments to grant recipients of up to 25% of grant award

**Wildfire (Chapter 2): $1.1 billion**
- $300 million for pre-hazard mitigation program – Office of Emergency Services
- $500 million for forest resilience and wildfire risk reduction:
  - $150 million for Regional Forest and Fire Capacity Program – Department of Conservation
  - $150 million for long-term forest health – CAL FIRE
  - $150 million for watershed improvements by using prescribed fire – Resources Agency
  - $50 million to Sierra Nevada Conservancy
- $30 million for development of alternative uses of forest products – California Air Resources Board
- $70 million to reduce fire risk to state parks – State Parks
- $150 million to cities, counties, districts and regional park entities to improve climate resilience – Resources Agency
- $50 million for workforce development programs which improve climate resilience - California Conservation Corps and local corps

**Coastal and ocean climate risks (Chapter 3): $1.2 billion**
- $1 billion for coastal resilience – Coastal Conservancy
  - $300 million for San Francisco Bay Restoration Authority Act
  - $10 million to San Francisco Bay Area Conservancy Program
  - $10 million to Santa Ana River Conservancy Program
  - $100 million for natural infrastructure projects
  - $65 million for dam removal
• $30 million for coastal planning – Coastal Commission
• $20 million for coastal planning – San Francisco Bay Conservation and Development Commission
• $80 million for Ocean Protection Trust Fund – Ocean Protection Council (OPC)
• $20 million for CO2 sequestration in ocean ecosystems – OPC
• $50 million to reduce risks from sea level rise in state parks – State Parks

Safe drinking water/drought preparation/flood protection (Chapter 4): $1.6 billion
• $250 million for Sustainable Groundwater Management Act implementation (65% in critically over drafted basins) – Department of Water Resources
• $300 million for safe drinking water – Water Board
  o $30 million for drought contingency plans
• $100 million for cleaning up contaminated groundwater or surface water supplies that are drinking water sources – Water Board
• $400 million for restoration of rivers, lakes, streams to improve water quality or water supply – Resources Agency
  o $240 million for Salton Sea
    ▪ $30 million to Salton Sea Authority
    ▪ $2 million for community-directed grants
  o $30 million for Tijuana River
  o $25 million for Los Angeles River – Santa Monica Mountains Conservancy
  o $25 million for Los Angeles River – Rivers and Mountains Conservancy
• $15 million for New River – California Environmental Protection Agency
• $200 million for multi-benefit flood protection projects – Department of Water Resources
  o $50 million for coastal urban watersheds
  o $50 million for Delta levees
• $35 million for central valley flood planning – Central Valley Flood Protection Board
• $300 million for water recycling projects – Water Board

Protecting fish, wildlife, and natural areas (Chapter 5): $800 million
• $400 million to Wildlife Conservation Board (WCB)
• $50 million for groundwater projects that provide wildlife habitat – WCB
• $50 million for fish and wildlife habitat – Department of Fish and Wildlife
• $300 million for climate risk reduction projects – state conservancies (no less than $10 million per conservancy; except for Coastal Conservancy which gets funding in Chapter 3)

Protecting farms, ranches, and working Lands (Chapter 6): $300 million
• $150 million to California Department of Food and Agriculture (CDFA)
  o $50 million for climate practices on farms and ranches, including those promoting soil health, carbon sequestration, air/water quality, groundwater recharge and surface water and fish and wildlife habitat
  o $40 million for agricultural water efficiency
  o $40 million for methane emissions reductions from manure
  o $20 million for invasive species control
• $100 million for agricultural infrastructure and facilities that support disadvantaged farmers and small and medium sized farmers – CDFA
• $50 million for protection, restoration and enhancement of farmland and rangeland – Department of Conservation

**Extreme Heat (Chapter 7): $640 million**
• $400 million for Statewide Park Development and Community Revitalization Act of 2008 (AB 31) program – State Parks
  o $50 million to address historic underinvestment in Central Valley, Inland Empire, gateway, rural and desert communities
• $75 million for urban greening benefitting vulnerable populations – Resources Agency
• $75 million for urban forestry – CAL FIRE
• $50 million for low-income weatherization – Department of Community Services and Development
• $40 million to reduce urban heat island effect and other extreme heat impacts – Strategic Growth Council

**Regional Climate Resilience (Chapter 8): $1.06 billion**
• $850 million to address impacts of climate change to communities – Strategic Growth Council (SGC)
• $100 million for Transformative Climate Communities program – SGC
• $50 million for community resilience centers – Office of Emergency Services
• $60 million to upgrade fairgrounds for disaster staging/evacuation centers – California Department of Food and Agriculture

6. **SB 456 (Laird D-Santa Cruz) – Long Term Forest Management Plan**
   This bill would require the Department of Forestry and Fire Protection (CAL FIRE), on or before July 1, 2022, in consultation with various state entities including the Office of Planning and Research (OPR), to establish a long-term forest management plan. The bill would require the plan to include the use of various programs, including fuels reduction and prescribed fire. The bill would require the OPR, on or before July 1, 2023, and annually thereafter, until July 1, 2033, to prepare a report transmitted to the Joint Legislative Budget Committee. The report would update the status of the long-term management plan. After ten years of reporting, OPR is to transmit a final report to the Joint Legislative Budget Committee.

7. **SB 604 (Hueso D-San Diego) – Career Pathways and Climate Resiliency Grant Programs**
   This bill would require state conservancies and the Wildlife Conservation Board to establish grant programs to fund climate mitigation, adaptation, resilience, natural disaster and other climate emergency projects. Projects funded by the grant programs would include guidelines aimed at providing comprehensive workforce development opportunities. Project funding would support education, training, certifications or career pathways aimed at training individuals for careers in natural, cultural, historical or tribal resources fields. The guidelines would also prioritize projects which benefit low-income, disadvantaged, under-resourced, frontline, vulnerable or marginalized communities. Priority is also specified for projects in areas vulnerable to catastrophic wildfires, sea level rise, extreme heat or in areas recently burned by catastrophic wildfires.
Beyond project delivery, this bill seeks to provide individuals who have barriers to employment with the services they need to enter, participate in and complete broader workforce preparation, training and education programs. The ultimate goal is for these individuals to obtain employment in the natural, cultural, historical and tribal resources fields. The bill provides special emphasis on integrating individuals from target populations into career pathway programs aligned with regional labor market needs and the state’s climate mitigation, adaptation and resiliency goals.

8. **SB 799 (Glazer D-Orinda) – Preservation of the Alameda-Tesla Property of Carnegie State Vehicular Recreation Area**
   This bill, co-authored by Assembly Member Rebecca Bauer-Kahan (D-Orinda), would require the Department of Parks and Recreation to preserve the portion of the Carnegie State Vehicular Recreation Area known as the “Alameda-Tesla Expansion Area” for conservation purposes. The bill would make implementation of this provision contingent upon at least $9,000,000 being appropriated by the Legislature in the annual budget or another statute, transferred or donated to the Off-Highway Vehicle Trust Fund for its purposes. The District has joined Alameda County, City of Livermore, Livermore Area Recreation and Park District, and the Friends of Tesla, in seeking to preserve the Tesla property. Senator Glazer’s legislation is consistent with past bills the District has supported.

9. **SB 804 (Glazer D-Orinda) – Forestry Corps Program for Formerly Incarcerated Individuals**
   State Senator Steve Glazer (D-Orinda) is introducing legislation aimed at enabling formerly incarcerated individuals to serve in a forestry corps program in the East Bay. The current bill language creates the opportunity for formerly incarcerated individuals to complete the necessary training to be eligible for an entry-level forestry position within CAL FIRE. Forestry corps members would serve on a California Conservation Corps crew. In discussion about the bill, Senator Glazer has reached out about the possibility of establishing an East Bay Wildfire Training Center for these individuals on Park District property. There are a number of questions about this concept. Staff and Sacramento Advocate Doug Houston will provide an update.

B. OTHER STATE MATTERS

1. **Tree and Vegetation Mortality Update**
   Park District Fire and Government Affairs staff have been working to engage CAL FIRE to be more involved in the tree and vegetation mortality issue occurring in the Bay Area and perhaps beyond. Fire Chief Aileen Theile and Government Affairs staff met with CAL FIRE Chief Thom Porter on February 9. On March 11, CAL FIRE Division Chief Ed Orre indicated the agency has expanded its investigation into the mortality issue. He proposed a multi-agency meeting to share info about the current status, coordinate monitoring and begin discussing mitigation options. District staff is working to help facility such a meeting.

   In addition, on March 11, Assembly Speaker Anthony Rendon (D-Lakewood), Budget Committee Chair Phil Ting (D-San Francisco) and Budget Subcommittee No. 3 Chair Richard Bloom (D-Santa Monica) announced early budget action on funding wildfire prevention. The action is to support early, significant investments in shovel-ready and
existing proven wildfire prevention programs, such as Fire Prevention Grants, the Forest Health Program, and protection for state-owned and state-conserved lands. Prevention funding will focus on wildfire-prone areas in addition to forests. Prescribed burning and thinning activities will be supported in forested areas. In Southern California, road hardening, defensible space work and other ignition suppression activities are important. District staff and advocate Houston will be working to include the tree and vegetation mortality issue is addressed during early budget action discussions.

2. Other Matters

V. OPEN FORUM PUBLIC COMMENT

VI. ARTICLES

VII. BOARD COMMENTS
INSIGHT: US Senate flip would put $2 trillion infrastructure and green energy stimulus into play

Author: Joseph Chang

2021/01/06

NEW YORK (ICIS)--The potential for a Democrat-controlled US Senate following the Georgia run-off elections puts a massive wave of fiscal stimulus back on the table. This includes higher amounts of direct stimulus payments to individuals, and President-Elect Joe Biden’s $2 trillion infrastructure and green energy plan.

The new stimulus prospects lit a fire under US chemicals stocks on 6 January. Materials, energy and infrastructure stocks led the overall equity market with big gains.

In the US chemicals space, notable gainers included Olin (+7.6%), Huntsman (+ 6.7%), Chemours (+ 6.4%), Trinseo (+6.3%), Westlake Chemical (+6.2%), Eastman Chemical (+5.6%), DuPont (+5.4%), LyondellBasell (+4.8%) and Dow (+4.7%).

The overall market as measured by the S&P 500 pared its earlier gains, ending the day up 0.6% after protesters stormed the US Capitol building in Washington, DC, halting the Senate’s counting of the Electoral College votes and declaration of Biden as the next president.

Prior to the Georgia run-off election, the consensus had been that a divided government with Democrats controlling the presidency and House of Representatives but Republicans holding the Senate would result in gridlock. Essentially, there was little chance major elements of the “Biden Plan” would be implemented.

However, a flip of the two Georgia senate seats to Democrats would result in a 50-50 split between the two parties, with the Democrat vice president breaking any tie on Senate votes. This would put Democrats in the driver’s seat when it comes to economic policy and legislation.

First on the table would be a boost in “one-time” stimulus checks to $2,000 per person (depending on income limits) from the previous $600 already implemented earlier this month. This would further drive consumer spending.
Revisiting the Biden Plan

And now it’s worth revisiting the Biden Plan which encompasses $2 trillion in investment stimulus, much tilted towards green initiatives.

This includes a $400bn procurement investment to “Buy American” products, materials and services to support US manufacturing. Plus, another $300bn in R&D and “breakthrough technologies” ranging from electric vehicle (EV) technology to lightweight materials (think plastics) to 5G and AI (artificial intelligence).

The incoming Biden administration claims this would be “the largest mobilization of public investments in procurement, infrastructure and R&D since World War II”.

Most relevant to the chemicals industry, a massive infrastructure bill is likely on its way.

For infrastructure and energy, $2 trillion in “accelerated investment” is planned to be deployed during Biden’s first 4-year term.

This includes building and repairing roads and bridges, ports, airports, water systems, electric grids and broadband; investing in the automotive sector from parts to materials to EV charging stations; building and upgrading rail networks and working towards zero-emission public transportation; investing in green power (solar, wind); upgrading 4m buildings and “weatherizing” 2m homes to make them more energy efficient; constructing 1.5m sustainable housing units; and investing in clean energy technologies such as battery storage, emissions technology, green hydrogen and advanced nuclear.

Accelerating the shift towards electric mobility, the Biden Plan seeks to build 500,000 EV charging stations across the country. The US currently has less than 29,000 EV charging stations, according to the US Department of Energy.

Part of the $400bn procurement programme will be directed towards buying US-made, “clean vehicles” for federal, state, tribal, postal and local fleets.

Auto and construction stimulus

The huge potential investments in automotive and construction - two critically important sectors for the US chemicals industry - could launch it towards a far more robust recovery.

There is about $12,000 of chemistry in each single-family housing start, and $3,152 of chemistry in each light vehicle, according to economists at the American Chemistry Council (ACC).

And for nonresidential construction spending - including maintenance and repair - direct purchases of chemicals comprise about 1.1% of the total spend, while plastics and rubber products comprise 2.8%, noted Martha Moore, senior director - policy analysis and economics at the ACC.

While these percentages seem small, when you’re talking about infrastructure spending in the trillions, which could comprise nonresidential construction spending in the hundreds of billions, the absolute chemistry component is substantial.

It’s not just a wide range of plastics and rubber that stand to benefit, but also coatings for everything from houses, buildings, bridges and road markings. Polyurethanes for building and appliance insulation, oriented strandboard (OSB) and automotive seating, and epoxy resins for windmill blades and solar panels would also see a demand surge.
Moore and ACC chief economist Kevin Swift said a major US infrastructure stimulus package is likely.

US manufacturing has already been on a tear, with the latest December reading of the US ISM Manufacturing Purchasing Managers’ Index (PMI) hitting 60.7, its highest level since August 2018 and marking the eighth consecutive month of expansion (over 50).

**Corporate taxes and regulations**

Along with the optimism on more stimulus, there will certainly be concerns about the impact of potentially higher corporate taxes and increased regulation on the sector from a Biden administration.

The Biden Plan says the costs of the stimulus will be paid for by “reversing some of Trump’s tax cuts for corporations” as well as raising taxes on wealthier individuals.

President Trump cut the US corporate tax rate from 35%, to 21% in 2017. It’s unclear what the Biden proposal would be but it will certainly be higher than the current level.

And on the regulatory front, the Biden Plan criticises Trump’s rollback of environmental standards. A key part of the Biden Plan is “environmental justice” being a key consideration in determining “where, how, and with whom we build”.

Insight article by **Joseph Chang**

_Thumbnail image shows a hardhat. Image by Shutterstock_
The Senate has approved Pete Buttigieg, shown Jan. 21, to be Transportation secretary, making him the first openly gay person confirmed to a Cabinet post. (Stefani Reynolds / Associated Press)

By HOPE YEN
ASSOCIATED PRESS

FEB. 2, 2021 10:18 AM PT WASHINGTON —

The Senate on Tuesday confirmed Pete Buttigieg as Transportation secretary, the first out gay person to take a Cabinet post, tasked with advancing President Biden’s ambitious agenda of rebuilding the nation’s infrastructure and fighting climate change.

Buttigieg, a 39-year-old former mayor of South Bend, Ind., and Biden’s onetime rival during the Democratic presidential primaries, was approved on a 86-13 vote.

Praised by Biden as bringing a “new voice” to the administration, Buttigieg takes over a Transportation Department with 55,000 employees and a budget of tens of billions of dollars. He has pledged to quickly get to work promoting safety and restoring consumer trust in America’s transportation networks as airlines, buses, city subway systems and Amtrak reel from plummeting ridership in the COVID-19 pandemic.

He is expected to play an important role in promoting Biden’s sweeping green initiatives, helping to oversee stronger automotive fuel economy standards to reduce greenhouse gas emissions and support the president’s push later this year on a $2-trillion climate and infrastructure plan. That plan will be focused on rebuilding roads and bridges and expanding zero-emission mass transit while boosting electric vehicle infrastructure, including building 500,000 charging stations over the next decade.

Before approval by the full Senate, Buttigieg had cleared the Senate Commerce Committee on a 21-3 vote. Some Republican senators during his hearing signaled likely fights ahead over the cost and scope of updating the nation’s roads and bridges, rails and airports, questioning in particular the administration’s interest in redirecting money for climate initiatives. But they said they would look forward to further discussions with Buttigieg, including on their desired local projects.
“Transportation issues historically have been addressed on a bipartisan basis, and I expect to continue that practice with Mr. Buttigieg,” said Mississippi Sen. Roger Wicker, the top Republican on the panel, who praised his “impressive credentials” and intellect.

Biden hasn’t indicated how he intends to pay for an infrastructure plan, coming on top of the administration’s proposed $1.9-trillion virus relief plan that has met some headwinds in Congress. Buttigieg’s suggestion during his hearing that a gas tax hike might be needed was immediately walked back by his spokesman afterward.

“We need to build our economy back, better than ever, and the Department of Transportation can play a central role in this,” Buttigieg said at his confirmation hearing last week, noting that the transportation sector, particularly car emissions, is the single biggest contributor in the U.S. to global warming.

He stressed that creating jobs, tackling the climate crisis and addressing racial and economic inequality will drive funding decisions at the department.

The Afghanistan war veteran burst onto the national scene in 2019 after launching a long-shot presidential bid, introducing himself to voters as “Mayor Pete” and drawing initial skepticism due to his youth and limited government experience. He outperformed expectations after zeroing in on a message of generational change, finishing the first-in-the-nation Iowa caucuses in a virtual tie with Vermont Sen. Bernie Sanders.

But Buttigieg struggled to appeal to Black voters and dropped out of the race after a crushing loss to Biden in the South Carolina primary. Buttigieg chose to quickly endorse Biden, helping him solidify centrist support against Sanders’ strong liberal challenge.

Buttigieg, a Harvard graduate and Rhodes scholar, now points to his experience as a mayor and on the campaign trail as valuable to his ground-level approach to improving transportation. He described initiating a “smart streets” program to make South Bend’s downtown more pedestrian- and bicyclist-friendly while spurring hundreds of millions of dollars in economic investment.

He’s also expected to be a regular presence on TV, helping to sell the president’s policies as he did during Biden’s campaign. Since he was nominated, Buttigieg has appeared on “The View,” “The Tonight Show,” MSNBC’s “Morning Joe,” as well as Fox local affiliates, addressing topics such as Donald Trump’s impeachment, the treatment of veterans and his goals of promoting green-friendly travel.

Buttigieg brings diversity to the Cabinet. There hasn’t been an out gay Cabinet secretary before. Under President Trump, Richard Grenell, who is gay, served as acting director of national intelligence, but did not have to face Senate confirmation as an acting director. In the late 1990s, Senate Majority Leader Trent Lott blocked a confirmation vote on President Clinton’s pick for
ambassador to Luxembourg, James Hormel, over his sexual orientation; Clinton ultimately installed Hormel with a recess appointment.

“Congratulations to Secretary Pete Buttigieg on his historic confirmation,” Alphonso David, president of Human Rights Campaign, an LGBTQ advocacy group, said after the vote. “This confirmation breaks through a barrier that has existed for too long, where LGBTQ identity served as an impediment to nomination or confirmation at the highest level of government.”
For Buttigieg, ‘Generational’ Transportation Change May Not Be Easy, Experts Say

The new secretary has stirred excitement among transportation experts, but they warn that deep institutional change is likely to remain difficult.

Pete Buttigieg, the transportation secretary, is taking charge of a department that has oversight of the nation’s airways, railroads, highways, pipelines and shipping infrastructure. Credit...Alyssa Schukar for The New York Times

By Pranshu Verma
Feb. 6, 2021

WASHINGTON — Now that Pete Buttigieg is secretary of transportation, he faces a challenge: delivering on his promises of infrastructure overhaul.
During his Senate confirmation hearing, he said there was a **“generational opportunity”** to change infrastructure. In a string of news appearances over the past month — including ABC’s **“The View”** and an interview with the actor Chris Evans — Mr. Buttigieg said that climate change, racial justice and job creation could all be addressed through infrastructure overhaul.

We “have a historic opportunity to take transportation in our country to the next level,” he said on Mr. Evans’s website, “A Starting Point,” which interviews elected officials and policymakers. “We should actually be using transportation policy to make people better off, make it easier to get to where you’re going, easier to get a job, easier to thrive.”

His statements have generated excitement among transportation experts, who are unaccustomed to seeing the secretary of transportation adopt a news strategy to communicate about the nation’s infrastructure. But deep institutional change remains difficult, and reform will not come easy, they said.

“It’s an exciting time,” said Paul Lewis, the vice president for policy and finance at the Eno Center for Transportation, a nonpartisan transit research center in Washington. “But I do think a lot of the big things — the reform efforts — are going to take more time and effort than a lot of people are expecting.”

Mr. Buttigieg now takes charge of a department that has oversight of the nation’s airways, railroads, highways, pipelines and shipping infrastructure. His department’s rule-making powers and its budget of around $87 billion provide Mr. Buttigieg with influence on how Americans safely travel and transport goods across the country.

In an email to colleagues on Wednesday, Mr. Buttigieg outlined his goals to the more than 55,000 employees in the department.

“I envision our department playing a central role in the vital, national project of building America’s economy and infrastructure back better,” Mr. Buttigieg wrote. “We will break new ground: in ensuring that our economy recovers and rebuilds, in rising to the climate challenge and in making sure transportation is an engine for equity in this country.”

Despite these stated goals, Mr. Buttigieg is constrained.

Large chunks of the department’s budget, including much of the nearly $47 billion that is allocated for roads and public transit, is controlled by funding formulas set by Congress. Any hopes to significantly overhaul the nation’s infrastructure — which has become a perennial joke on Capitol Hill — would require significant negotiation with federal lawmakers.
Transit advocates and former government officials said that Mr. Buttigieg’s profile in the news media and the favorable bipartisan reception he received last month at his Senate confirmation hearing give them reason to believe he could achieve change, but there are still other factors to consider.

“I think he’s got the skills,” said Beth Osborne, the director of Transportation For America, an advocacy group. “The question is: How much priority are these things going to get and will the White House give him backing?”

Timing is also an issue. Democrats are in control of the White House and both chambers of Congress, but pushing through a version of Mr. Biden’s $2 trillion infrastructure reform plan could become difficult if it does not happen this year, political analysts caution, because the midterm elections in 2022 could change the political calculus for lawmakers.

On Friday, Mr. Biden indicated that infrastructure overhaul would be a priority this year for his administration and that he “can hardly wait” to sit down with Representative Peter A. DeFazio of Oregon, the top Democrat on the Transportation and Infrastructure Committee, to start the effort.

Ray LaHood, President Barack Obama’s secretary of transportation from 2009 to 2013, said that getting transportation reform through Congress would require Mr. Buttigieg to develop relationships with Washington lawmakers, and noted this was an area where Mr. Buttigieg had “some work to do.”

Mr. LaHood added: “He needs to really develop relationships now to help President Biden get his legislative agenda through Congress very quickly. He needs to start meeting with DeFazio and the White House.”

There are some areas where Mr. Buttigieg is expected to make changes, including the department’s $1 billion BUILD grant program that funds road, rail, transit and port projects across the country. Mr. Buttigieg has broad control over developing the criteria for what makes those project proposals competitive for funding, former transportation officials said, and it is a place where transportation secretaries of both parties have commonly identified their priorities.

Experts said road projects that are climate-friendly, such as those that encourage bike lanes and bus travel, were likely to get higher priority for funding under the Biden administration. Projects that support sidewalks in distressed neighborhoods or cheaper transportation costs for low-income workers, could also become more competitive, they said. Under the Trump administration, the department often prioritized projects that increased car use.

Addressing issues of race and climate through the Transportation Department could provide Mr. Buttigieg some difficulty. Senator Bill Hagerty, Republican of Tennessee, was one of 13 senators to vote against Mr. Buttigieg’s confirmation because he said the secretary would “use the department for social, racial and environmental justice causes,” instead of focusing on “streamlining environmental reviews for projects or other deregulation efforts.”

Another area where transportation secretaries can exert control is through federal rule-making. Under the Trump administration, the department prioritized deregulation and private-sector collaboration. Under Mr. Biden, transit advocates are lobbying Mr. Buttigieg to enact rules that reduce greenhouse gas emissions, promote rail service in rural communities and require projects to better measure a community’s access to jobs and essential services through public transit.
“The mechanics of this stuff may seem dull,” said Ben Fried, a spokesman for TransitCenter, a transportation philanthropy. “But the cumulative effect can be big."

One topic Mr. Buttigieg is expected to address is the Gateway project, which is a program that seeks to build tunnels under the Hudson River for Amtrak and commuter trains. Approval of the project stalled during the Trump administration. Mr. Buttigieg, in his confirmation hearing, said he would work with lawmakers from the Mid-Atlantic to “move forward” on it.

And as Mr. Buttigieg takes charge of the nation’s transportation agency, transit experts and former officials said they wanted to see how his following, and reported ambitions for higher office, would affect his approach to the role. “I don’t think the Biden administration would have picked Pete Buttigieg if they wanted him to be quiet and stay in line,” said Mr. Lewis of the Eno Center for Transportation. “That’s just not his style.”

Others said Mr. Buttigieg’s approach to rule-making and regulation changes, more so than his public statements, would be how they judge his effect. “Do they create big messaging events with no substance behind it? With no actual change?” said Ms. Osborne, of Transportation for America. “I am looking for substantive action.”
We who live in the West benefit from public ownership of 47% of the land across 11 states, most of it managed by federal agencies. It’s our wild backyard — mountains, forests and seashores available to all for free or for a nominal entrance charge. But only 4% of the land in the rest of the country is publicly owned, and even in the West, much of our “commons” is remote, far from cities where people may need it most.

Fortunately, we have a national program for adding to America's open-space estate: the Land and Water Conservation Fund. Since 1964 a portion of the receipts from offshore oil and gas leases has gone to federal, state and local agencies to acquire and preserve land for recreation and conservation. Unfortunately, Congress diverted much of the money — $22 billion by one estimate — to other federal programs.

Then in 2019, after the fund came close to sunsetting, it was permanently authorized, and in 2020 the bipartisan Great American Outdoors Act mandated that the $900 million a year now set aside for the fund must be tapped solely for conservation and recreation.

The money is administered through four federal agencies — the National Park Service, the Bureau of Land Management, the U.S. Fish and Wildlife Service and the U.S. Forest Service — for state, local and national projects. In Southern California in recent years, Land and Water Conservation Fund dollars have helped refurbish L.A.'s Lincoln Park swimming pool, added to Runyon Canyon hiking trails and improved steelhead habitat in Malibu Creek. At the national level, the fund has increased park service holdings by more than 2 million acres. Imagine how much more could have been done with the billions Congress repurposed over the years.

Since the fund was established, our need for recreation areas and public land has only grown. Fifty-five years ago, the U.S. population was 194 million; today it’s 330 million, with most of us crowded into urban areas. The increase in outdoor activity during the pandemic — up sharply according to federal and local sources — is just one indicator of our collective need for more and better access to the outdoors. And the conservation fund’s programs have benefits that stretch far beyond recreation.
Consider, for example, the climate crisis. Each year billions of taxpayer dollars are spent trying to protect homes from fires, floods and sea level rise, much of it induced or made worse by global warming. Disaster relief follows, along with subsidies to rebuild, followed by a repeat of the whole process. Think instead how we could avoid public and private losses if those who have settled or invested in the path of fire and flood could have the option of selling their land for open space and recreation areas that can double as buffers against disasters and hazards.

In addition to tax savings and safety nets, parklands provide reservoirs of carbon sequestered in unlogged forests, reducing the greenhouse effect that's the root cause of global warming. Land kept free from development protects watersheds that are the sources of our drinking water. And with climate change triggering a shocking loss of biodiversity, the U.S. should join 50 other nations in committing to protect 30% of the world's wildlife habitat.

"Getting the annual appropriation for the Land and Water Conservation Fund was an extraordinary accomplishment in the last Congress," said Zach Spector of the Western Rivers Conservancy. "The need now is to see that the federal and other agencies have the wherewithal to spend that money." It is not an idle challenge, coming at a time when the government groups charged with protecting and adding to public land have lost staff, expertise and morale to attrition, erosion and outright hostility from the Trump administration.

Despite our divisions, many Americans agree that safeguarding more land for public use and conservation is how we improve America. The popularity of land-protection programs has been evident over the last several decades in the passage of multiple open-space bond initiatives in California. Sponsoring several, Jerry Meral, formerly of the Planning and Conservation League, said, "Voters repeatedly indicate that they support funding to secure more parklands and open space." As another barometer of opinion, support for the Land and Water Fund in 2019 and 2020 came from both political parties, one of few issues to gain bipartisan votes during four years of toxic partisan mayhem.

We now have an opportunity to do for coming generations what insightful predecessors did for us when they set aside the parks, forests and vistas that we use and admire today. We must make sure Congress and the new administration double down on protecting our most valuable remaining open space.

TRACY, CA – JULY 31: A motorcyclist rides on a trail at the Carnegie State Vehicular Recreation Area located between Livermore and Tracy, Calif., on Friday, July 31, 2020. The state park recreation area has more than 1,300 acres of off-road riding area with varied terrain for all skill levels. It is one of nine state vehicular recreation areas operated by California State Parks. (Doug Duran/Bay Area News Group)

By ANGELA RUGGIERO | aruggiero@bayareanewsgroup.com | Bay Area News Group

PUBLISHED: February 6, 2021 at 6:00 a.m. | UPDATED: February 9, 2021 at 7:59 a.m.

LIVERMORE — A judge has rejected a state’s environmental report in the fight over the expansion of an off-road vehicle park east of Livermore, and environmentalists are declaring a victory.

Alameda County and other environmental groups filed a lawsuit in 2016 to stop the expansion of the Carnegie State Vehicular Recreation area, which could combine the current 1,551 acres with an additional 3,100 acres of land the state bought in 1998. In October 2016, the state’s Off-Highway Motor Vehicle Park Commission agreed to the expansion, capping a dispute growing for more than a decade. But the decision angered
environmental groups such as Friends of Tesla Park, Save Mount Diablo, the Center for Biological Diversity and Alameda Creek Alliance. Some of those groups and Alameda County sued the state. In a January ruling, Sacramento County Superior Court Judge Shelleyanne W.L. Chang found the state park’s environmental impact report and the general plan for Carnegie park were legally invalid. This means the state will have to start over on its environmental report.

The western land that the state wants to add to the off-road area has been dubbed “Tesla Park” by environmentalists who would rather see it turned into a nature preserve. Celeste Garamendi, of the Friends of Tesla Park, said in an interview that the ruling was a great victory and demonstrates that the plan to expand the off-road park was “ill-conceived” from the start.

“This ruling should be the nail in the coffin, because it’s so clear state parks failed in every measure to meet requirements of CEQA (California Environmental Quality Act) and follow the law,” Garamendi said. “If they were to properly complete an EIR and general plan, there’s no doubt in my mind that Tesla Park would have to be conserved and provided more mitigation.”

She said the state parks have been “pretending” that they do not need to mitigate for their damaging impacts of having off-road tracks on the land. But the judge’s ruling “shot that down” and made clear it’s “an absolute falsehood,” Garamendi said.

However, avid off-road recreation enthusiasts argue the ruling is more of a bump in the road and a new environmental report can be prepared.

“It’s a red herring, because the state has the capacity of doing a new EIR,” said Amy Granat, managing director of California Off-Road Vehicle Association.

She was unhappy that environmental groups and Alameda County would “stoop to being complicit in a tactic that takes away a state park from citizens of California that paid for it.”

“It amazes me that a county, let alone private groups, want to steal a state park from the citizens of California,” she said.

If the state does redo its environmental report, it would be the state park’s fourth attempt at an environmental review since it purchased the land in 1998 for $7.4 million from the Off-Highway Vehicle Trust Fund. In 2019, Gov. Gavin Newsom vetoed legislation that would have allowed the land to be sold to a local agency for conservation. Newsom said it should remain a state park.

Environmentalists say it’s wrong to build trails for motorized vehicles into an area that has habitat for rare species, including the California red-legged frog and San Joaquin kit foxes, plus sacred cultural sites for Native Americans, scenic hillsides and remnants of the coal mining town of Tesla.

Juan Pablo Galvan, of the advocacy group Save Mount Diablo, said in an interview the state used money from the use fees at the current off-road vehicle park to purchase the land for an extension, and therefore the parks department thought it was prohibited from considering anything but off-road use. But the judge found this wasn’t true, Galvan said.

Both Galvan and Seth Adam, the land conservation director for Save Mount Diablo, noted in an interview that off-road vehicle use has been declining for the past 15 years, according to the state park’s own data.
“No one is clamoring to get in on this hobby,” Galvan said. But what there is interest in is hiking, camping and picnicking, he said. “This is the perfect place to serve the Livermore Valley and Central Valley.”

The county’s lawsuit focused on the inadequacies of the environmental impact documents, and that the report did not consider an adequate range of alternatives. The Friends of Tesla Park, which filed a similar lawsuit at the time, argued that environmental documents did not properly disclose and analyze negative environmental impacts, including harm to wildlife, hillside erosion and damage to cultural resources. That lawsuit is still pending, but the organization expects a similar outcome to the county’s lawsuit.

Gus “Butch” Meyner, an avid dirt-biker from San Jose, said in an email that off-road areas like Carnegie “reduce the strain of the population on the environment by managing it intelligently. Rather, they eliminate it, and create an environment where nature and OHV (off-highway vehicles) can co-exist.”

He echoed Granat’s sentiment that Save Tesla Park wants to “take a state park away from the state, and the public.”

The state park department said in a statement that it cannot comment “on the court ruling in the county of Alameda related to the Tesla expansion area at Carnegie SVRA. The department is studying the judge’s opinion.”

The Tesla Park area has been a part of the East Bay Regional Park’s master plan since 2013, as a parks area. The parks district supported the county’s decision to sue the state in 2016.

Ayn Wieskamp, an East Bay Regional Parks board member who represents the Livermore area, said in an interview that there has been plenty of support to keep the land as a parks preserve.

“Enough people and agencies thought it was so special it should not have that kind of use for it,” she said, referring to the off-roading.

She’s toured the land and learned about the plant and animal species there and the Native American sites. The area serves as a wildlife corridor, connecting certain animal species from the Central Valley to the Livermore Valley. “You can't plan the future if you don’t save it now,” she said.
The Mercury News

Judge dismisses lawsuit against Oakland A’s Howard Terminal project, but opening date has ‘obviously slipped’

Alameda County judge dismisses lawsuit filed against Oakland Athletics’ proposed Howard Terminal project

OAKLAND, CA – FEBRUARY 10: Oakland Athletics president Dave Kaval stands at the Howard Terminal in Oakland, Calif., on Monday, Feb. 10, 2020. The Oakland Athletics plan to build a new ballpark at the Howard Terminal near the port of Oakland.

By SHAYNA RUBIN | srubin@bayareanewsgroup.com | Bay Area News Group

PUBLISHED: February 10, 2021 at 6:15 p.m. | UPDATED: February 11, 2021 at 11:27 a.m.

The Oakland A’s cleared a legal hurdle Wednesday in their quest for a ballpark at Howard Terminal, but the lawsuit dismissed by the Alameda County Superior Court further delayed the team’s target date to open the stadium.
“We were going to try to open by 2023. That’s obviously slipped,” A’s president Dave Kaval said in a phone conversation Wednesday. “How far it slipped, I can’t answer that. I don’t know yet. It depends on if the city can even get this to a vote this year. It depends on the other priorities the city council might have.”

The Pacific Merchant Shipping Association, the Harbor Trucking Association, the California Trucking Association and Schnitzer Steel Industries, Inc. filed the lawsuit last March. The lawsuit asserted the A’s were not qualified to be certified under California’s AB 734 — a 2018 law that would expedite any legal challenge against the A’s over environmental concerns — because the organization didn’t meet the Jan. 1, 2020 deadline for consideration.

The lawsuit directly opposed the A’s application to Gov. Gavin Newsom’s Office of Planning and Research for expedited environmental review certification. In the dismissal, obtained by this news organization, Judge Noel Wise determined that Jan. 1 deadline did not apply to the A’s or the Howard Terminal project and that the deadline was repealed effective Jan. 1, 2021:

“…It would be a perverse outcome if the Howard Terminal Project could not advance pursuant to a valid and operable statute because that statute includes a reference to the potential application of the guidelines for another statute that is no longer in effect.”

So, Kaval and the A’s can move forward. But even if the case went their way, the damage was done. A year sorting through this lawsuit tightens the project’s already-ambitious timeline.

“This was completely a 100% roadblock,” Kaval said. “We are concerned about the timeline and pace of progress because of COVID and the lawsuit. It’s great that we’re off the lawsuit and we’re moving forward. But you know, I think the timelines nonetheless are one of the biggest challenges that we face with the project right now.”

What’s next? The future of the proposed Port of Oakland ballpark is still in the hands of the local government and community. The lawsuit delayed progress of the Environmental Impact Report, which is subject to public response before the Oakland City Council votes. The city can put the EIR up for public comment starting this week, but priorities are shifted heavily toward managing the pandemic.

If and when the EIR clears, the A’s can put shovels in the ground. But the council vote is a substantial hurdle.

While the project was stalled by the stalemate, former A’s pitcher Dave Stewart submitted a $115 million bid to buy the remaining half of the Coliseum site from the city of Oakland. The A’s already purchased half from Alameda County for $85 million earlier this year.

Thursday, the Port of Oakland stakeholders filed an appeal, reasserting their initial claim that Gov. Newsom has no legal authority to certify the project for AB 734 because they missed the Jan. 1 deadline. Mike Jacob, Vice President and General Counsel of the Pacific Merchant Shipping Association, released a statement following Alameda County’s decision:

“We disagree with the Alameda County Superior Court ruling that the Governor has the power to certify the A’s proposed Howard Terminal project for environmental fast-tracking and have filed a Notice of Appeal. The fact is that the A’s clearly failed to meet the generous deadline set forth by the Legislature because the A’s struggled for months to provide evidence that their project would meet the minimum environmental requirements written in the law.
We believe we are correct and remain very hopeful the Appellate Court will agree that the Howard Terminal project should not be certified for fast-tracking and ensure that the A’s follow the standard environmental impact review process. Those processes are vital to protecting the working waterfront, the environment, and our community and should not be bypassed by special interest shot-cuts that expired over a year ago.”

If it's full steam ahead on the Howard Terminal ballpark, the margin for error is slimmer than ever. The organization’s lease with the Oakland Coliseum ends in 2024 and now there’s no promise of where the team’s next home will be.

“These processes can be elongated and run into legal challenges. We’ve already faced one,” Kaval said. “We need to take advantage of the fact that we won this keep the momentum going.”

_Reporter Annie Sciacca contributed to this story._
Bay Area home prices soar through pandemic, holiday season

East Bay home prices shoot up

SAN RAMON, CA – FEB. 7: Ashwin Macharla, of San Ramon, stands with his wife Swetha Theeda and their son Vasisht, 5, in front of their newly purchased home in San Ramon, Calif., on Sunday, Feb. 7, 2021. The family has been searching for a home for the past five years and finally found a townhouse they liked. Unfortunately the home got multiple offers and they had to pay $150,000 past their initial budget to get it. (Jose Carlos Fajardo/Bay Area News Group)

By LOUIS HANSEN | lhansen@bayareanewsgroup.com | Bay Area News Group

PUBLISHED: February 12, 2021 at 6:00 a.m. | UPDATED: February 12, 2021 at 3:53 p.m.

Swetha Theeda and her husband, Ashwin Macharla, had been house-hunting, on-and-off, for five years.

With a second child due in the spring, the couple decided now was the time to act, despite COVID-19 concerns. They searched in one of the Bay Area’s hottest markets — the Tri-Valley.

The East Bay suburbs once offered an affordable, relaxed home-buying experience, but the couple, both tech professionals, ran into bidding wars and budget-busting offers typically found in San
Francisco and the Peninsula. “The prices have been pretty steep,” Theeda said. “It’s tough to make a decision with such a huge investment.”

Their experience exemplifies what has become a booming seller’s market. Home sales and prices in the Bay Area soared in December, pushing median prices for single-family homes to near record levels.

The median price of an existing home in eight Bay Area counties rose 13 percent from the previous December to $935,000, according to CoreLogic and DQNews. Sales and median prices soared throughout the region, led by San Francisco, up 19 percent to $1.55 million; Contra Costa County, up nearly 18 percent to $725,000; Santa Clara County, up almost 11 percent to $1.27 million; and San Mateo County, up 10 percent to $1.5 million. Alameda County did not report home sales data in December, but California Association of Realtors figures show a 20 percent year-over-year price increase to slightly more than $1 million. Alameda County home prices have topped $1 million for six consecutive months.

The high median prices are an indication of what’s selling — expensive houses. “You’re seeing a very strong demand for high-priced homes,” said CoreLogic chief economist Selma Hepp.

White-collar professional couples, less affected by pandemic shutdowns and the virus’ crippling effects on the economy, are more likely to be buying, she said. Hepp noted Bay Area sales were slowest in Solano County, the most affordable spot in the region. “The people that don’t have the means can’t buy,” she said.

The Bay Area market remained busy, even during the typically slow holiday season. Overall sales of condos and homes soared 36 percent from last December, with many buyers jumping in after postponing decisions for several months during the pandemic.

“We’re supposed to be in a slow season,” said Saratoga agent Mark Wong, but “there’s no holiday any more.”

Bay Area agents say the continued demand for more space and new surroundings, coupled with historically low interest rates and scant inventory, is fueling the market. A booming stock market has boosted incomes for techies with compensation based on equity grants.

Intense bidding wars have broken out in desirable Peninsula cities, Wong said. Sunnyvale properties with good space near the Apple campus have pushed past $2 million, selling within a week or two.

The pandemic has made families restless and looking for a new environment, Wong said. “Everyone is kind of tired of their house,” he said.

East Bay homes sales continued to see the some of the biggest price gains.
Walnut Creek agent Matt Rubenstein has seen a dramatic change in Contra Costa County home buying. Buyers are bidding above listing prices and agreeing to take the property “as-is” with no contingencies.

He’s had a record year, despite the pandemic, helping buyers through the competitive market. Some properties are getting more than a dozen offers, forcing buyers to sweeten their bids. “I’ve always heard of no contingencies,” Rubenstein said. “It’s becoming commonplace in Contra Costa County.”

Theeda and Macharla felt that paying rent for 10 years in the Bay Area was a “huge blunder.” They started out with an $850,000 home-buying budget, looking for a detached, single-family house.

They looked at about 10 properties and made an offer on a four-bedroom townhome in San Ramon with a small front yard. It was in a good school district and felt like a single-family home, she said. The house listed for $899,000, and the couple beat more than a dozen other bidders with an offer just over $1 million.

Theeda is still trying to digest going $150,000 over their initial budget, but the family is excited to become homeowners and bring more stability into their life.

“We got lucky,” she said. “We have a lot of friends still looking.”
Biden is hoping infrastructure can bridge the Democrat-Republican divide

The president hopes that launching an effort to build roads and bridges can help to unite Democrats and Republicans in a time of sharp partisan divisions.

by Josh Boak, Matthew Daly, The Associated Press

Feb 11, 2021

President Joe Biden is hoping that launching an effort to build roads and bridges can help to unite Democrats and Republicans in a time of sharp partisan divisions.

Biden met with lawmakers from both parties at the White House to discuss infrastructure on Thursday, even as the Senate is holding impeachment proceedings against former President Donald Trump where partisan divisions are on full display.
“I’ve been around long enough,” Biden said, “that infrastructure wasn’t a Republican or a Democratic issue.”

The president specifically mentioned the potential for improvement projects in the states of the senators attending the meeting, signaling that lawmakers might be willing to cooperate in order to make their voters’ lives better.

Biden highlighted the need for repairs to “a lot of bridges in West Virginia.” Republican Sen. Shelley Moore Capito of West Virginia, the ranking member of the Environment and Public Works Committee, was among those in attendance. She later voiced her support for a “bipartisan surface transportation reauthorization bill that makes long-term investments in our nation’s roads and bridges.”

The president also referenced Route 9 in his home state of Delaware, which he shares with Democratic Sen. Tom Carper, the committee chairman, who was also in the Oval Office meeting Thursday and had discussed these issues with Biden last week.

“The American people desperately want us to bring our roads, trains and bridges out of the last century and into the future,” Carper said after Thursday’s meeting.

Carper pledged to work on a transportation bill that will focus on reducing greenhouse gas emissions by cars and trucks and boosting electric cars. “I’m glad it’s at the top of the administration’s agenda.”

The current authorization bill for surface transportation expires in September, so “there is no time to waste,” Carper said, adding that he expects bipartisan support for the reauthorization bill in the Senate.

Also at the meeting were Vice President Kamala Harris, Transportation Secretary Pete Buttigieg virtually, Republican Sen. Jim Inhofe of Oklahoma and Democratic Sen. Ben Cardin of Maryland.

Inhofe later told reporters that the meeting with Biden was “very good, very good.”
“One reason is that I’ve known the president forever, and we’ve worked on highway bills before,” Inhofe said. “The main thing that I want to be careful on is when you’re working on infrastructure that’s high dollar stuff.”

Biden said there are “a number of things out there that the American people are looking for us to step up” and do. During the presidential campaign, Biden committed to deploying $2 trillion on infrastructure and clean energy investments over four years.

His campaign pledged that millions of jobs would flow from repairing roads, building electric vehicle charging stations, weatherizing buildings, improving access to public transit and updating the U.S. power grid to be carbon-pollution free by 2035.

Since the pandemic began in February 2020, the United States has lost 256,000 construction jobs, lowering total construction employment to 7.4 million. Still, total construction spending has increased slightly to an annualized rate of $1.49 trillion, according to the Census Bureau. About a quarter of that spending comes from the federal, state and local governments.

Both the Obama and Trump administrations famously promised to invest in infrastructure, only never fully to deliver. The term “infrastructure week” became something of a joke during the Trump era, when it was associated with a policy push that was meant to take public attention away from controversial remarks or actions by the president.

Biden has been warned that his push for $1.9 trillion in coronavirus relief might hamper a later push to get bipartisan support for infrastructure improvements. In a speech earlier this month to the Senate, Sen. Rob Portman, R-Ohio, said a party-line vote on financial relief would “poison the well” for infrastructure.

“I think it’s going to be harder if we start off on the wrong foot, if we start off in a purely partisan way,” Portman said.

The Kinder Institute for Urban Research at Rice University released an analysis Wednesday about the infrastructure needs of 134 cities. Its survey found cities
prioritizing transportation and water and climate projects, but also projects to address the fallout from the pandemic such as broadband access, emergency response and health facilities, and public transit for essential workers.

“Mayors and other local regional leaders around the country are very much in alignment with what President Biden has talked about, especially with climate change,” said Bill Fulton, director of the institute. “But it’s clear that the pandemic has changed infrastructure needs.”
How long will California economy languish?

IN SUMMARY

California’s once-surgeing economy has been clobbered by the COVID-19 pandemic and its recovery could be slow.

As COVID-19 began surging through California a year ago, Gov. Gavin Newsom declared a state of emergency and ordered widespread restrictions on personal and economic activity to curb infection rates.
His actions immediately triggered a severe economic recession. California had been enjoying record-low unemployment just before the shutdown, 3.9% of the labor force, but within weeks the jobless rate quickly shot up to a record-high 16.4% as employers laid off workers.

Initially, there was a fingers-crossed hope that the recession would be what economists call a "V" — a deep plunge followed by an equally rapid recovery. However, as the public health crisis and the recession continued, it became apparent that it would be a “U” — a steep decline that reaches bottom, eventually followed by a gradual recovery.

Employment actually rebounded somewhat during summer and autumn months as Newsom loosened economic controls, although certain sectors such as tourism and travel continued to lag.

However, when infection rates, hospitalizations and deaths shot upward again late in the year — thanks, probably, to too many holiday gatherings — Newsom clamped down again, businesses closed and joblessness again increased.

Get a veteran journalist’s take on what’s going on in California with a weekly round-up of Dan’s column every Friday.

The state’s official unemployment rate — the percentage of the labor force not working — edged upward in December to 9% but when those who dropped out of the labor force or were involuntarily working part-time are included, the real rate is more like 15%.

Even without that adjustment, 9% is still very high and, according to the federal Bureau of Labor Statistics, the third highest of any state. Only tourism-dependent Nevada and Hawaii are higher, with South Dakota and Nebraska at other end of the scale at 3%.

Overall, California has lost 1.5 million jobs in the last year of pandemic and economic turmoil, leaving a salient question hanging in the air: How long will California’s pandemic-induced recession continue?

The answer depends on two unpredictable factors — when and if vaccinations can tame COVID-19 and whether President Joe Biden and Congress pump additional billions, or even trillions, of borrowed dollars into the nation’s economy.

Newsom’s proposed 2021-22 budget projects, “Businesses are expected to continue to operate at limited capacity into 2021. Increased automation and a shift to online retailing will lead to permanent job declines in leisure and hospitality, retail, and other services.”

The budget also implies that the bottom of the “U” will continue for some time, saying, “Nonfarm employment for California is projected to recover to pre-pandemic levels in 2025.”
The millions of Californians affected by the pandemic’s economic fallout are understandably worried about their futures and their angst is one of the drivers of a petition campaign aimed at recalling Newsom.

Whether from concern for his constituents or worries about a recall, Newsom is proposing “a broad-based recovery package to support businesses, individuals and job creation both during the pandemic and as the state recovers. It totals $14 billion, including $3.5 billion in immediate relief for individuals and small businesses disproportionately impacted by the pandemic.”

While Newsom wants fast action from the Legislature, its fiscal advisor, Gabe Petek, wants a more deliberate and skeptical approach, noting that “unlike the federal government — which can run a deficit to pay for fiscal stimulus — the state must balance fiscal stimulus with other one-time and ongoing spending priorities.”

In other words, a dollar spent on Newsom’s economic recovery plan is a dollar that can’t be spent on something else — unless, of course, the governor and legislators are also willing to raise taxes. As the pandemic, the recession and the recall campaign evolve, big state stimulus expenditures will be one of the year’s more interesting issues.
In a stark sign of the economic inequality that has marked the pandemic recession and recovery, Americans as a whole are now earning the same amount in wages and salaries that they did before the virus struck — even with nearly 9 million fewer people working.
The turnaround in total wages underscores how disproportionately America’s job losses have afflicted workers in lower-income occupations rather than in higher-paying industries, where employees have actually gained jobs as well as income since early last year.
In February 2020, Americans earned $9.66 trillion in wages and salaries, at a seasonally adjusted annual rate, according to the Commerce Department data. By April, after the virus had flattened the U.S. economy, that figure had shrunk by 10%. It then gradually recovered before reaching $9.67 trillion in December, the latest period for which data is available.
Those dollar figures include only wages and salaries that people earned from jobs. They don’t include money that tens of millions of Americans have received from unemployment benefits or the Social Security and other aid that goes to many other households. The figures also don’t include investment income.
A separate measure tracked by the Labor Department shows the same result: Total labor income, excluding government workers, was 0.6% higher in January than it was a year earlier.
That is “pretty remarkable,” given the sharp drop in employment, said Michael Feroli, an economist at JPMorgan Chase.
The figures document that the vanished earnings from 8.9 million Americans who have lost jobs to the pandemic remain less than the combined salaries of new hires and the pay raises that the 150 million Americans who have kept their jobs have received.
The job cuts resulting from the pandemic recession have fallen heavily on lower-income workers across the service sector — from restaurants and hotels to retail stores and entertainment venues. By contrast, tens of millions of higher-income Americans, especially those able to work from home, have managed to keep or acquire jobs and continue to receive pay increases.
“We’ve never seen anything like that before,” said Richard Deitz, a senior economist at the Federal Reserve Bank of New York, referring to the concentration of job losses. “It’s a totally different kind of downturn than we’ve experienced in modern times.”
Of the nearly 10 million jobs that have been eliminated by the pandemic, 40% have been in restaurants, bars, hotels, arts and entertainment. Retailers have lost nearly 400,000 jobs and many low-paying health care workers, such as nursing home attendants and home health care aides, have also been laid off.
On average, restaurant workers make just below $13 an hour, according to Labor Department data. Retail cashier pay is about the same. That’s less than half the economywide average of nearly $30 an hour.
“It tells the story of an economy that has really tanked for the most vulnerable,” said Elise Gould, an economist at the liberal Economic Policy Institute. “It’s shocking how small a dent that has made in the aggregate.”
The figures also underscore the unusually accelerated nature of this recession. As a whole, both the job losses that struck early last spring and the initial rebound in hiring that followed have happened much faster than they did in previous recessions and recoveries. After the Great Recession, for example, it took nearly 2½ years for wages and salaries to regain their prerecession levels.

“This is one of the worst recessions we’ve ever had — compressed into onetenth of the time that a normal recession would take,” said Ernie Tedeschi, policy economist at the investment bank Evercore ISI. “Hopefully, the recovery will continue to be compressed as well. That’s where the fears are and where the debate is.”

One reason why the job losses have had relatively little impact on the nation’s total pay is that so many of the affected employees worked part time. The average workweek in the industry that includes hotels, restaurants and bars is just below 26 hours. That’s the shortest such figure among 13 major industries tracked by the government. The next shortest is retail, at about 31 hours. The average for all industries is nearly 35 hours.

The recovery in wages and salaries helps explain why some states haven’t suffered as sharp a drop in tax revenue as many had feared. That is especially true for states that rely on progressive taxes that fall more heavily on the rich. California, for example, said last month that it has a $15 billion budget surplus. Yet many cities are still struggling, and local transit agencies, such as New York City’s subway, have been hammered by the pandemic.

The wage and salary data also helps explain the steady gains in the stock market, which have been led by hightech companies whose products are being heavily purchased and used by higherincome Americans, such as Apple iPads, Peloton bikes, or Amazon’s online shopping.

This week, the New York Fed released research that underscored how focused the job losses have been. For people making less than $30,000 a year, employment has fallen 14% as of December. For those earning more than $85,000, it has actually risen slightly. For those inbetween, employment has fallen 4%.

By contrast, job losses were much more widespread in the Great Recession of 20082009. Relatively highpaying blue collar jobs in manufacturing and construction were hit worst: Construction lost 20% of its jobs, manufacturing 15%. Even a decade later, neither sector had fully recovered those jobs by the time the pandemic hit. Financial services lost 6% of its jobs in the previous recession, compared with 1% this time.

Some companies have cut wages in this recession, but on the whole the many millions of Americans fortunate enough to keep their jobs have generally received pay raises at largely prerecession rates. Some of those income gains likely reflect costofliving raises; the Commerce Department’s wage and salary data isn’t adjusted for inflation.

Tedeschi calculates that the typical — or median — hourly pay for employed workers has risen about 3.5% in the past year, roughly the same pace as before the pandemic. That’s a sign of what some economists refer to as the “sticky wages” concept: Some employers prefer to lay off workers while leaving pay largely unchanged for their remaining employees.

Truman Bewley, a retired Yale University economist who wrote a book about the concept of sticky wages, said that most companies have a key core of workers they rely on through hard times and are reluctant to cut pay for them.

And there’s another reason, Bewley said, why many companies cut jobs instead of pay. While researching his book, he said a factory manager told him why his company did so: “It gets the misery out the door.”
Biden: Governors, mayors need $350B to fight COVID-19

BY JOSH BOAK AND KEVIN FREKING
THE ASSOCIATED PRESS
Published: Sat, February 13, 2021 1:04 AM Updated: Sat, February 13, 2021 1:27 AM

WASHINGTON — President Joe Biden met with a bipartisan group of governors and mayors at the White House on Friday as part of his push to give financial relief from the coronavirus pandemic to state and local governments — a clear source of division with Republican lawmakers who view the spending as wasteful.

As part of a $1.9 trillion coronavirus package, Biden wants to send $350 billion to state and local governments and tribal governments. While Republicans in Congress have largely objected to this initiative, Biden’s push has some GOP support among governors and mayors.

“You folks are all on the front lines and dealing with the crisis since day one,” Biden said at the start of the Oval Office meeting. “They’ve been working on their own in many cases.”

Republican lawmakers
have stressed that some past aid to state and local governments remains unspent and revenues have rebounded after slumping when the coronavirus first hit. But state governments have shed 332,000 jobs since the outbreak began to spread last February, and local governments have cut nearly 1 million jobs, according to the Bureau of Labor Statistics.

Republican Govs. Asa Hutchinson of Arkansas and Larry Hogan of Maryland attended the Friday meeting, along with Democratic governors, including New York’s Andrew Cuomo and New Mexico’s Michelle Lujan Grisham. The mayors of Atlanta, Detroit, Miami and Arlington, Texas, also were at the meeting. New Orleans Mayor LaToya Cantrell was set to attend, but she could not because of White House health screening and safety protocols, according to her press secretary.

Miami Mayor Francis Suarez, a Republican, called the discussion spirited and said the past aid to local governments was insufficient, so more money was needed.

“Our residents got a fraction of the help that they needed,” Suarez said at the White House briefing, adding that the city is “going to put the money to good use.”

Under the relief package being crafted in House committees this week, every state and the District of Columbia would get at least $500 million, but most of the money going to states would be distributed based on their share of unemployed workers nationally.

Hutchinson said he objected to the plan’s $1.9 trillion price tag and the strategy of using jobs figures to guide the flow of money to state and local governments.

“That’s really a disincentive for economic growth and people working,” Hutchinson told The Associated Press. “I said the only fair way to do it is to distribute money to the states on a per capita basis. That’s fair, it’s undisputable and I think, by and large, most governors understand that and want that.”

Local governments would get $130.2 billion, and tribal governments would get $20 billion.

The money could be used to cover costs incurred because of the pandemic and lost revenue and to address the negative economic impact of the disease.

Congress provided $150 billion in direct assistance to state and local governments in an earlier relief package signed into law last March.

Members of the House Committee on Oversight and Reform debated the merits of the spending for state and local governments on Friday.

Rep. Carolyn Maloney, the committee’s Democratic chair, said states and communities are desperate for help at a time when the pandemic continues to take lives and livelihoods.

“This money will allow these governments to distribute vaccines faster, expand testing more broadly and maintain vital services across our country,” Maloney said. “It will also help Main Street economies and save the jobs of our teachers, first responders and other essential workers.”

Republican lawmakers described the proposed $350 billion in spending as a boondoggle that in the long run could cause inflation and an economic crash.

Rep. James Comer, the ranking Republican, said states still have money to spend from the relief package Congress passed last March. He played a video clip of California Gov. Gavin Newsom recently talking about how higher-than-expected revenues would allow the state to boost its cash reserves.

“Despite this surplus, California is still receiving an additional $41.2 billion in taxpayer dollars from this $350 billion slush fund,” Comer said. He went on to describe the spending as a “big blue state bailout.”
Albert Straus hopes his organic family dairy in Marin County will be carbon-neutral by the end of the year.

Photos by Scott Strazzante / The Chronicle

In one of his first acts in office, President Biden said he wants farmers and ranchers to tell him how to fight climate change.

If he wants to hear from agricultural businesses already on the front lines of combating global warming, the Bay Area might be a good place to start.
On Albert Straus’ organic dairy farm in Marin County, an electric truck powered by cow manure feeds his 280 cows. Since 2004, he's been using a methane digester, which captures methane from manure and converts it into enough electricity to power the whole farm. Judith Redmond of Full Belly Farms in Capay Valley (Yolo County), which sells at farmers’ markets all over the Bay Area, works with universities to implement sustainable practices such as reduced tillage.

Agriculture accounts for one-tenth of U.S. greenhouse gas emissions, according to the Environmental Protection Agency, well behind transportation (28%) and electricity production (27%). But the sector is uniquely positioned in the climate crisis: Farms can do more than just reduce emissions. They can pull the excess carbon that causes global warming out of the atmosphere and put it back into the ground, a process known as sequestration.

“Not a lot of people understand how important agriculture is if we want to reach our climate and greenhouse gas reduction goals,” Redmond said. Her farm’s tillage practices are one way to keep carbon in the soil.

Straus Dairy Farm was the first in California to implement a carbon farm plan, with the help of the Marin Carbon Project, to reduce emissions and sequester more carbon.

“I’m creating a farming and food model that can be sustainable for the land, for the animals and for rural communities, and at the same time is providing high-quality food for our local communities,” Straus said. “Livestock has an essential role in reversing climate change.”

The presidential request for help, laid out in a Jan. 27 executive order, illustrates the Biden administration’s belief in this potential. Involving the Department of Agriculture in climate policy means more incentives for farmers to adopt emissions-reducing practices that could even boost their earnings — always a concern with the industry’s often-tight profit margins.

“We think renewable energy, we see farmers, making American agriculture first in the world to achieve net zero emissions and gaining new sources of income in the process,” Biden said.

Biden’s order borrows language from a climate-focused executive order signed by Gov. Gavin Newsom in October, which asked California farmers to work to store and remove carbon from the atmosphere as well as preserve the state’s biodiversity.

California was the top agricultural state in 2019, according to the USDA, producing more than 400 commodities, including over a third of the nation’s vegetables and two-thirds of the nation’s fruits and nuts.
“The science is clear that, in our existential fight against climate change, we must build on our historic efforts in energy and emissions and focus on our lands as well,” Newsom said in a press release. “California’s beautiful natural and working lands are an important tool to help slow and avert catastrophic climate change.”

California’s farms are smaller on average at 328 acres than the nationwide average of 434 acres. But climate-smart practices can be scaled up — things like no-till and cover crops are applicable to larger farms. Many conventional dairy farms in the Central Valley are installing digesters to reduce emissions and generate energy.

Farmers like Straus and Redmond want to push the conversation forward.

Straus, whose farm was the first 100% organic certified dairy west of the Mississippi River in 1994, is now working on a pilot project in collaboration with BMW Group for a small, tank-based methane digester. The revenue from the project would help cover the typically high costs of installing a digester. Once installed, farmers could actually profit by selling the energy to power electric vehicles through the partnership while reducing on-farm emissions.

“The idea is to make it an asset, not a liability, for farmers, and to make it easily expandable,” he said.

Straus also serves on the advisory board for the new Clean Economy Employment Now, or CLEEN Project, which seeks to provide federal leaders with job creation ideas.

Redmond and her co-founders have been dedicated to organic, regenerative farm practices that have been proven to effectively reduce “the climate impact of agriculture,” since they opened Full Belly in 1985, she said. That includes things like using cover crops to restore nutrients in the soil, using compost to fertilize fields and working with researchers to evaluate the impact of newer practices, like no-till.

Some practices have clear upsides, like producing better quality food, Redmond explained. But other times, it’s really just about being at the forefront of new ideas.

“You ask, ‘Well, how does (participating in research) benefit you?’ And I can’t exactly answer that, except that we’re very interested in sustainability and the future of agriculture in California, and it just sort of makes sense,” she said.

Still, implementing these practices can be time-consuming and expensive, and both climate advocates and farmers stress the need for government funding and collaboration among the industry, climate scientists, advocates and public officials — especially since “climate-smart” practices look different on different types and sizes of farms.
“As early adopters will tell you, every opportunity has challenges,” Jamie Johansson, president of the California Farm Bureau, wrote in a message to members. “There’s no such thing as a free lunch. The goal of working lands should be to keep them working. For farms and ranches to meet their conservation goals, they must first meet their economic goals. That’s true sustainability.”

The California government has had several grant programs for climate-smart agriculture, which generated a lot more interest in switching over to these practices, said Renata Brillinger, executive director of advocacy group California Climate and Agriculture Network. In her ideal world, there would be even more grant programs to keep that momentum going.

Farmers will “move in that direction as long as it makes economic sense to do so, as long as they can stay in business while sequestering carbon and improving air and water quality,” Brillinger said. Newsom promised to keep investing in these programs in his latest proposed state budget.

Straus agrees. His “big, hairy, audacious goal” is for his dairy farm to be carbon-neutral by the end of 2021. By the end of the decade, he wants to expand that model to the 11 other family farms that supply organic milk to Straus Dairy Farm. He thinks he can do it.

“On my farm, I test a lot of the technology and the practices, because farmers are very hesitant to change, are very cautious, and want to make sure that it’s proven out,” he said. “But if you're successful, they are willing to join you.”
Biden and the Fed Leave 1970s Inflation Fears Behind

Administration and Fed officials argue that workers not getting enough stimulus help is a larger concern than potential spikes in consumer prices.

Federal Reserve Chair Jerome H. Powell has brushed off concerns about inflation, saying the bigger risk to the economy is doing too little rather than doing too much. Credit...Pool photo by Susan Walsh

By Jim Tankersley and Jeanna Smialek
Feb. 15, 2021

WASHINGTON — Presidents who find themselves digging out of recessions have long heeded the warnings of inflation-obsessed economists, who fear that acting aggressively to stimulate a struggling economy will bring a return of the monstrous price increases that plagued the nation in the 1970s.
Now, as President Biden presses ahead with plans for a $1.9 trillion stimulus package, he and his top economic advisers are brushing those warnings aside, as is the Federal Reserve under Chair Jerome H. Powell.

After years of dire inflation predictions that failed to pan out, the people who run fiscal and monetary policy in Washington have decided the risk of "overheating" the economy is much lower than the risk of failing to heat it up enough.

Democrats in the House plan to spend this week finalizing Mr. Biden’s plan to pump nearly $2 trillion into the economy, including direct checks to Americans and more generous unemployment benefits, with the aim of holding a floor vote as early as next week. The Senate is expected to quickly take up the proposal as soon as it clears the House, in the hopes of sending a final bill to Mr. Biden’s desk early next month. Fed officials have signaled that they plan to keep holding rates near zero and buying government-backed debt at a brisk clip to stoke growth.

The Fed and the administration are staying the course despite a growing outcry from some economists across the political spectrum, including Lawrence Summers, a former Treasury secretary and top adviser in the Clinton and Obama administrations, who say Mr. Biden’s plans could stir up a whirlwind of rising prices.

No one better embodies the sudden break from decades of worry over inflation — in Washington and elite circles of economics — than Janet L. Yellen, the former Federal Reserve chair and current Treasury secretary. Ms. Yellen spent the bulk of her career fighting in a war against inflation that economists have been waging for more than a half century. But at a time when the American economy remains 10 million jobs short of its pre-pandemic levels, and millions of people face hunger and eviction, she appears to be ready to move on.

“I have spent many years studying inflation and worrying about inflation,” Ms. Yellen told CNN earlier this month. “But we face a huge economic challenge here and tremendous suffering in the country. We have got to address that. That’s the biggest risk.”

In the guarded language of a Fed chair, Mr. Powell used a speech last week to push back on the idea that the economy was at risk of overheating. He said that prices could show a brief pop in the coming months, as they rebound from very low readings last year, and he said the economy could see a "burst" of spending and temporarily higher inflation when it fully reopened. But he said he expected such increases to be short-lived — not the sustained spiral that many economists worry about.

“That’s really not going to mean very much,” Mr. Powell said, noting that inflation has trended lower for decades. “Inflation dynamics will evolve, but it’s hard to make the case why they would evolve very suddenly, in this current situation.”

A small but influential group of economists is questioning that view — in particular, calling for Mr. Biden to scale back his economic aid plans, which include sending direct payments to most American
households, increasing the size and duration of benefits for the long-term unemployed and spending big to accelerate Covid vaccine deployment across the country.

They argue that the size of the package outstrips the size of the hole the coronavirus has left in the economy. With so many dollars chasing a limited supply of goods and services, the argument goes, purchasing power could erode or the Fed might need to abruptly lift interest rates, which could send the economy back into a downturn.

“It’s hard to look at all those factors and not conclude there’s going to be inflationary pressure,” said Michael R. Strain, an economist at the conservative American Enterprise Institute who supported relief efforts earlier in the recession but was among the first economists to warn Mr. Biden’s plans could set off price spikes. “My worry is that by pushing the economy so hard, that will lead to some overheating.”

Mr. Summers, who is an economist at Harvard, warned in a Washington Post column that “judged relative to either the macroeconomic output gap or declines in family incomes, the proposed Covid-19 relief package appears very large.” There is a chance, he added, that Mr. Biden’s efforts “will set off inflationary pressures of a kind we have not seen in a generation.”

Such warnings were a familiar refrain from conservative economists who opposed going big on stimulus during and after the 2009 recession, when Mr. Biden was vice president and Mr. Summers was a top economic aide. They did not materialize: Inflation ran below the Fed’s 2 percent target rate for a decade after the crisis, and Mr. Obama’s $800 billion package has since been judged by many economists to have been too small. That shortfall contributed to sluggish growth and a painfully long recovery for lower- and middle-income Americans.

“The onus should be on anybody who says the economy is about to overheat,” said Austan Goolsbee, a former head of Mr. Obama’s Council of Economic Advisers. “There have been many prominent voices saying that — that there was about to be inflation — for more than 10 years.”

And the fact that the Fed is brushing off overheating concerns is emboldening some Democrats.

“Earlier today, Fed Chair Powell gave an important speech about the state of our economy and what we need to do to get back on track,” Bharat Ramamurti, deputy director of the National Economic Council, said on Twitter Wednesday. “His remarks help back the case President Biden has been making for the American Rescue Plan.”

Many economists have déjà vu when it comes to overheating warnings. Nathan Sheets, a former Treasury official, was global head of international economics at Citigroup in the early 2010s. He recalls hearing worried murmurs about runaway inflation during meetings from London to New York.

“People were really, really sweating,” he said, noting that he, too, fretted that prices might take off. “It just didn’t happen. The world has changed in meaningful ways and the risks of overheating and high inflation are much less pronounced.”

Inflation warnings are a remnant of the late 1960s and 1970s, when American prices were driven relentlessly higher by wage increases, an oil embargo and geopolitical developments.

The result was uncomfortable — restaurants updated their menu prices with stickers; The New York Times reported in 1980 that Manhattan’s “69 Cents Shops” had decided to rebrand to the “88 Cents Shops” — and the cure was downright painful. After years of rapid inflation, Fed Chair Paul A. Volcker
began to lift borrowing costs to staggering levels to cool off the economy. He received car keys from auto dealers who couldn’t make sales and planks of wood from home builders facing a dearth of demand. “Dear Mr. Volcker,” one wrote on a block with a knot. “I am beginning to feel as useless as this knothole.”

But for more than a quarter century, price gains have been surprisingly low — not too high.

In developed economies, including those of Japan, the euro area and the United States, monetary policymakers have actually been trying to encourage higher inflation in recent years. Inflation hasn’t sustainably reached the Fed’s 2 percent target since before the 2008 global financial crisis, looking at a Commerce Department index that strips out volatile fuel and food. Price pressures haven’t substantially exceeded 2 percent since the early 1990s.

Economists have struggled to understand the phenomenon, but they largely think inflation is being held down by a cocktail of aging demographics, changing consumer expectations and limited pricing power in a globalized world where consumers can search online to compare prices.

Market-based inflation expectation measures are hovering right around 2 percent, and consumer inflation outlooks have dipped slightly over the past decade, though one gauge ticked up in a recent reading. If buyers don’t expect higher prices, companies may find themselves unable to raise them, so whatever people anticipate can drive reality.

It’s also hard to see where a big and sustained spike in prices would come from, analysts said.

Airfares, apparel prices and hotel prices all took a hit in 2020 during the depths of the pandemic, and they’re likely to jump sharply as the economy reopens and consumers with money in their pockets take vacations and refurbish their wardrobes, said Alan Detmeister, a former inflation expert at the Fed who now works at the bank UBS.

Yet the price of goods that experienced a jump as workers shifted to home offices — from the category that includes laptop computers to the one that tracks cars — could fall back, weighing down overall gains. Categories that matter a lot to the overall index, like rent and health insurance, are both subdued and slow-moving.

In any case, a temporary bounce-back in prices is not the same as an inflationary process in which price gains continue month after month.

Even if prices do temporarily bounce, the Fed has pledged to be patient in the way it thinks about inflation. In years past — including under Ms. Yellen’s watch — it lifted interest rates before price gains had really picked up to head off potential overheating. The central bank’s new framework, adopted last year, calls for policymakers to aim for a period of above-2 percent inflation so that it hits its goal on average over time.

And besides stabilizing prices, Congress also tasks the Fed with trying to achieve maximum employment. Charles Evans, the president of the Federal Reserve Bank of Chicago, said earlier this month that $1.9 trillion in government spending would have the potential to help the Fed hit its inflation and job market goals faster.

“I’m hard-pressed to see the size of this leading to overheating,” he said.
Among the few silver linings of a devastating coronavirus pandemic has been the emergence of a new way for local governments and school districts to conduct their meetings, one that allows more people to watch and interact with their representatives.

Through the convenience of Zoom and other internet-based video-conferencing platforms, some people who otherwise might have been shut out of the public process because they couldn't make it to a meeting now can participate.

To keep that system in place even after elected representatives return to their dais and people with stakes in their decisions fill the meeting chambers again, first-term Bay Area Assemblyman Alex Lee is pushing for a legislative mandate.

Along with Southern California Assemblywoman Cristina Garcia, Lee has introduced a bill, AB 339, that he hopes will level the playing field for all citizens who want to be part of the process.

It would require all meetings to have internet-based participation options that include closed captioning and calling in.

"Prior to the pandemic, you had to show up at San Jose City Hall at 7:15 p.m. and wait hours and hours to make a public comment. And that is obviously not sustainable for people who have children, who need to work, who don't have transportation, so you really were limited in who could participate," Lee said in a recent interview.

"When we hopefully return to in-person meetings and people can still come and have a jolly old fun meeting, people who traditionally have been barred out of this process can call in, they can make a public comment that way. That's why it's so important," the 25th District assemblyman said.

The bill would also push for an expansion of language access services, possibly requiring agencies to provide translators at each meeting for the most commonly used languages in the area.

Supporters say such access is long overdue, and the bill is gaining endorsements from organizations including the American Civil Liberties Union, Leadership Counsel for Justice and Accountability and the Dolores Huerta Foundation.

"This hasn't been at the forefront of a lot of jurisdictions' priorities until the pandemic actually hit and people couldn't gather publicly, so there was no other option," said Emelyn Rodriguez, an attorney and the acting executive director of Cal-Aware, a nonprofit that focuses on government accountability.
"But it should have always been an option, especially for people who for one reason or another can't be physically present at a meeting," Rodriguez said.

Rodriguez, who serves on an ethics commission in Sacramento, said she feels remote access during the pandemic has allowed a wider pool of people to participate in government.

A small but important element of the bill requires agencies to have a phone-in option so those without access to broadband can tune in.

"We know there are problems with access to technology, especially in rural areas," said Cecilia Castro, deputy director of the Dolores Huerta Foundation.

She said the bill's requirements could provide a "huge opportunity" to increase civic engagement for California's economically and ethnically diverse citizenry.

Currently, translation or interpretation services at many public meetings are governed by a hodge-podge of local practices. Many cities don't offer such services unless requested days in advance by a member of the public, and Castro says not everyone who might want to attend a meeting knows the process upfront.

"I think if government agencies are not looking into figuring out how they can better their communities by providing these translation services, then they're really doing a disservice to their community by creating these barriers that keep them from participating," Castro said.

Toni Taber, the city clerk for San Jose - a city with a history of high political engagement and packed meetings - said she likes the idea of making remote access permanent.

It would allow people with families or other obligations to watch the meeting while getting other things done, instead of "committing to being in the chamber from 1:30 p.m. until midnight" waiting for the item they care about, she said.

But she, like other city officials interviewed for this story, is concerned about the potential costs, which could be a major sticking point for some local agencies.

While the bill would require local agencies to meet certain requirements involving access and language services, it exempts the state from having to help pay for it.

"I will acknowledge we are not in a great budget financial situation anywhere in this country, but we all want to give people, especially people who have been underprivileged and underrepresented, more avenues to participate," Lee said. "We all want the same thing, but how do we make it a practical reality? I think that just becomes a logistical negotiation." Paul Nicholas Boylan, an attorney and public meetings expert, said he's encouraged by the bill's ostensible goals but said he'll be watching closely to make sure its language is clear and "unassailable," so governments can't interpret it in any way to limit public access.

Throughout the pandemic, especially early on, some local agencies took steps during virtual meetings that ended up hampering the public process, such as when Lafayette barred public comments after getting "Zoom-bombed" with profane language and graphic images from people who called in to speak.
Boylan, along with the ACLU, is currently suing McFarland, a city in Kern County, alleging the council violated open meeting laws in one of its decisions due to a series of technical difficulties during a virtual meeting, and a subsequent cap on the number of people who could attend another.

Overall, though, Boylan said he's hopeful for the potential of increased access through remote participation and better translation services, which he said governments have an obligation to provide.

"Could we have done all of this before? Yes," he said. "But American governments don't make significant movement, significant changes, unless they're hit with a crisis. If we can create a situation where people who speak other languages are allowed to participate in the people's business, in the political process, then our democracy is strengthened."
World stocks rally, bringing Japanese market to 30-year high

INTERNATIONAL

by: ELAINE KURTENBACH, Associated Press


BANGKOK (AP) — World shares started the week off with a rally, as Japan’s Nikkei 225 index closed above 30,000 for the first time since August 1990.

European markets closed sharply higher on Monday, following an advance in Asia. Shanghai and Hong Kong were closed for the Lunar New Year. U.S. markets remained closed Monday for Washington’s Birthday.
Optimism that the U.S. government will come through on trillions of dollars of more aid for the economy and encouraging company earnings reports have helped stocks grind higher this month, along with hopes that the coronavirus vaccine rollout will set the stage for stronger economic growth in the second half of this year.

Democrats have decided to use a legislative process that does not require Republican support to pass the $1.9 trillion package proposed by President Joe Biden.

“Markets remain target fixated on the Biden stimulus and vaccine rollouts as the magic panacea for the world’s pandemic ills,” Jeffrey Halley of Oanda said in a commentary. That has translated into higher stock prices, with the world awash with stimulus funds seeking returns in a world where interest rates are around zero percent, he said.

Germany’s DAX gained 0.4% to 14,109.48 while the CAC40 in Paris rose 1.5% to 5,786.25. Britain’s FTSE 100 surged 2.5% to 6,756.11. U.S. futures also rose, with the contract for the S&P 500 up 0.5%. The future for the Dow industrials rose 0.6%.

The strong buying in Tokyo was driven by news that the Japanese economy grew at a nearly 13% annual pace in the last quarter, and by strong corporate earnings reports. It was the second straight quarter of growth after a downturn drastically worsened by the impact of the pandemic.

The recovery should put the economy on track to recover to pre-pandemic levels by next year, helped by a recovery in demand for exports in the U.S. and other major trading partners, Marcel Thieliant of Capital Economies said in a report.

Japan recently re-imposed a state of emergency in Tokyo and several other prefectures to battle a resurgence of outbreaks. But sustained corporate investment and government spending are expected to help offset the impact on travel, restaurants and other sectors most affected.

“And while most economists expect a renewed contraction this quarter due to the second state of emergency, we think that output will be broadly flat in Q1 and rise more strongly this year than almost anyone anticipates,” Thieliant said.

The Nikkei 225 closed up 1.9% at 30,084.15. It was its highest level since August 1990, just as Japan’s bubble economy was beginning to implode after peaking at nearly 39,000 in 1989.

Other Asian markets also saw strong gains. The Kospi in Seoul rose 1.5% to 3,147.00 and India’s Sensex climbed 1.1% to 54,102.41. In Australia, the S&P/ASX 200 rose 0.9% to 6,868.90.

Thailand’s SET benchmark index gained 0.9% after the government forecast the economy will expand by 2.5%-3.5% this year after contracting 6.1% in 2020 as the government restricted international travel and imposed other limits on activities to combat the pandemic.
On Friday, technology companies led a late-afternoon rally on Wall Street that capped a week of wobbly trading, with the major stock indexes hitting all-time highs.

The S&P 500 rose 0.5% to 3,934.83, a record high for the second day in a row. It was its second straight weekly gain.

The tech-heavy Nasdaq composite picked up 0.5%, to 14,095.47, also a record. The Dow Jones Industrial Average likewise set a new high, edging 0.1% higher to 31,458.40.

A majority of U.S. companies have now reported their latest round of earnings and the results have been surprisingly good. Roughly 75% of companies in the S&P 500 have released results, showing overall growth of 2.8%, according to FactSet. That’s a sharp reversal from the 13% contraction analysts had forecast in late September.

In other trading U.S. benchmark crude oil picked up 75 cents to $60.22 per barrel in electronic trading on the New York Mercantile Exchange. It advanced $1.23 on Friday. Brent crude, the international standard, gained 84 cents to $63.27 per barrel.

The dollar rose to 105.34 Japanese yen from 104.99 yen late Friday. The euro strengthened to $1.2138 from $1.2123.
The national general election of November 2020 was a historic one, with nearly 70 percent of the eligible U.S. voting population casting their votes. This figure represents the highest voter turnout rate in 120 years. The main draw for the 2020 election was for the U.S. presidency. However, other significant factors actually motivated voters to get out and vote in record numbers — including control of the U.S. Senate, election of state governors, state constitutional amendments and local ballot initiatives for dedicated park funding measures.

Voters in 48 jurisdictions throughout the country had the opportunity to determine the future and purpose of their local outdoor spaces. Collectively, voters across the country approved approximately $3.7 billion in new public funding measures for projects that encompassed land conservation, outdoor recreation expansion, wildlife habitat protection, improvement of water-quality initiatives, climate-resiliency measures and park enhancements designed to expand local access. What’s really captivating about these funding measures is that they increased taxes. While most mechanisms for these tax increases were forward-looking, the results all reverberated with the same message: People are willing to pay more taxes to deliberately improve the value of local
outdoor spaces that enhance their quality of life. NRPA research supports this sentiment, finding that more than 4 in 5 people agree that parks and recreation is an essential local government service.

The COVID-19 Factor

The coronavirus (COVID-19) pandemic brought the realization that parks and outdoor recreation facilities are an indispensable aspect of people’s lives. Moreover, COVID-19 exacerbated an already alarming chronic disease — substance use and the mental health crisis — while plunging many communities and individuals further into poverty, social isolation, food insecurity and general uncertainty. Parks and recreation facilities have offered a solution to many of those societal challenges. As a result, local parks and trails have experienced a noticeable increase in use, about 35 percent, during the pandemic. Moreover, 3 in 5 people — or more than 190 million people — visited a local park, trail, public open space or recreation facility during the first three months of the pandemic (mid-March through mid-June 2020).

This revitalized public appreciation for increased outdoor recreational access likely contributes to the success rates for these dedicated park funding voter initiatives. The continued success in these dedicated public funding instruments is occurring at a critical time for park and recreation agencies. The economic aftershocks of COVID-19 resulted in substantially decreased funding for local park and recreation agencies. According to NRPA research, 48 percent of park and recreation agencies are facing budget cuts of about 20 percent in the upcoming year, with 33 percent of agencies making typical reductions to their capital budgets of about 37 percent. Despite this decrease in economic resources, park and recreational facilities have been called upon to expand their services. Adopting more of these dedicated funding mechanisms is an important tool that can help to alleviate the pressure for both park and recreation agencies, as well as for municipal governments, and provide the much-needed additional resources.

The Voters Have Spoken

As the economic reverberations of COVID-19 develop, it will be imperative for local government and elected officials to strategically invest in parks and recreation facilities as vital and necessary community services. After all, 72 percent of U.S. adults are more likely to vote for a local political leader who makes park and recreation funding a priority. The continued success of dedicated public funding initiatives, even in a difficult economic climate, is yet another sign that voters continue to embrace these innovative public finance tools as worthwhile alternatives for the upkeep and expansion of public recreational spaces. Parks and recreation continues to experience strong bipartisan support and is one of the rare electoral issues that unites voters and brings communities together.

**Elvis Cordova** is NRPA’s Vice President of Public Policy and Advocacy.
The COVID-19 pandemic has shown how important access to the outdoors is for our health and well-being. This is especially true for lower-income communities of color that have borne the brunt of the pandemic and often lack access to good parks.

The Biden administration has an opportunity to prioritize equitable access to parks and public lands to ensure that chronically underserved communities enjoy the benefits of America's great natural heritage. The president, vice president and key Cabinet members are saying all the right things about equity and the environment. Here is what they can do to turn those words into actions and on-the-ground outcomes:
Biden pledged to protect “30 by 30” — 30 percent of lands and waters by 2030 — which would serve traditional habitat conservation and new goals of increasing climate resilience and adaptation. But to advance equity, the goal should be “30 by 30 by 30” — directing 30 percent of conservation funding to creating equitable access to public lands and building a diverse constituency for conservation. The Donors of Color Network is leading a similar charge in the philanthropy sector, calling for 30 percent of climate funding to go toward efforts led by Black, Indigenous, Latino and other people of color.

The Land and Water Conservation Fund (LWCF), a bill passed the same year as the Civil Rights Act and the Wilderness Act, provides an immediate opportunity to advance this work. Thanks in part to a multi-year push by organizations, the Great American Outdoors Act was adopted with bipartisan support in 2020, providing permanent funding of $900 million a year for the LWCF. Biden’s Cabinet secretaries should mandate that their public lands agencies prioritize equitable access to both close-to-home public lands and remote wild lands. Operationalizing this would mean requiring that each agency prioritize the people served by LWCF projects, especially underserved communities. This should be done when ranking projects for funding and making priority lists. Additionally, agencies should be required to report annually on how their investments have advanced equitable access.

Congress determines the funding split between various components of the LWCF, and in December, it approved a critical increase in the portion for the Outdoor Recreation Legacy Partnership (ORLP) program, which funds parks in urban areas with the greatest need — from $25 million to $125 million for this year. Despite Congress, during its final days the Trump administration diverted critical LWCF funding away from local parks to a new program, effectively ending ORLP. The Biden administration should immediately undo this detrimental move and then take Congress’s lead even further: $125 million is just under 14 percent of the total funding now promised for LWCF. To put equitable access and representation on an equal footing, at least a third of the total — $300 million — should be dedicated to projects and acquisitions that advance equitable access goals through ORLP and other components of LWCF.

The Great American Outdoors Act authorized $9.5 billion for deferred maintenance projects on public lands. There should be a proactive process to revisit agency priority lists, factor in the necessity of improving access to public lands, and ensure transparency in the process. The National Park Service is slated to receive 70 percent of this funding. It should be required to review its deferred maintenance list and ensure that its investments meet the equity test.

Finally, and we know this will scare some in the environmental movement, the Biden administration and Congress should look beyond the Great American Outdoors Act and revisit the foundational acts governing our public lands — the Wilderness Act, the Federal Land Policy and Management Act, the National Forest Management Act and others — and revise preambles, definitions and other texts to reflect the importance of equitable access to our public lands, alongside other values. Changes should also reflect the traditional ecological knowledge of Native Americans and support tribes to become co-managers of public lands within their traditional territories.
In 1964, the civil rights and conservation movements were like two great ships passing in the night. In the past year, we have seen how ignoring equity and racial justice for more than five decades has harmed the conservation movement, to the detriment of nature and ourselves.

The Biden administration has an opportunity to revisit the great legislative achievements of the mid-1960s and this time make sure that our values are aligned.
Op-Ed | Next Steps To Get The LWCF Back On Track

By NPT Staff - February 16th, 2021 1:30am

Editor’s note: The following column in support of the Land and Water Conservation Fund is from Callie Hoyt, director of Federal Government Relations at the National Marine Manufacturers Association.

Many of us in the outdoor industry spent years pushing for the permanent reauthorization and full funding of the Land and Water Conservation Fund, and we were exceedingly proud when Congress overwhelmingly approved the Great American Outdoors Act last summer, which permanently funds LWCF at $900 million annually.

That’s why we are grateful to see that Biden’s Interior Department has taken swift action to reverse the arbitrary and damaging orders of former Interior Secretary David Bernhardt that required state and local approval for any federal acquisitions from willing sellers (a provision expressly rejected during LWCF negotiations).

Former Secretary Bernhardt’s actions significantly cut any LWCF funding for federal Bureau of Land Management projects—a requirement also not found in the GAOA. By reversing these last minute changes to the state and local assistance program that undermined recreation funding, and reinstating the important Outdoor Recreation Legacy Partnership program which supports recreation projects in urban areas - Biden is making good on the promise of the Great American Outdoors Act and its inclusion of full and permanent funding for the Land and Water Conservation Fund.

As America’s most successful conservation program since 1965, LWCF uses federal royalties from offshore oil and gas drilling to support the infrastructure needed to get Americans outdoors and is an essential program that secures public access to outdoor recreation areas ranging from to local parks and lakes to national wildlife preserves, and forests.

LWCF has also long been a go-to program for conserving and maximizing outdoor recreational boating access through investments in infrastructure like docks, ramps and parking facilities at places like the Greely Park Boat Ramp in Nashua, New Hampshire, and purchase of public lands in places like Lake Mead National Recreation Area near Las Vegas, Nevada, where LWCF helped open up popular boating access sites. Public boat launches and marinas funded by LWCF are critical to the recreational boating industry that supports over 35,000 US-based marine businesses and nearly 700,000 jobs nation-wide. It is vital that LWCF continue to fund these projects.
A recent survey by the Outdoor Recreation Roundtable identified over 200 projects in communities across the country that are in immediate need of LWCF funding. These projects will provide boating access to places like the Missouri National Recreational River in Arkansas and build boat launches and upgrade marinas at dozens of local and rural communities across the country.

The LWCF is typically used by federal agencies to acquire land for outdoor recreation and conservation, fund a matching grant program to assist state priorities in recreational planning and land acquisition, and support programs that safeguard endangered species habitat and protect privately owned forests. Not only is this program a very effective tool for protecting and enhancing outdoor activities and natural resource values, it’s also smart business: studies show that for every $1 of LWCF funds invested, local communities see a $4 return in economic activity from natural resource goods and services alone. Nearly every county in the country has seen the benefits of LWCF, and public polls have shown LWCF to be one of the most popular federal programs in the country.

Thanks to the 116th Congress and the Biden Administration’s swift action to repeal last-minute attacks on the Great American Outdoors Act, we are poised to maximize the promise of LWCF and bring outdoor recreation opportunities, and new economic benefits to communities around the country.

By implementing the provisions in the GAOA as Congress intended, the mission of LWCF can be realized by protecting important landscapes such as Idaho’s Lower Salmon River Special Management Recreation Area, and providing recreational boating access at places like Whaler Way Boat Ramp in Florida and Port Penn Boat Ramp in Delaware, and more.

The Biden administration can work with the entire outdoor recreation community and seize this exciting new funding source and implement the program in a way that is consistent with both the spirit and language of GAOA. Americans need these projects now more than ever for opportunities to access the great outdoors and bring vital economic stimulus to communities around the country.

Callie Hoyt is Director of Federal Government Relations at the National Marine Manufacturers Association, the nation’s leading trade association representing boat, marine engine and accessory manufacturers. Collectively, NMMA members manufacture an estimated 80 percent of marine products used in North America.
Walters: Census delays could affect California’s 2022 elections

Redistricting commission will miss target for drawing congressional, Senate, Assembly, Board of Equalization boundaries

Elections for the California Legislature will be among those affected by the delays in the U.S. Census.

By **DAN WALTERS**

PUBLISHED: February 16, 2021 at 11:00 a.m. | UPDATED: February 16, 2021 at 12:04 p.m.

The California Constitution commands that by Aug. 15, the state’s independent redistricting commission “shall approve four final maps that separately set forth the district boundary lines for the congressional, senatorial, assembly, and State Board of Equalization districts.”

It’s not going to happen.
The commission needs data from the 2020 census to do its work. Last July, the state Supreme Court granted the Legislature’s emergency petition for a four-month extension of the deadline to Dec. 15, 2021, citing pandemic-caused delays in completing the census.

A Dec. 15 deadline would be cutting it very close to have new maps available when candidates start filing paperwork for the 2022 elections early next year. However, the Dec. 15 deadline may not stand either.

On Friday, the U.S. Census Bureau announced that it would not release the all-important numbers until Sept. 30, five months later than its original March 31 release date and two months later than its revised July 31 date on which the state Supreme Court’s extension was based.

A Sept. 30 release would give the 14-member redistricting commission just 2 1/2 months to meet the Dec. 15 deadline, perhaps an impossibility.

The raw data must be digested by UC Berkeley’s Statewide Database before preliminary maps can be devised. They then must be aired at public hearings, followed by final district-by-district — and often neighborhood-by-neighborhood — commission decisions on 120 legislative districts, four Board of Equalization districts and an unknown number of congressional districts.

Unknown? California has 52 congressional seats now, but its relatively slow population growth over the last decade, a full percentage point below the national rate, means the state will likely lose one, and perhaps two, of those seats.

The latest delay in census data could require the state Supreme Court to push back the commission’s Dec. 15 deadline even more, but that could collide with the Feb. 14, 2022, opening of candidate filing for the affected offices.

We may not know when the Citizens Redistricting Commission will do its job, but we do know it won’t be an easy one.

California is the nation’s most complex state and its first experience with commission-drawn maps, after the 2010 census, was marked by fierce jousting among seemingly countless ethnic, geographic, partisan and sexual orientation interest groups because the stakes are so heavy.

The new maps will strongly affect who wields political power in the state for the next decade. While Democrats will continue to be the dominant party, no matter how they are drawn, the party has no shortage of internal cultural and ideological power struggles.

The dramatic decline in California’s population growth to well under 1% a year will reduce its share of congressional seats and variations within the state will affect the maps in both geographic and demographic terms.

Coastal metropolitan areas have been growing more slowly than inland counties. Comparing 2010 census data with the latest pre-census population estimates from the state Department of Finance reveals that collectively the state’s three most populous counties — Los Angeles, San Diego and Orange — have grown more slowly than the state as a whole.

Meanwhile, the fourth and fifth most populous counties, Riverside and San Bernardino, have grown markedly faster than their coastal neighbors and thus should gain legislative and congressional seats.
A similar phenomenon is evident in Northern California as well, with the nine-county San Francisco Bay Area growing more slowly than inland counties to the east, such as Sacramento and San Joaquin.

These trends will be reflected in the new maps, whenever they finally emerge from what has become a very uncertain and messy process.

Dan Walters is a CalMatters columnist.
Congressman Jimmy Panetta is calling for the Fish and Wildlife Service to make “substantial investments in monarch conservation efforts.” (Monterey Herald file)

By STEPHANIE MELCHOR | newsroom@montereyherald.com |

PUBLISHED: February 10, 2021 at 1:03 p.m. | UPDATED: February 10, 2021 at 1:07 p.m.

PACIFIC GROVE — Rep. Jimmy Panetta, D-Carmel Valley, is calling for the Fish and Wildlife Service to make “substantial investments in monarch conservation efforts” to protect the western monarch butterfly from extinction.

In a letter co-signed by Rep. Salud Carbajal and Senator Jeff Merkley and addressed to the U.S. Fish and Wildlife Service Principal Deputy Director Martha Williams, officials made their concern for the Central Coast’s beloved butterflies clear.
We recommend that the Service invest in science and analysis to determine the most important causes of the decline of the western population,” the letter read in part.

Panetta, a native of Monterey County, remembers growing up surrounded by symbols of the monarch.

The western monarch can be found nearly all over the western United States. Starting in early autumn, millions of butterflies travel south to California, Mexico and Arizona to overwinter, creating a spectacular display for communities along the Central Coast.

“You wish that other people from around the country were able to experience what we did growing up — visiting the Pacific Grove sanctuary and literally seeing thousands upon thousands of butterflies,” said Panetta. “It’s magical. It’s absolutely magical.”

In the last few decades though, the numbers of western monarchs overwintering in California have been dangerously declining, due in large part to human actions like climate change, destruction of habitat and the use of certain pesticides that are toxic to the butterfly.

“If urgent action isn’t taken immediately to address the myriad of threats the butterfly faces,” says last week’s letter, “western monarchs could disappear in just a few short years.”

Every fall since 1997, the Xerces Society for Invertebrate Conservation has coordinated the Western Monarch Population Count: a massive volunteer-run effort to count monarchs at hundreds of observation sites up and down the California coast.

(Graphic by Stephanie Melchor, Special to the Herald)

Connie Masotti, a citizen scientist and regional coordinator for the Western Monarch Count in Monterey County, remembers camping in Big Sur a few years ago to do the counts. She’d wake up early so she could witness “the amazingness of seeing the sun start to rise and start to glint on the monarchs.” Back then, she was counting butterflies in the tens of thousands. In 2020, she counted 30 in the entire county.

“I would get through doing a count and go to my car and just sit and cry,” she remembered.

The total 2020 count (which included sites in Arizona and Mexico) was 1,914 butterflies.
“There are now more Starbucks in California than overwintering monarchs!” said Stephanie Kurose, a senior endangered species policy specialist at the Center for Biological Diversity in an email. “It’s truly heartbreaking.”

**Friends on Capitol Hill**

Despite their rapidly dwindling numbers, the iconic orange butterflies have friends on Capitol Hill.

Last week’s letter was not the first time Panetta has sought federal assistance to protect monarchs. In February 2020, he introduced a bipartisan bill called HR 5920 — the Monarch Action, Recovery and Conservation of Habitat (MONARCH) Act. A companion bill in the Senate was introduced by Senator Merkley (D-OR).

The bill called for $125 million to be set aside for a Western Monarch Butterfly Rescue Fund that would include habitat restoration and education. Half the funds would support the National Fish and Wildlife Foundation’s Western Monarch Butterfly Conservation Plan.

Although the bill died in Congress last year, Panetta said he is planning on reintroducing it within the next few weeks after doing some “fine-tuning” to help it pass this time around.

“It’s going to take a lot of work sooner rather than later,” he said, given the monarch’s rapid depletion in population.

In addition to the dismally low counts released by the Xerces Society, monarch conservationists faced some more bad news at the end of 2020: On Dec. 17, the Fish and Wildlife Service announced that adding monarchs to the endangered species list was “warranted but precluded by work on higher-priority listing actions,” meaning the butterflies will be put on a waiting list and their case revisited in a year.

Their decision was a response to a 2014 petition for monarchs to be federally protected under the Endangered Species Act. The petition was filed by the Center for Biological Diversity, the Center for Food Safety and the Xerces Society.

“Delaying protections for at least another year, which is what the Fish and Wildlife Service essentially is doing, could spell disaster for this iconic pollinator,” said Kurose. She said 47 species have gone extinct while waiting for protections under the endangered species act, the fear being that monarchs could become the 48th.

In 2020, the Western Monarch Thanksgiving Count in 2014 was 234,731, compared to the staggeringly low 1,914 butterflies counted in 2020 — a 99 percent decrease in just six years.

Given how dire the situation seems, Panetta called the decision “exasperating,” and urged Deputy Director Williams to “expeditiously dedicate U.S. Fish and Wildlife Service resources to pollinator conservation and habitat restoration” in last week’s letter.

**What can you do?**

For Masotti, she’s not holding her breath for the government to take action. “I’m fine if the government agencies come through,” she said, “but I’m not waiting on them. I haven’t been waiting on them.”

There are lots of ways to help monarchs, but Masotti urges locals to do their research before rushing in. Things that seem helpful to the monarchs, like planting milkweed, can actually be harmful if nonnative species are planted (which can harbor parasites that infect the butterflies) or if
they are planted too close to overwintering grounds (milkweed encourages butterflies to mate and lay their eggs, which they shouldn’t do in the winter). Masotti said locals should plant native nectar plants instead, which will help other pollinators as well.

In terms of political engagement, locals don’t necessarily need to contact their local congressman about this issue (although Panetta said he always appreciates hearing from his constituents). Instead, he suggested reaching out to friends and family members living in other states and political districts so that they can contact their representatives to support the MONARCH Act and other legislation aimed at protecting monarchs.

Because ultimately, “the monarchs in your backyard aren’t just yours,” said Masotti. “They’re the whole world’s.”
WASHINGTON — East Bay Rep. Eric Swalwell has become a household name known for his criticism of Donald Trump on cable television, via Twitter and during the former president’s two impeachments. But after the second trial’s end, he says he’s ready to reach across the aisle.
“It’s a new chapter personally for me, and I think the end of an accountability chapter for Donald Trump and Congress,” Swalwell said in an interview.

The Dublin Democrat was one of House Democrats’ nine impeachment managers for Trump’s trial in the Senate last week, which concluded on Saturday with a historically bipartisan vote but ultimate acquittal.

Swalwell said he has no regrets about the trial and noted the seven Republicans who joined all Democrats in voting to convict Trump for inciting an insurrection on Jan. 6 as the presidential election results were certified.

Swalwell believes the impeachment accomplished two important steps: preventing Trump from inciting another riot and providing accountability for his behavior.

“I feel very good about the case that we put forward, and while we did not technically disqualify him from office, I think he has functionally been disqualified,” Swalwell said.

But on a personal level, he said, the trial provided a break from partisan bickering.

“The trial was a way for me to go back to the 31-year-old prosecutor who ran for Congress and whose career before going to Congress was presenting just the facts to the jury,” Swalwell said. “In a way it was a little bit liberating, in that I think we’re now at the end of Donald Trump’s accountability before the Congress, and I look forward to going back to why I ran for Congress in the first place, which was to get things done with anyone who wants to work with me.”

Swalwell is not known for biting his tongue when it came to criticizing Trump and Republicans. His penchant for stinging tweets even came up during the impeachment trial. As Swalwell laid out the grave threat to senators’ lives on Jan. 6 during the insurrection, Maine Republican Sen. Susan Collins’ spokesperson called it “ironic to hear” after Swalwell in 2018 mocked Collins on Twitter over a report of her receiving threats over voting to confirm Justice Brett Kavanaugh to the Supreme Court. Collins nevertheless voted to convict Trump, and Swalwell noted he apologized in 2018, “within, like, hours, recognizing it was insensitive.”

But during the trial, House Democrats made a concerted effort to dispassionately prosecute Trump, separating his actions from other Republicans who made up half of the jury. Swalwell and the other managers, including additional vocal Trump critics like Rep. Ted Lieu of Torrance (Los Angeles County), also stayed quiet in the media during the trial.

With the Trump era behind him, Swalwell said he hopes to get away from a role as a chief critic, arguing his public persona the last four years was more about Trump than partisanship.

“If you look at when I ran for Congress ... I ran against a pretty liberal member of Congress and I promised to work in the great big center,” Swalwell said. “Before Trump, two-thirds of the legislation I sponsored was bipartisan, and it was when he came into office — for me it wasn’t about partisanship, it was that what I had learned as the son of a cop and a prosecutor was tested, just doing the right thing. That’s why I was so vocal about it.”
Whether he succeeds at turning the page, however, remains to be seen. Swalwell has become a lightning rod on the right after gaining a national profile during Trump’s first impeachment over obstruction of justice and abuse of power and during the special counsel investigation into Russian meddling in the 2016 election. Republicans have latched on to unfounded accusations against him to draw false equivalences, and when Swalwell quipped on MSNBC over the weekend that Democrats abandoned efforts to call witnesses because even calling “God herself” wouldn’t change Republicans’ mind, right-wing media and even Russia’s state-owned news agency quickly portrayed it as a controversy.

He acknowledges relationships between Democrats and Republicans have frayed since his first term in Congress in 2013, when he formed a bipartisan caucus of new lawmakers to seek common ground. He also isn’t sure if he can work with Republicans who voted to object to electoral college results in the hours after the deadly insurrection that interrupted proceedings.

“I think for the people that voted to overturn the election, it’s going to be harder and I’m still trying to reconcile how to work with people like that, because they were a part of propagating the big lie,” Swalwell said.

But, he hopes those who voted to certify the results would be open to working together. “We may fail, but we owe it to ourselves as a country to try,” he said.

Swalwell, who pledged to give up his seat in Congress before his ill-fated run for president but then decided to seek re-election after all, laughed when asked if his new chapter would mean less use of Twitter or fewer appearances on cable TV news.

“I’ll call ‘em like I see ‘em, but again, I saw a lot of my job was to just hold a corrupt president and his enablers accountable,” he said. “That chapter is behind us.”

He said his immediate future includes focusing on his work on the Intelligence Committee and working to combat domestic extremism including white supremacy through the Homeland Security Committee. And it doesn’t include any new campaigns for president.

“Absolutely not,” he said. “Lesson learned. I swung at the windmill, the windmill won.”

_Tal Kopan is The San Francisco Chronicle’s Washington correspondent._
Census data delay adds to voting advocates’ equitable map woes

Voting rights watchdogs fear that redistricting data delays could allow political mapmakers to stray into racial gerrymandering.

The pandemic and decisions by the Trump administration resulted in data delivery delays by the U.S. Census Bureau. (Bill Clark/CQ Roll Call file photo)

By Michael Macagnone

Posted February 18, 2021 at 11:51am

Texas and eight other states will have their freest hand in decades to draw congressional and legislative maps this cycle, no longer required to submit their maps for federal review because of repeated discrimination claims.

Advocates worry, however, that the late delivery of census redistricting data may hamper their efforts to serve as watchdogs on the process and cry foul if mapmakers stray into racial gerrymandering.
Texas and other states no longer have to run their legislative maps past the Justice Department under the preclearance provision of the Voting Rights Act, after a Supreme Court decision found the process unconstitutional.

But with last week’s announcement that the Census Bureau will not be able to deliver until September data critical for political mapmaking, states have been put under tight deadlines to draw the maps in time for 2022 congressional elections — and challengers on even tighter timeframes to raise disputes in court.

Stanford University Law Professor Nate Persily said it would be difficult for plaintiffs to make cases under the Voting Rights Act or other federal claims. Judges would have to take an active role to handle the anticipated lawsuits in time, and even then it would be difficult to get cases through the system.

"You could do it, it is just very rough. It is going to require a lot of resources in a very short time," Persily said. "The late arriving census data should not be an excuse to rush through otherwise illegal plans, and I worry that is going to be the nature of the argument from states."

Republican line-drawing

Census data projects that Texas, Florida and North Carolina will be among states to pick up seats following the release of 2020 census results, and Republicans control the line-drawing process in those states.

Thomas Saenz, president and general counsel of the Mexican American Legal Defense and Educational Fund, said that parties typically want to maximize their political gains with the new seats, but that can be difficult in Texas because of voting patterns there.

"If you're a white Texan, there is a very very good chance you are Republican, and if you're a Black or Latino Texan there's a very, very good chance you are a Democrat... So even when the legislature acts in ostensibly partisan terms, it can have Voting Rights Act implications in the state of Texas," Saenz said.

Reflecting national trends, most of that state's growth has come in diversifying suburbs and advocates expect new maps will reflect that increasing diversity.

Saenz does not count on it, though. Texas has faced litigation over the Voting Rights Act every decade, and "right now I wouldn't anticipate anything different. But now there is going to be very, very little time for a court to intervene."

Texas state Sen. Cesar Blanco said the governor will likely call a 30-day special legislative session to draw the new maps in September. He pointed out that in the last cycle a decade ago, the legislature had months to work with the data and still drew a map ruled in violation of the Voting Rights Act.
"Time and again, courts have found that the Texas Legislature intentionally discriminated against African Americans, that it intentionally discriminated against Hispanics," Blanco said.

In addition to Texas, other states previously under preclearance rules were Alabama, Alaska, Arizona, Georgia, Louisiana, Mississippi, South Carolina and Virginia. Counties and townships in six other states also fell under the preclearance regime.

Fair Lines America Executive Director Adam Kincaid pushed back on the idea that Republicans would take advantage of the short timeframe to overstep.

"We're not telling anybody to overreach, because it may only be a one-cycle map. I know Democrats are talking about that in other places. It's not the strategy. We've told everyone: Be smart, draw 10-year maps," Kincaid told reporters on a call Thursday.

Adam Podowitz-Thomas, legal advisor of the Princeton Gerrymandering Project, said the amount of attention now devoted to redistricting could curb the worst intentions of state mapmakers, but that may not go out on a limb to draw new minority "opportunity districts" under the Voting Rights Act. The law mandates that states include majority-minority congressional districts with the opportunity to elect their own representatives.

"I don't necessarily expect to see, for example, a regression in the number of opportunity districts in southern states," Podowitz-Thomas said. "I do, however, think it is likely that many states will attempt to not have to draw additional opportunity districts."

That may be difficult for Texas in particular, as the American Community Survey suggests most of the state's 4 million new residents will come from minority communities. Between 2010 and 2019, Texas grew from about 38 percent Hispanic to 41 percent, with similar increases in the Black and Asian population.

The state will race to finish its maps before congressional primaries start up in March 2022. Courts have pushed around primary dates in the past, including a two-month delay of the state's 2012 congressional primaries, but Saenz said that still may not give enough time for a court case to play out.

In fact, litigation over Texas' last set of maps lasted until a 2018 Supreme Court decision upheld revised maps the state had used since 2013. Saenz said this time around, another Supreme Court ruling, Shelby County v Holder, that eliminated preclearance requirements makes things different. Now courts and the federal government operate under the assumption that Texas' maps will be lawful and plaintiffs have to prove otherwise.

Congress has not addressed the Voting Rights Act since the 2013 high court decision that nixed preclearance as unconstitutional, although Democrats, who control both chambers by slim margins, have introduced a handful of bills to renew the law or change the redistricting process.
Rep. John Sarbanes, D-Md., recently reintroduced the For The People Act (HR 1), which would, among other things, mandate states to adopt nonpartisan commissions for their redistricting process.

Last month, Rep. Terri A. Sewell, D-Ala., spoke in support of a perennial bill to reinstate the preclearance process under the Voting Rights Act, but she has yet to re-introduce the legislation.

Both bills passed the House last Congress but saw no action in the Republican-controlled Senate.
The U.S. Census Bureau announced today that it will deliver the Public Law 94-171 redistricting data to all states by Sept. 30, 2021. COVID-19-related delays and prioritizing the delivery of the apportionment results delayed the Census Bureau’s original plan to deliver the redistricting data to the states by March 31, 2021.

Different from previous censuses, the Census Bureau will deliver the data for all states at once, instead of on a flow basis. This change has been made because of COVID-19-related shifts in data collection and in the data processing schedule and it enables the Census Bureau to deliver complete and accurate redistricting data in a more timely fashion overall for the states.

The redistricting data includes counts of population by race, ethnicity (Hispanic or Latino origin), voting age, housing occupancy status, and group quarters population, all at the census block level. This is the information that states need to redraw or “redistrict” their legislative boundaries.

In preparation for the delivery of redistricting data products, the Census Bureau has been in close coordination with each states’ official nonpartisan liaisons to understand the impacts of the delayed delivery on individual states. Since 2019, states have had access to prototype geographic support products and data tabulations from the 2018 Census Test to help them begin to design their redistricting systems. This is one tool states can use to help minimize the impact of schedule delays. In addition, the Census Bureau today completed the release of all states’ 2020 Census geographic products needed for redistricting. This will enable states to redistrict promptly upon receipt of their 2020 Census tabulation data.
President Biden signs a series of executive orders on climate change in the State Dining Room of the White House on Jan. 27, including plans to launch a Civilian Conservation Corps.

(Evan Vucci / Associated Press)

By THE TIMES EDITORIAL BOARD

FEB. 18, 2021 3 AM PT

President Biden hopes to take a page from the New Deal playbook and launch a modern version of the Depression-era Civilian Conservation Corps. The idea is to use government programs to
provide jobs and training for workers on public projects aimed at preparing for, mitigating or forestalling some of the worst environmental impacts of global warming. It’s a fine idea, though notably at the moment it’s just an idea.

We’ll wait for the details of Biden’s Civilian Climate Corps, which are due in late April, before rendering judgment. But we’re encouraged by the broad scope of what Biden wants to accomplish by merging solutions to two pressing problems.

The president last month directed the Interior and Agriculture departments to flesh out the specifics of a Civilian Climate Corps Initiative “to mobilize the next generation of conservation and resilience workers” who will “conserve and restore public lands and waters, bolster community resilience, increase reforestation, increase carbon sequestration in the agricultural sector, protect biodiversity, improve access to recreation, and address the changing climate.”

The nation has already seen some of the effects of climate change, including raging wildfires here in the West, stronger and more intense hurricanes along the Gulf and Atlantic coasts, and other extreme weather events pretty much everywhere. A Civilian Climate Corps obviously can’t do much to stop the weather changes. But it can work to mitigate some of the problems, such as by promoting wildfire prevention (by thinning forests, for example), planting trees, restoring wetlands and removing invasive species.

Biden’s proposal is part of a broader rollout of environmental policies by the president, including his embrace of the international movement to enact legal protections against development for 30% of oceans and 30% of land by the year 2030 — dubbed “30 by 30” by proponents — which would help preserve habitats for species and maintain forests and other natural collectors of atmospheric carbon.

Such projects can help put people to work, and now would be a good time for that. According to the Bureau of Labor Statistics, unemployment among people between the ages 20 and 24 was 10.3% in the last three months of 2020, and even higher for teenagers and higher still for nonwhites, compared with a national rate of 6.5%.

Crafting programs that will mesh the need for jobs with appropriate public projects and without competing with existing federal workers and contractors will be a challenge. That wasn’t a problem for the original Civilian Conservation Corps, but that’s because it was launched during a time of massive unemployment. That CCC put 3 million unskilled single men, most between the ages of 18 and 25, to work in camps scattered around the country tackling such projects as planting trees, building bridges and campgrounds, establishing wildlife preserves, building trails, roads and visitor facilities in national parks and helping state governments create more than 700 parks.

As a program of its time, unfortunately, it offered few opportunities for women and segregated the men’s camps by race, an approach that clearly must be left to history. In fact, a Civilian Climate
Corps could offer nonwhites, particularly in urban areas, an entry into work and careers they might otherwise not consider.

Such a corps should not be just a temporary jobs program. It should link the work with training for potential future employment, perhaps meshing with existing apprenticeship programs, and give preference to people currently unemployed or underemployed, the homeless or others showing clear need for economic help. Those who sign up should be able to use the training and experience to gain certifications that would help them move on to better future jobs and perhaps establish careers.

And it can build on, or intersect with, existing corps programs, such as the California Climate Action Corps, which recently placed 63 corps members with 26 nonprofits or local governments in Los Angeles, Redlands, Fresno, Stockton and San Jose doing a range of climate-related projects, including urban greening and wildfire mitigation. Nationally, the Corps Network representing more than 130 corps programs around the country offers an established framework for how such programs can work.

However it is structured, the Civilian Climate Corps can help the nation combat global warming and mitigate some of its effects. Yet the program also must help corps members prepare for their next jobs too. It’s a tall order, we know, but the potential gains for the environment and for those needing work are significant.
WASHINGTON (AP) — The Federal Reserve says there's evidence that hiring has picked up in recent weeks, though the job market remains badly damaged by the pandemic.

In its semi-annual monetary policy report released Friday, the Fed said it has been watching job data compiled by payroll processor ADP. The Fed has constructed its own measurement
of hiring using the ADP data, and said that gauge has closely matched the government's monthly jobs reports throughout the pandemic.

“The ADP data indicate that employment improved modestly through early February,” the Fed’s report said. It also said that its measure shows that the battered leisure and hospitality industry — which includes restaurants, bars, hotels and entertainment venues — has started adding jobs again, after a “temporary downturn” at the end of last year.

The Fed has in the past several years turned increasingly to non-governmental sources of economic data to get a quicker, more timely read on the economy. In its report, the central bank said this has proved particularly useful during the pandemic given the speed of the recession, which eliminated 22 million jobs in just two months this spring. Just 55% of those jobs have been recovered.

The report will form the basis for Federal Reserve Chair Jerome Powell’s testimony next week before committees in the House and Senate.

Hiring has stalled in the past three months, with job gains averaging just 90,000 a month from November through January. And the Fed’s report underscored that the job market is a long way from what the central bank considers “full employment.”

Roughly 4 million Americans have fallen out of the labor force since the pandemic began, meaning they are no longer working or looking for work. Powell has previously noted that if they were counted as unemployed, the jobless rate would be roughly 10%.

Still, Fed officials believe the economic outlook for later this year has brightened, according to minutes of their January meeting, released on Wednesday. The distribution of vaccines and the enactment of a $900 billion economic rescue package late last year has lifted the economy’s prospects, the minutes said.

Eric Rosengren, president of the Federal Reserve Bank of Boston, one of the Fed’s 12 regional banks, echoed this view in a speech Friday at the Yale Economic Development Symposium.

“A successful vaccination rollout by the middle of the summer suggests that by the second half of this year a robust economic recovery should be underway,” Rosengren said in prepared remarks.

In a separate section of the semi-annual report, the Fed also spelled out changes in its thinking that has led it to push harder for lower unemployment and place less emphasis on potential threats of inflation.
“Economic performance in recent decades, including during the previous economic expansion, has demonstrated that a strong labor market can be sustained without inducing an unwanted increase in inflation,” the Fed said.

In 2019, the unemployment rate fell to a 50-year low of 3.5%, without any sign of inflation. Powell and other Fed officials have pointed to that trend as justification for keeping rates ultra-low until hiring has fully recovered. The Fed has pinned its short-term interest rate at nearly zero since last March, when the pandemic intensified.

Previously, Fed officials often felt it was necessary to raise its benchmark rate when the unemployment rate neared its estimate of maximum employment, just on the prospect that inflation would soon increase. But Fed policy now is to not raise rates until inflation has sustainably reached its target of 2%.
Texas Blackouts Point to Coast-to-Coast Crises Waiting to Happen

Continent-spanning storms triggered blackouts in Oklahoma and Mississippi, halted one-third of U.S. oil production and disrupted vaccinations

By Christopher Flavelle, Brad Plumer and Hiroko Tabuchi
Published Feb. 20, 2021Updated Feb. 21, 2021
Even as Texas struggled to restore electricity and water over the past week, signs of the risks posed by increasingly extreme weather to America’s aging infrastructure were cropping up across the country.

The week’s continent-spanning winter storms triggered blackouts in Texas, Oklahoma, Mississippi and several other states. One-third of oil production in the nation was halted. Drinking-water systems in Ohio were knocked offline. Road networks nationwide were paralyzed and vaccination efforts in 20 states were disrupted.

The crisis carries a profound warning. As climate change brings more frequent and intense storms, floods, heat waves, wildfires and other extreme events, it is placing growing stress on the foundations of the country’s economy: Its network of roads and railways, drinking-water systems, power plants, electrical grids, industrial waste sites and even homes. Failures in just one sector can set off a domino effect of breakdowns in hard-to-predict ways.

Much of this infrastructure was built decades ago, under the expectation that the environment around it would remain stable, or at least fluctuate within predictable bounds. Now climate change is upending that assumption.

“We are colliding with a future of extremes,” said Alice Hill, who oversaw planning for climate risks on the National Security Council during the Obama administration. “We base all our choices about risk management on what’s occurred in the past, and that is no longer a safe guide.”

While it’s not always possible to say precisely how global warming influenced any one particular storm, scientists said, an overall rise in extreme weather creates sweeping new risks.

Sewer systems are overflowing more often as powerful rainstorms exceed their design capacity. Coastal homes and highways are collapsing as intensified runoff erodes cliffs. Coal ash, the toxic residue produced by coal-burning plants, is spilling into rivers as floods overwhelm barriers meant to hold it back. Homes once beyond the reach of wildfires are burning in blazes they were never designed to withstand.

Problems like these often reflect an inclination of governments to spend as little money as possible, said Shalini Vajjhala, a former Obama administration official who now advises cities on meeting climate threats. She said it’s hard to persuade taxpayers to spend extra money to guard against disasters that seem unlikely.

But climate change flips that logic, making inaction far costlier. “The argument I would make is, we can’t afford not to, because we’re absorbing the costs” later, Ms. Vajjhala said, after disasters strike. “We’re spending poorly.”

The Biden administration has talked extensively about climate change, particularly the need to reduce greenhouse gas emissions and create jobs in renewable energy. But it has spent less time discussing how to manage the growing effects of climate change, facing criticism from experts for not appointing more people who focus on climate resilience.

“I am extremely concerned by the lack of emergency-management expertise reflected in Biden’s climate team,” said Samantha Montano, an assistant professor at the Massachusetts Maritime Academy who focuses on disaster policy. “There’s an urgency here that still is not being reflected.”
A White House spokesman, Vedant Patel, said in a statement, “Building resilient and sustainable infrastructure that can withstand extreme weather and a changing climate will play an integral role in creating millions of good paying, union jobs” while cutting greenhouse gas emissions.

And while President Biden has called for a major push to refurbish and upgrade the nation’s infrastructure, getting a closely divided Congress to spend hundreds of billions, if not trillions of dollars, will be a major challenge.

Heightening the cost to society, disruptions can disproportionately affect lower-income households and other vulnerable groups, including older people or those with limited English.

“All these issues are converging,” said Robert D. Bullard, a professor at Texas Southern University who studies wealth and racial disparities related to the environment. “And there’s simply no place in this country that’s not going to have to deal with climate change.”

Many forms of water crisis

Flooding around Edenville Township, Mich., last year swept away a bridge over the Tittabawassee River.Credit...Matthew Hatcher/Getty Images

In September, when a sudden storm dumped a record of more than two inches of water on Washington in less than 75 minutes, the result wasn’t just widespread flooding, but also raw sewage rushing into hundreds of homes.

Washington, like many other cities in the Northeast and Midwest, relies on what’s called a combined sewer overflow system: If a downpour overpowers storm drains along the street, they are built to overflow into the pipes that carry raw sewage. But if there’s too much pressure, sewage can be pushed backward, into people’s homes — where the forces can send it erupting from toilets and shower drains.

This is what happened in Washington. The city’s system was built in the late 1800s. Now, climate change is straining an already outdated design.

DC Water, the local utility, is spending billions of dollars so that the system can hold more sewage. “We’re sort of in uncharted territory,” said Vincent Morris, a utility spokesman.

The challenge of managing and taming the nation’s water supplies — whether in streets and homes, or in vast rivers and watersheds — is growing increasingly complex as storms intensify. Last May, rain-swollen flooding breached two dams in Central Michigan, forcing thousands of residents to flee their homes and threatening a chemical complex and toxic waste cleanup site. Experts warned it was unlikely to be the last such failure.

Many of the country’s 90,000 dams were built decades ago and were already in dire need of repairs. Now climate change poses an additional threat, bringing heavier downpours to parts of the country and raising the odds that some dams could be overwhelmed by more water than they were designed to handle. One recent study found that most of California’s biggest dams were at increased risk of failure as global warming advances.
In recent years, dam-safety officials have begun grappling with the dangers. Colorado, for instance, now requires dam builders to take into account the risk of increased atmospheric moisture driven by climate change as they plan for worst-case flooding scenarios.

But nationwide, there remains a backlog of thousands of older dams that still need to be rehabilitated or upgraded. The price tag could ultimately stretch to more than $70 billion.

“Whenever we study dam failures, we often find there was a lot of complacency beforehand,” said Bill McCormick, president of the Association of State Dam Safety Officials. But given that failures can have catastrophic consequences, “we really can’t afford to be complacent.”

Built for a different future

If the Texas blackouts exposed one state’s poor planning, they also provide a warning for the nation: Climate change threatens virtually every aspect of electricity grids that aren’t always designed to handle increasingly severe weather. The vulnerabilities show up in power lines, natural-gas plants, nuclear reactors and myriad other systems.

Higher storm surges can knock out coastal power infrastructure. Deeper droughts can reduce water supplies for hydroelectric dams. Severe heat waves can reduce the efficiency of fossil-fuel generators, transmission lines and even solar panels at precisely the moment that demand soars because everyone cranks up their air-conditioners.

Climate hazards can also combine in new and unforeseen ways.

In California recently, Pacific Gas & Electric has had to shut off electricity to thousands of people during exceptionally dangerous fire seasons. The reason: Downed power lines can spark huge wildfires in dry vegetation. Then, during a record-hot August last year, several of the state’s natural gas plants malfunctioned in the heat, just as demand was spiking, contributing to blackouts.

“We have to get better at understanding these compound impacts,” said Michael Craig, an expert in energy systems at the University of Michigan who recently led a study looking at how rising summer temperatures in Texas could strain the grid in unexpected ways. “It’s an incredibly complex problem to plan for.”

Some utilities are taking notice. After Superstorm Sandy in 2012 knocked out power for 8.7 million customers, utilities in New York and New Jersey invested billions in flood walls, submersible equipment and other technology to reduce the risk of failures. Last month, New York’s Con Edison said it would incorporate climate projections into its planning.

As freezing temperatures struck Texas, a glitch at one of two reactors at a South Texas nuclear plant, which serves 2 million homes, triggered a shutdown. The cause: Sensing lines connected to the plant’s water pumps had frozen, said Victor Dricks, a spokesman for the federal Nuclear Regulatory Agency.
A nation’s arteries at risk

A section of Highway 1 along the California coastline collapsed in January amid heavy rains. Credit...Josh Edelson/Agence France-Presse — Getty Images

The collapse of a portion of California’s Highway 1 into the Pacific Ocean after heavy rains last month was a reminder of the fragility of the nation’s roads.

Several climate-related risks appeared to have converged to heighten the danger. Rising seas and higher storm surges have intensified coastal erosion, while more extreme bouts of precipitation have increased the landslide risk.

Add to that the effects of devastating wildfires, which can damage the vegetation holding hillside soil in place, and “things that wouldn’t have slide without the wildfires, start sliding,” said Jennifer M. Jacobs, a professor of civil and environmental engineering at the University of New Hampshire. “I think we’re going to see more of that.”

The United States depends on highways, railroads and bridges as economic arteries for commerce, travel and simply getting to work. But many of the country’s most important links face mounting climate threats. More than 60,000 miles of roads and bridges in coastal floodplains are already vulnerable to extreme storms and hurricanes, government estimates show. And inland flooding could also threaten at least 2,500 bridges across the country by 2050, a federal climate report warned in 2018.

Sometimes even small changes can trigger catastrophic failures. Engineers modeling the collapse of bridges over Escambia Bay in Florida during Hurricane Ivan in 2004 found that the extra three inches of sea-level rise since the bridge was built in 1968 very likely contributed to the collapse, because of the added height of the storm surge and force of the waves.

“A lot of our infrastructure systems have a tipping point. And when you hit the tipping point, that’s when a failure occurs,” Dr. Jacobs said. “And the tipping point could be an inch.”

Crucial rail networks are at risk, too. In 2017, Amtrak consultants found that along parts of the Northeast corridor, which runs from Boston to Washington and carries 12 million people a year, flooding and storm surge could erode the track bed, disable the signals and eventually put the tracks underwater.

And there is no easy fix. Elevating the tracks would require also raising bridges, electrical wires and lots of other infrastructure, and moving them would mean buying new land in a densely packed part of the country. So the report recommended flood barriers, costing $24 million per mile, that must be moved into place whenever floods threaten.

Toxic sites, deepening peril

A series of explosions at a flood-damaged chemical plant outside Houston after Hurricane Harvey in 2017 highlighted a danger lurking in a world beset by increasingly extreme weather.
The blasts at the plant came after flooding knocked out the site's electrical supply, shutting down refrigeration systems that kept volatile chemicals stable. Almost two dozen people, many of them emergency workers, were treated for exposure to the toxic fumes, and some 200 nearby residents were evacuated from their homes.

More than 2,500 facilities that handle toxic chemicals lie in federal flood-prone areas across the country, about 1,400 of them in areas at the highest risk of flooding, a New York Times analysis showed in 2018.

Leaks from toxic cleanup sites, left behind by past industry, pose another threat.

Almost two-thirds of some 1,500 superfund cleanup sites across the country are in areas with an elevated risk of flooding, storm surge, wildfires or sea level rise, a government audit warned in 2019. Coal ash, a toxic substance produced by coal power plants that is often stored as sludge in special ponds, have been particularly exposed. After Hurricane Florence in 2018, for example, a dam breach at the site of a power plant in Wilmington, N.C., released the hazardous ash into a nearby river.

“We should be evaluating whether these facilities or sites actually have to be moved or re-secured,” said Lisa Evans, senior counsel at Earthjustice, an environmental law organization. Places that “may have been OK in 1990,” she said, “may be a disaster waiting to happen in 2021.”
The LNU Complex fires left burn scars where a housing development is being considered in Middletown.

MIDDLETOWN, Lake County — Tucked between Wine Country and Clear Lake, the unsung Guenoc Valley is in some ways a prime spot to build a home. Fresh air. Fragrant stands of oak and pine. Views of rolling hills in every direction.

But it’s also a prime place to burn.
That’s why the developer of a massive housing project here, with designs for 1,400 homes as well as numerous hotels, shops and restaurants, is going out of his way to fortify this picturesque, yet repeatedly scorched countryside with an unprecedented line of wildfire defenses.

Vineyards would serve as fire breaks. Grazing goats, cattle and sheep would reduce thickets of combustible brush. Cameras would provide early detection of flames. Safe areas would be created for those unable to flee a fast-moving blaze.

Still, what the builder calls an “innovative fire plan that goes above and beyond” may not go far enough. Last month, in a bid to stop the type of sprawling development that’s fueling California’s catastrophic wildfires, the state Attorney General’s Office joined a lawsuit challenging the Guenoc Valley Project.

The suit claims the proposed community about 90 miles north of San Francisco would pose grave danger.

It’s not the first time California’s top cop has taken issue with growth in the state’s wildlands because of fire safety. State lawyers, under Attorney General Xavier Becerra, have recently scrutinized plans for a hotel and timeshare project in Monterey County, the Paraiso Spring Resort, and plans for a community of 1,900 homes, shops and office parks in San Diego County, an addition to Otay Ranch. More actions are likely.

The emerging legal crackdown marks a new, and potentially powerful, front in California’s effort to confront its wildfire problem. Devastation in places like Santa Rosa, Paradise and Redding, in the so-called “wildland-urban interface,” has underscored how suburban sprawl is not only a target of fire but fodder for it, hastening the speed and intensity of blazes and turning forest fires into urban infernos.

Limiting development, however, doesn’t come without downsides. It can frustrate growth plans of small towns and cities and, perhaps most troubling, undermine progress on the state’s housing crunch.

Even as the coronavirus pandemic has upended the economy, real estate prices remain out of reach for many Californians, especially in major metro areas. The median price of a single-family home in the Bay Area now tops $1 million. The result has been that home construction has moved to more affordable rural areas.

“There are really these twin concerns coming into conflict now,” said Adam Millard-Ball, associate professor of urban planning at UCLA. “The state’s housing crisis makes it an imperative to make it easy to build housing. At the same time, there’s the threat and tragedy of wildfires.”

Becerra’s office has indicated that it doesn’t want to get in the way of affordable housing. In fact, its recent show of force has targeted high-end projects that don’t cater to people with limited options.

Still, an update to the California Environmental Quality Act in 2018 is compelling greater scrutiny of all new home building in fire-prone places.
After years of damaging blazes, a new section was added to the law requiring more thorough reviews of how a proposed development might affect fire risk.

Last year, state attorneys alleged that, under the new CEQA terms, officials in Lake County hadn’t adequately evaluated the Guenoc Valley Project. They sent two letters to the county asking for more analysis and safety upgrades, including reconsideration of a dead-end road where residents might have trouble evacuating during a fire.

Unsatisfied with the response, the state chose to intervene in a suit filed by the nonprofit Center for Biological Diversity against the Board of Supervisors.

“Tens of thousands of Californians have had to flee their homes as a result of increasingly frequent and severe wildfires,” Becerra said in an email to The Chronicle. “Dozens have died, and many more have seen their houses burnt to the ground. That’s why it is critical that local governments address wildfire risks associated with new developments at the front end — so that five, 10 or 20 years down the line, we aren’t faced with a catastrophe that could have been avoided.”

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When the Center for Biological Diversity filed its lawsuit challenging the Guenoc Valley Project last summer, the project site was threatened — and was later burned — by the the 363,000-acre LNU Complex fires.


“You can make structures fire-safer, but never fireproof,” said Peter Broderick, a staff attorney for the environmental organization. “The solution is stop building new development in wildfire zones.”

California lawmakers have sought to curb construction in risky spots. One of the most ambitious efforts is newly introduced legislation, Senate Bill 55, which would prohibit all residential and commercial building in areas where the state is responsible for fire protection or areas deemed “very high fire hazard” for local authorities. That’s about a third of California.

The bill faces long odds. The spots covered by the ban are places where California has been meeting its housing needs, like the fringes of the Bay Area and points beyond. Studies show that half of all homes built in recent decades have gone up in the fire-susceptible wildland-urban interface.

California’s lengthy building code sets minimum safety standards for construction in hazard areas. Roads, for example, must be wide enough to accommodate fire trucks, and dead-end streets are largely restricted. The laws, however, don’t address every site-specific risk, nor do they guarantee that a project won’t burn.

Cities and counties, which have final say over development, decide if it’s appropriate to move forward. These decisions are often considered alongside issues like the need for housing and economic investment.
Groups challenging development decisions, like the Center for Biological Diversity, have long cited fire safety as a reason certain projects shouldn’t proceed. But until recently, wildfire was largely a footnote to other causes, like protecting endangered species.

Ellison Folk, an attorney with San Francisco’s Shute, Mihaly and Weinberger law firm, said she’s seeing more legal action with the emphasis on wildfire protection. In January, her firm filed two lawsuits challenging plans for a resort and a luxury campground at the gateway of Yosemite National Park, mostly because of fire.

The proposed Terra Vi Lodge, approved by the Tuolumne County Board of Supervisors last year, calls for a 100-room hotel, guest cabins and public market about 15 miles east of Groveland along Highway 120.

A second project that’s been approved, Under Canvas Yosemite, would bring 90 safaristyle tents for vacationers nearby.

County officials say the ventures will bolster the area’s tourist economy. But critics worry the development, in the shadow of the 2013 Rim Fire, will increase the chance of a human-caused burn and complicate emergency evacuations.

“Fire is a big deal now,” Folk said. “One, we’re building more in these (wildland) areas. And two, people are starting to be more concerned about the effects of wildfire.”

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Few places have seen the toll of fire like Lake County.

More than half of the county has burned in its many blazes over the past decade. Singed trees and brown hillsides are common along the quiet highways. Remnants of charred homes and businesses are everywhere.

The destruction only adds to the financial straits of the county of 65,000 residents. As spectacular as the area’s Mayacamas Mountains and signature Clear Lake are, Lake County is one of the poorest in California, with nearly 1 in 5 people living in poverty. The county lacks the booming wine and tourist trade of neighboring Napa and Sonoma.

The Guenoc Valley Project would inject the kind of development and economic activity more akin to nearby Wine Country. The plan calls for 1,400 luxury homes in a resort community across 25 square miles with five boutique hotels, a golf course, polo fields, a wellness center and spa, and possibly a culinary school.

The project also incorporates what the builder describes as its model fire protection program, which includes such safety basics as underground electrical lines, 50-foot fuel-reduction buffers along roads and an emergency center for use by local firefighters.

The developer, Lotusland Investment Group of San Francisco, declined to be interviewed for this story but provided a statement that stressed the company’s commitment to safety: “We are proud of the work
we have done, and will continue to do, to address this concern and to not only meet, but exceed the required standards,” wrote CEO Alex Xu.

Lake County supervisors, who approved the project in July, said their fears about fire had been alleviated and touted the economic boost that would come with new jobs and additional tax revenue. County officials declined to detail the extent of these benefits, and neither the chair of the Board of Supervisors nor the supervisor who represents the Guenoc Valley would comment.

But in Middletown, home to about 1,000 people and several empty storefronts, residents spoke freely — and largely in unison — about their support for the project.

“We need this,” said longtime resident Fletcher Thornton, 82, over lunch at the Cowpoke Cafe. “It’s going to bring economic relief to a badly depressed area.”

Thornton, whose house was razed in the 2015 Valley Fire, said he studied the development plan and believes the fire protection measures are more than adequate.

Down the street, Mark Rudiger, 60, who runs a computer repair and web design shop where he built the website for the county’s rodeo and a local merchants’ group, agrees.

“I’ve seen so many businesses come and go,” he said. “They get painted real nice, put up an ‘open’ sign, then they’re gone a year later. There’s just not enough people coming in.”

Outside of town, Rebecca Pledger, 65, lives on 6 acres with her husband, three dogs, a horse and chickens, near the project site. She, as much as anyone, would face the additional bustle, and threat, of new development.

“I like our small, cozy community,” she said. “But I realize there’s always going to be change.”

Kurtis Alexander is a San Francisco Chronicle staff writer.
IN SUMMARY

With windfalls of revenue, California Gov. Gavin Newsom and legislative leaders seek an aid package for those affected by the pandemic, but it could have adverse consequences.
The immense drop in state revenue that Gov. Gavin Newsom and legislators anticipated last year when COVID-19 struck the state never materialized.

Instead, high-income Californians who are the basic source of the state’s ongoing tax income continued to work and prosper and what was originally described as a $54 billion budget deficit morphed into multi-billion-dollar windfalls.

Last week, Newsom and legislative leaders agreed to spend an extra $9.6 billion on pandemic relief, mostly in direct aid to lower-income workers and their families and small businesses which have suffered the most in the pandemic-induced recession.

“As we continue to fight the pandemic and recover, I’m grateful for the Legislature’s partnership to provide urgent relief and support for California families and small businesses where it’s needed most,” Newsom said in a statement. “From child care, relief for small business owners, direct cash support to individuals, financial aid for community college students and more, these actions are critical for millions of Californians who embody the resilience of the California spirit.”

Get a veteran journalist's take on what's going on in California with a weekly round-up of Dan's column every Friday.

The centerpiece of the relief package, which is certain to receive rapid legislative approval, is more than 5 million payments, mostly for $600, to those who qualify by their low incomes, including undocumented immigrants who cannot receive federal relief checks.

It’s obviously good news that the state budget dodged the revenue bullet, thus providing the wherewithal to help those who are hurting the most.

However, there’s no such thing as a free lunch and the expanded version of “Golden State Stimulus,” which Newsom first proposed with his budget in January, could have adverse long-term consequences.

Although the fiscal meltdown didn’t occur and revenues surged unexpectedly, Newsom’s budget and the Legislature’s budget analyst, Gabe Petek, both see serious
deficits in the years ahead as spending already locked into law outpaces anticipated revenues — even with economic recovery.

“Under its own revenue forecast, the administration also anticipates the state would face operating deficits if the Legislature adopted the governor’s budget proposals,” Petek says in his analysis. “Specifically, these deficits would grow from $7.6 billion in 2022-23 to $11.3 billion in 2024-25.”

The relief package that Newsom and legislative leaders want to enact is not supposed to be permanent, but rather one-time or short-term until the pandemic is tamed and the economy swings upward. In theory, as businesses reopen and begin earning profits and as workers are called back to their jobs, the need for direct aid will vanish.

However, temporary government benefits have a way of morphing into permanent entitlements and advocates for those receiving the aid may see it as a pathway to long-sought structural changes of fiscal and economic policy to close California’s very wide income and wealth disparities.

Whether one likes or dislikes the possibility of those changes, there’s no question that they would carry very large price tags on top of the budget deficits already on the horizon.

Universal single-payer health care, universal early childhood education, guaranteed family incomes, vastly expanded services to the homeless and other items on progressive political agendas would cost tens of billions of dollars. Thus, they would require hefty increases of taxes on Californians who already are carrying one of the nation’s highest taxation burdens.

On one hand, Newsom has publicly endorsed some of those costly new entitlements. But on the other, he has opposed the new income or wealth taxes that some left-leaning legislators have proposed to finance them, clearly fearing that new taxes would escalate migrations of employers and high-income taxpayers to other states.

There is no free lunch.
Gavin Newsom reaches $9.5 billion stimulus deal with checks to families and help for businesses

BY SOPHIA BOLLAG
FEbruary 17, 2021 03:44 PM,

 UPDATED FEBRUARY 18, 2021 08:41 AM

Valencia and O.Z. Kamara, owners of Daddy O’s Smokehouse, describe on Tuesday, Dec. 29, 2020, how they expected to open their Rancho Cordova restaurant in May but ran into difficulties amid the coronavirus pandemic. They received a small PPP loan.

BY DANIEL KIM

California will send an extra $600 to low-income families and provide $2 billion in grants to small businesses hurt by the pandemic as part of a stimulus deal Gov. Gavin Newsom and lawmakers announced Wednesday afternoon.

The $9.5 billion package includes much of what Newsom proposed in January for “immediate action” to get money to struggling Californians quickly.

It builds on what Newsom had initially proposed, doubling payments for undocumented immigrant families and nearly quadrupling aid for small businesses.

Notably absent from the deal is a plan to reopen schools, which Newsom has been trying to negotiate for weeks.

The agreement announced Wednesday will provide help on top of the national stimulus package passed by federal lawmakers late last year that provides $600 to people making less than $75,000.
The $600 state payments will go to people who receive the California Earned Income Tax Credit, a credit for families earning less than $30,000 that includes some undocumented and mixed-status families. Newsom had proposed those payments in January.

After negotiations with lawmakers, Newsom agreed to also provide additional $600 payments to undocumented immigrant families who file using individual taxpayer identification numbers and qualify for the California Earned Income Tax Credit. Those families, who didn’t receive federal relief, will receive $1,200 in state relief under the deal.

The agreement will also provide $600 payments to people on the state’s welfare program CalWORKS, disabled and elderly people in the SSI/SSP program, and people in the Cash Assistance Program for Immigrants.

In total, the individual assistance payments will cost the state nearly $3.7 billion, according to an estimate by the state’s Department of Finance.

The deal also includes $2 billion in aid for small businesses. Newsom had originally proposed $575 million for the program, which provides grants up to $25,000 for businesses hurt by the coronavirus.

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“People are hungry and hurting, and businesses our communities have loved for decades are at risk of closing their doors,” Senate President pro Tem Toni Atkins said in a statement. “We are at a critical moment, and I’m proud we were able to come together to get Californians some needed relief.”

Under the deal, businesses that received loans through the federal Paycheck Protection Plan or the Economic Injury Disaster Loan program can deduct up to $150,000 in expenses covered by those loans on their state taxes.

The deal also includes:

- Fee waivers for 59,000 restaurants and bars licensed to serve alcohol and more than 600,000 licensed barbers and cosmetologists
- $24 million to house agricultural workers who need to quarantine away from their families
- $35 million for food banks and diapers
- $100 million in financial aid for low-income community college students and $20 million to engage students who have left or are at risk of leaving because of the pandemic.

The deal will also distribute $400 million in federal funds for child care, which can provide $525 for each of the 400,000 children enrolled in state-subsidized childcare and preschool. The funds will also provide access to subsidized childcare for an additional 8,000 who are not yet enrolled in the system.
"The president has been clear to all of us — words matter, tone matters and civility matters," said Jen Psaki, the White House press secretary.

President Biden in the Oval Office this month. The rhetorical overhaul is underway across the government as executive orders are drafted, news releases are modified and scores of federal forms are tweaked. Credit...Doug Mills/The New York Times

By Michael D. Shear Feb. 24, 2021

WASHINGTON — Days after President Biden took office, the Bureau of Land Management put a scenic landscape of a winding river at the top of its website, which during the previous administration had featured a photograph of a huge wall of coal.
At the Department of Homeland Security, the phrase “illegal alien” is being replaced with “noncitizen.” The Interior Department now makes sure that mentions of its stakeholders include “Tribal” people (with a capital “T” as preferred by Native Americans, it said). The most unpopular two words in the Trump lexicon — “climate change” — are once again appearing on government websites and in documents; officials at the Environmental Protection Agency have even begun using the hashtag #climatecrisis on Twitter.

And across the government, L.G.B.T.Q. references are popping up everywhere. Visitors to the White House website are now asked whether they want to provide their pronouns when they fill out a contact form: she/her, he/him or they/them.

It is all part of a concerted effort by the Biden administration to rebrand the government after four years of President Donald J. Trump, in part by stripping away the language and imagery that represented his anti-immigration, anti-science and anti-gay rights policies and replacing them with words and pictures that are more inclusive and better match the current president’s sensibilities.

Dr. Mendoza-Denton said Mr. Trump sought to “remake reality through language” during a tumultuous tenure. In her book, which she wrote with Janet McIntosh from Brandeis University, Dr. McIntosh wrote that the former president “changed some of the deepest expectations about presidential language, not just when it comes to style, but also the relationship between words and reality.”
Now, officials in Mr. Biden’s administration are using Mr. Trump’s own tactics to adjust reality again, this time by erasing the words his predecessor used and by explicitly returning to ones that had been banished.

“The president has been clear to all of us — words matter, tone matters and civility matters,” said Jen Psaki, the White House press secretary. “And bringing the country together, getting back our seat at the global table means turning the page from the actions but also the divisive and far too often xenophobic language of the last administration.”

Some shift in the language used by government agencies is not uncommon when a new administration arrives in Washington. In addition to their symbolic power, the revisions can help usher in new policies. Allowing the phrase “climate change” gives a green light to government scientists, while banning the use of “illegal alien” can alter the real-life engagements between immigrants and border agents.

But rarely has the contrast been quite so stark as it is between Mr. Biden and Mr. Trump. The rhetorical overhaul is underway in all corners of the government as executive orders are drafted, news releases are modified, scores of federal forms are tweaked and online portals are revamped.

Stephen Miller, who pursued similar changes at the beginning of the Trump administration as a top policy adviser, said the embrace of what he called politically correct language by officials in Mr. Biden’s government reflected the importance of framing important issues for the public.

In addition to the changes on websites, he noted that Mr. Biden’s executive orders had been filled with words and phrases that would never have come from Mr. Trump’s mouth, including “equity,” “environmental justice,” “pathway to citizenship,” “pro-choice” and “undocumented immigrant.”

“The struggle over the lexicon is actually the central struggle,” said Mr. Miller, who wrote many of Mr. Trump’s speeches and was the architect of his assault on the immigration system. “Equity is meant to harken to this idea that America is a nation that believes in everybody having this fundamental dignity of treatment. But the other side would say, ‘What you call equity, I call discrimination.’”

Trump administration officials like Mr. Miller sought to engineer similar shifts in language when they were in office. Mr. Miller fought in 2017 for the use of the phrase “radical Islamic terrorism” during that year’s presidential address to Congress, arguing that it conveyed a seriousness of purpose by Mr. Trump in fighting terrorism. Critics said that using the phrase falsely suggested that all Muslims are terrorists.

And Ben Carson, Mr. Trump’s secretary of housing and urban development, proposed removing the phrase “inclusive and sustainable communities free from discrimination” from the department’s mission statement. He later backed down.

For the Biden administration, the vocabulary shift was immediate.

Hours after taking office, officials responsible for updating WhiteHouse.gov removed pages highlighting Mr. Trump’s 1776 Commission, which likened progressivism to fascism and attacked liberals who charge that the United States’ founding was tainted by slavery.

At the same time, the president’s aides restored the Spanish-language version of the website, which had been taken down by Mr. Trump’s digital team, and hired sign-language interpreters for the
livestream of the press secretary’s daily briefing. References to presidents as “he” were changed to “they” on some parts of the site.

At the State Department, the incoming secretary, Antony J. Blinken, moved quickly to erase what Mike Pompeo, his predecessor, called an “ethos” statement for United States diplomats, which included a pledge to be a “champion of American diplomacy” and to work with “unfailing professionalism.” Many longtime members of the department saw it as an insulting warning to the so-called deep state who Mr. Pompeo and Mr. Trump believed were undermining their agenda.

In its place, Mr. Blinken issued a statement that said “the ethos of public service permeates the work force” and declared that State Department employees “do not need a reminder of the values we share.”

And officials at the Bureau of Land Management, in addition to overhauling their website, have restored boilerplate language at the bottom of all documents, including the assertion that the agency’s mission is “to sustain the health, diversity and productivity of America’s public lands.”

Melissa Schwartz, the Interior Department’s top communications official, said such changes were part of a new policy of encouraging voices that had not been heard during the Trump administration.

“The words we choose are critical and set the tone, whether it’s press releases or social media or all-staff messages,” she said. “At interior, that means not just acknowledging the disproportionate impact that the climate crisis is having on communities of color and Indigenous peoples but an embrace of the science and solutions that will help us tackle it.”

Biden administration officials say the effort to modify the language used by government officials recognizes the powerful messages that certain words and phrases send.

The term “alien” is written into immigration statutes and has been widely used in government for decades to describe foreigners, even showing up in memos from Obama-era officials. But it has increasingly been at the center of an ideological tug of war about whether it unfairly stigmatizes immigrants, and whether those in the United States without authorization should be called “undocumented” rather than “illegal.”

Three years ago, Attorney General Jeff Sessions ordered officials in his department to use the term “illegal alien” in all communications when describing someone who did not come to the United States through legal means. In a memo, Justice Department officials wrote that “the word ‘undocumented’ is not based in U.S. code and should not be used to describe someone’s illegal presence in the country.”

Now, the Biden administration is explicitly reversing that position. On Feb. 12, officials at Citizenship and Immigration Services, the agency that handles citizenship, said employees should not use the word “alien” in “outreach efforts, internal documents and in overall communication with stakeholders, partners and the general public.” The move, the agency’s acting director said, “aligns our language practices with the administration’s guidance on the federal government’s use of immigration terminology.”

A few days later, the White House went further. In his legislative proposal for a far-reaching immigration overhaul, Mr. Biden would strip the word “alien” from the 1965 Immigration and Nationality Act and substitute it with “noncitizen,” a suggestion that infuriates anti-immigration groups.
“It’s kind of Orwellian — that’s what it is, really,” said Mark Krikorian, the executive director of the Center for Immigration Studies, which favors limits on immigration. “The war against the word ‘alien’ is a continuation of this effort to destigmatize illegal immigration that started in the mid-1970s. This is in a sense the culmination of that process.”

Some changes are still pending.

The website of the Department of Homeland Security’s citizenship office, USCIS.gov, still bears the mission statement that Trump administration officials modified in 2018 to remove “America’s promise as a nation of immigrants” and replace it with “fairly adjudicating requests for immigration benefits.” That could soon switch course.

At the Environmental Protection Agency, Mr. Trump’s aides had taken down the part of the website devoted to climate change. As of mid-February, the site had not yet been restored. But given Mr. Biden’s embrace of the subject, officials said they expected that to happen soon.

But the Treasury Department is already moving ahead with plans to put Harriet Tubman on the $20 bill, a decision that had been delayed during the Trump administration.

And at the Interior Department, employees have been told that they can use phrases like “science-based evidence” again. In a call with the agency’s public relations officials on Jan. 21, Ms. Schwartz had a message for her colleagues.

“Climate change is real, and science is back, and you should feel free to talk about both in your press releases,” she said. “I release you!”

Lisa Friedman and Christopher Flavelle contributed reporting.

Correction: Feb. 24, 2021

An earlier version of this article misattributed a quotation from a book. It was Janet McIntosh who wrote in the book “Language in the Trump Era” that the former president “changed some of the deepest expectations about presidential language, not just when it comes to style, but also the relationship between words and reality,” not Norma Mendoza-Denton, the co-author of the book.
Amilee Smith, 60, cleans up the area outside of her RV with her dog Mimi while parked at an RV encampment along Rydin Road in Richmond, Calif. Monday, February 22, 2021.

Richmond reversed plans on opening a “safe” parking program for the homeless at Hilltop Mall after opposition from neighbors, instead opting to move forward with a smaller site that will fit 25 vehicles instead of 100.
The City Council voted late Tuesday night to open the site at the Civic Center parking lot at 25th Street and Barrett Avenue.

Three council members voted against the plan, including Mayor Tom Butt, who said the site is too small to accommodate the growing RV population on city streets.

“The Hilltop NIMBYs were triumphant last night,” Butt wrote in his newsletter on Wednesday.

“The City Council was suitably intimidated by this show of force and caved in,” he added.

The plan was a response to two growing RV encampments on city streets. Staff found 84 vehicles at the two sites in 2019, but said the number had grown. Overall, homelessness in Richmond spiked 23% from 2017 to 2019 to 333 people. Other Bay Area cities are also struggling to respond to the homelessness crisis as state and local budgets are slashed due the pandemic-induced recession and neighborhoods fight some solutions.

The controversy in Richmond began after the City Council directed staff at a Feb. 2 meeting to evaluate the Hilltop Mall as a possible location for the “safe” parking program that would have access to power, water and social services as well as on-site security.

The mall’s owners have struggled to redevelop it into housing or office space. Butt said the mall, which is losing Macy’s on March 30, is in the process of being sold to San Francisco-based Prologis, an industrial developer that has agreed to lease land for the safe parking program.

More than 2,200 people signed a petition against the proposal, saying the mall site pushes homeless people “out of sight, out of mind” and is too far from city services. Opponents urged the council to instead consider a city-owned unpaved lot near the Greater Richmond Interfaith Program (GRIP), a community group that helps the homeless.

“It is ludicrous to move the safe parking site to a commercial parking lot that is literally surrounded by homes, two schools with a third school one block away in a far corner of Richmond that is out of reach from city government and services,” one man said of the Hilltop site during public comment.

On Tuesday, staff from GRIP gave a presentation in support of opening the parking site near the offices. But the council rejected the proposal and said it was unclear if the organization is capable of handling the contract — instead opting to contract with Housing Consortium of the East Bay, an Oakland nonprofit. The criticism against GRIP comes after the county sent a letter complaining of GRIP’s management of the Project Roomkey hotels, a state program to house the homeless during the pandemic.
A director at GRIP declined to respond to the complaints at the meeting.

At the meeting, Councilwoman Gayle McLaughlin said she would support the Civic Center location given the amount of opposition to the Hilltop Mall lot.

“Do we want to set up a safe vehicle park with the current level of opposition from the neighbors?” McLaughlin said. “I do not think the RV community would feel welcome under the circumstances.”

City staff said the “safe” vehicle program at the Civic Center parking lot will be fenced in and won’t affect COVID testing services on another part of the lot.

The total cost of the parking program, which will include on-site security and social services, is $560,000. The city plans to use $300,000 of its affordable housing impact fees and a $260,000 state grant to fund it. If the state grant is not spent by June 30, the city will lose those funds.
Chairman Powell: Fed is in no hurry to raise interest rates
By MARTIN CRUTSINGER February 24, 2021

WASHINGTON (AP) — Federal Reserve Chairman Jerome Powell told Congress on Wednesday that the central bank will not start raising interest rates until it believes its goals on maximum employment and inflation have been reached.

Powell also warned that many who had worked in industries hardest hit by the pandemic and ensuing recession will likely need to find different jobs.
As he did before the Senate Banking Committee on Tuesday, Powell told the House Financial Services Committee that the Fed is in no hurry to raise its benchmark short-term interest rates or to begin trimming its $120 billion in monthly bond payments used to put downward pressure on longer-term rates.

Financial markets, which had begun to wane Tuesday on fears that higher inflation might trigger an earlier-than-expected tightening of credit conditions by the Fed, rebounded on Powell’s comments.

That trend extended into Wednesday with the S&P 500 index rising more than 1%.

Powell said the Fed does not see any indication inflation could race out of control. While price increases might accelerate in coming months, Powell said those increases are expected to be temporary and not a sign of long-run inflation threats.

He said the central bank would not start to trim its $120 billion in monthly bond purchases until “substantial further progress” has been made toward the Fed’s goals on inflation and employment.

Hikes in the Fed’s benchmark interest rate, now at a record low of zero to 0.25%, will not occur until the Fed has seen inflation reach its 2% target and run slightly above that level, with employment falling to a level viewed as maximum employment, he said.

Powell has noted recently that, while the official U.S. unemployment rate in January dropped to 6.3%, the actual rate is closer to 10% when taking into account the millions of people who have given up looking for a job.

Even as the job market improves, a portion of the 10 million people still out of work may find it hard to get new jobs, he said. He attributed that to the changes brought on by the pandemic in such industries as retail services and tourism.

In many cases, the jobs people left may no longer be there, which will mean those workers will need access to job retraining to find work in other areas, Powell said.

The House is expected to take up later this week President Joe Biden’s proposed $1.9 trillion relief measure, which includes stimulus payments of up to $1,400 for individuals and expanded unemployment benefits and support for state and local governments.

Republicans have attacked the measure as too expensive and unnecessary given growing signs that the country doesn’t need further support. Democrats, however, have argued that with nearly 10 million still out of work compared to a year ago, further support is needed.

Powell repeatedly refused to take a position on Biden’s proposal, saying that it was up to Congress and the administration to decide.

While repeating his comment in his Senate testimony that he believes the economy is a “long way from our employment and inflation goals,” Powell did agree with that there have
been some encouraging signs that the economy could accelerate further as new COVID-19 cases decline and vaccines are more widely distributed.

Some private forecasters have said the overall economy might grow at a rate of 6% or better this year, after having shrunk 3.5% last year, the worst performance since 1946. GOP lawmakers pressed Powell to say whether he thought such a growth rate was possible, but he refused to be pinned down to a specific target for gross domestic product growth.

“There is a reason for optimism in the second half of the year if we get the pandemic under control,” Powell said.
House Democrats earlier today approved a massive public lands bill — a repudiation of the Trump administration's efforts of the last four years to expand drilling and extraction activities, restrict new federal land designations, and gut environmental equity initiatives.


The legislation — actually a combination of eight bills addressing lands in Arizona, California, Colorado and Washington state — would establish nearly 1.5 million acres of new wilderness areas and incorporate more than 1,000 river miles into the National Wild and Scenic Rivers System.

The package would also put more than 1.2 million acres of public lands off-limits from new oil and gas mining claims.

Advocates said it would help fulfill the so-called 30x30 initiative, an ambitious goal of conserving 30% of U.S. lands and waters by the year 2030.

"Today is a proud and momentous day, as the House passes ... one of the most ambitious, impactful and far-reaching conservation bills in our nation's history," said House Speaker Nancy Pelosi (D-Calif.).

Many of the bill's components were proposals that had been authored, marked up and passed by the Democratic-controlled House in the previous Congress but then met roadblocks in what were then the Republican-controlled Senate and White House.

Repeat legislation incorporated into the expanded package today included the bill's centerpiece, Rep. Diana DeGette's (D-Colo.) original "Colorado Wilderness Act," which would protect more than 660,000 acres of wilderness in the Democrat's home state.
Another Centennial State lands bill that has been in the works for some time — the "Colorado Outdoor Recreation and Economy (CORE) Act" — was also included. It would designate 73,000 acres of new wilderness along with about 80,000 acres of new recreation and conservation management areas.

Amendments approved

Two environmental justice and equity provisions were integrated into the underlying bill through the amendment process. One amendment, from Rep. Nanette Diaz Barragán (D-Calif.), added the "Outdoors for All Act" to authorize the Outdoor Recreation Legacy Partnership (OLRP) initiative, a competitive grants program to build parks in urban, underserved communities.

The night before President Biden was sworn into office, then-Interior Secretary David Bernhardt announced a new funding flow for the Land and Water Conservation Fund state assistance program — that happened to represent the entire dollar amount designated for the OLRP in the previous and current fiscal years (E&E Daily, Jan. 20).

Though the Biden administration recently reversed that decision, Barragán's amendment would codify the existence of the OLRP into statute.

"By passing the 'Outdoors for All Act,' we make it crystal clear that funding for urban parks is here to stay," Barragán said in a statement.

Rep. Rashida Tlaib (D-Mich.) secured adoption of her amendment that amounts to the text of the "Environmental Justice in Recreational Permitting Act" — a proposal that would require the secretaries of the Interior and Agriculture to gather data on how the recreational permitting process on public lands is working, or not, for environmental justice communities.

In a floor speech, Tlaib reminded colleagues that this framework was originally conceived of by Biden's Interior secretary nominee, Rep. Deb Haaland (D-N.M.).

Both of these amendments, plus several others, were passed as part of a bloc of several other changes to the bill in a 229-198 vote.

The package now heads to the Senate, where advocates hope the Democratic majority will find ways to at least pass components of the legislation through appropriate vehicles.

Republican arguments, amendments

Among the proposals baked into the lands package was a bill championed by House Natural Resources Chairman Raúl Grijalva (D-Ariz.) to permanently ban new mining claims on federal lands around Grand Canyon National Park. The goal is to prevent new uranium mines there.

This became one of the biggest points of controversy among Republicans, who argued that the entire bill was a misguided "land grab" that would — on top of everything else — target activities that provide jobs and put the United States on a path to energy dominance.

"By further preventing responsible energy production on federal lands, we are harming our nation's energy industry," said Rep. Dan Newhouse (R-Wash.), chairman of the Congressional Western Caucus. "This massive federal land grab will devastate rural communities in the West."

Critics took particular offense to the prohibition on mining in proximity to the Grand Canyon on the grounds that it was too restrictive.

"Nobody wants to mine inside the Grand Canyon," said House Natural Resources ranking member Bruce Westerman (R-Ark.). "Nobody's mining inside the Grand Canyon; nobody ever will mine inside the Grand Canyon. We've already got the Grand Canyon National Park that establishes those boundaries, and these mineral withdrawals are far outside the actual Grand Canyon."
Throughout House floor debate on the broader measure, Republicans — led by Westerman — sought to carefully frame their opposition to the bill as being defined by their concern for the environment and their belief that the Democrats’ approach was the wrong one.

"Republicans are about a cleaner, safer and healthier environment," said Westerman, who was among roughly two dozen Republicans to participate in a "summit" last weekend to discuss how the party can and should do better messaging on environmental issues (E&E Daily, Feb. 25).

"We're concerned not just about carbon in the atmosphere; we're about forest health, about air quality, about water quality, about wildlife habitat, about having great places for recreation."

Westerman continued, "We're all for cleaner technology, but that cleaner technology takes certain things. It takes minerals and elements. It takes research and development. It takes all of the energy resources we have."

To that point, Rep. John Curtis (R-Utah), who organized and hosted the GOP climate summit, offered an amendment that would have required a study to determine whether any land withdrawals facilitated by the legislation contain geothermal resources or minerals needed for battery storage, renewable energy technology or electric vehicles.

The amendment was adopted, 221-205, though Democrats were largely in opposition. Rep. Joe Neguse (D-Colo.), who was leading the debate for Democrats on the House floor, argued it would result in more drilling — the type of activity that proponents of the "Protecting America's Wilderness and Public Lands Act" want to get away from.

"This is not just a study amendment," said Neguse, the new chairman of the House Natural Resources Subcommittee on National Parks, Forests and Public Lands. "It would have the Interior Department drilling countless wells throughout these wilderness areas to ultimately ascertain the information the gentleman seeks."

Several other Republican amendments failed, 197-226, as part of a package. They included efforts to divorce entire congressional districts from being beholden to the lands bill's stipulations.

They included Arizona's 4th District, home to Republican Rep. Paul Gosar, who objected to the mineral withdrawals, and Colorado's 3rd District, represented by Republican Rep. Lauren Boebert, who is opposed to the "CORE Act" in part for its prohibitions on new oil and gas development on 200,000 acres in the Thompson Divide.

Just before voting on final passage of the lands bill, Republicans forced a vote on a final procedural maneuver that would have called for the Natural Resources Committee to reconvene and adopt language nullifying Biden's executive order freezing new oil and gas leases on federal lands. The Democratic majority shot it down, 204-221.
House passes $1.9 trillion coronavirus relief package

Early Saturday morning vote sends package to the Senate, and likely changes next week

Speaker Nancy Pelosi, D-Calif., called it "inevitable" that lawmakers would eventually raise the minimum wage, though that provision is expected to be stripped out of the pandemic aid bill in the Senate. (Tom Williams/CQ Roll Call)

By David Lerman and Paul M. Krawzak

Posted February 26, 2021 at 9:32pm, Updated February 27, 2021 at 2:05am

House Democrats passed a massive pandemic aid bill early Saturday morning over solid Republican opposition, a key step toward giving President Joe Biden his first major legislative victory.

The 219-212 vote sends the $1.9 trillion package to the Senate, where it is certain to undergo changes next week.

A provision that would more than double the federal minimum wage must be stripped from the package, based on guidance from the Senate parliamentarian. Senate Democrats were prepping an alternative to try to get around budget rules by taxing employers that
don't pay higher wages, but it wasn't clear if that effort would pass muster under the "Byrd rule" either.

Speaker Nancy Pelosi called it "inevitable" that lawmakers would somehow raise the minimum wage. She argued it amounted to "corporate welfare" to let companies pay lower wages and have the federal government pick up the tab with Medicaid, food stamp and other safety-net benefits.

Other potential Senate changes could redirect some of the $350 billion for states and localities to other purposes like broadband infrastructure; extend the expiration date on extended unemployment benefits by a month; and provide additional funds for restaurants, entertainment venues, hotels and more.

While speaking in support of the measure on the House floor, Scott Peters, D-Calif., said he favored "common sense" improvements to the bill before it goes to Biden's desk, such as adjusting funding for states based on "real revenue shortfalls" related to the pandemic.

Democrats were mostly unified on final passage, however, losing just two members on their side.

"This is not about dollars and cents; this is about lives that are at stake ... this package will help families avoid impossible choices," said Ways and Means Chairman Richard E. Neal, D-Mass., citing some 500,000 U.S. deaths from the disease and 10 million jobs lost.

The two Democratic defectors were Kurt Schrader of Oregon and Jared Golden of Maine.

A 195-page manager's amendment incorporating myriad changes sought by Democrats was incorporated when the rule for floor debate was adopted on a 219-210 vote.

Republicans criticized the process and the early-morning hour of the vote, and items tucked into the larger bill as well as the manager's package that came as a surprise and had little to do with the pandemic.

Adrian Smith, R-Neb., pointed to a provision added by the Rules Committee, which hadn't been debated in Ways and Means, that would "drastically" lower the federal income tax reporting threshold for gig workers from $20,000 to $600. The Joint Committee on Taxation said the provision would raise $7.3 billion over a decade,

Democrats "want to reward their political allies at the expense of America's working class," said the Budget Committee's top Republican, Jason Smith of Missouri. "Simply put, this is the wrong plan, at the wrong time, for all the wrong reasons."

Republicans trained fire on a provision they said could direct up to $140 million to a rail and subway system connecting San Jose and Santa Clara, in the San Francisco Bay Area near Pelosi’s district.
Calling it the "Pelosi payoff," Republicans offered a motion to recommit the bill back to the Budget Committee to consider an amendment from freshman Ashley Hinson, R-Iowa. The amendment would shift the $140 million for the San Francisco transit project to mental health services for children who can’t attend in-person school.

Hinson's amendment "puts children first, not the swamp," Minority Leader Kevin McCarthy, R-Calif., said during debate.

John Yarmuth, D-Ky., the Budget panel's chairman, hit back at McCarthy by saying, "I think he's been swimming in the swamp the last four years" under the Trump administration.

The GOP motion to recommit was rejected, 205-218. But an aide said Senate Republicans may try to raise a Byrd rule challenge to the transit project, giving them one more shot to knock it out of the final bill that goes to Biden's desk.

Most of the money in the package would be used to deliver tax rebate checks of up to $1,400, expanded unemployment benefits, aid to state and local governments, and assistance to help public schools reopen after months of online learning. Funds are also included to help restaurants, airlines, faltering union pension plans and more, as well as for vaccine distribution, virus testing and expanding health insurance coverage.

Bipartisanship frays

Although Congress passed aid measures last year with bipartisan support, Democrats opted to use the budget reconciliation process this time to avoid the risk of a Republican Senate filibuster. That decision, which allows the package to pass on a simple majority vote, angered Republicans who noted last year Congress passed nearly $4 trillion worth of bipartisan pandemic aid laws.

Oklahoma Rep. Tom Cole, the ranking Republican on the Rules panel, blasted the process as “deeply partisan.” He said of 245 amendments that Republicans offered during nine committee markups, only two were accepted by Democrats. And one of those was removed from the bill in the manager’s amendment. “And the majority wonders why Republicans oppose this package,” he said.

The GOP amendment that survived in the package was offered by Bill Huizenga, R-Mich., during the Financial Services markup. Democrats supported the measure meant to target support toward the smallest businesses including independent contractors, sole proprietors and gig workers.

An amendment from Randy Feenstra, R-Iowa, which was adopted in the Agriculture Committee markup, was removed in the manager’s amendment. Feenstra’s measure was aimed at providing relief for producers who were affected by natural disasters, including high-velocity wind storms that tore through Iowa last year, causing billions of dollars in damage.
Rules Chairman Jim McGovern, D-Mass., defended the process and scope of the bill. “It is a lifesaving bill to get more vaccines into more communities, safely reopen schools, put direct assistance in people’s pockets, and help state and local governments on the front lines,” he said.

The Rules Committee spent most of Friday, from morning until evening, hearing testimony on various pieces of the aid package and plowing through more than 200 amendments submitted mostly by Republicans. The lengthy Rules session delayed the start of floor debate well into the evening.

One change appeared to allow the government to claw back money from tax rebate checks if recipients owe any outstanding debts. A second change strikes a requirement that the IRS send out notices advising people that they would receive a rebate check and in what amount.

Minimum wage effort

The Senate parliamentarian, Elizabeth MacDonough, told senators Thursday that the provision as currently drafted would violate the Senate’s so-called Byrd rule, which prohibits measures from being included in a reconciliation bill if their budgetary impact is “merely incidental” to their policy objective.

Senate Finance Chairman Ron Wyden, D-Ore., said Friday he was drafting a “Plan B” that would boost the minimum wage through the tax code. He said his plan would impose a penalty on corporations that didn’t boost wages and offer tax credits to small businesses to offset the cost of a wage boost.

The final price tag of the package can’t exceed a cost cap of $1.89 trillion, as imposed under the fiscal 2021 budget resolution that provides reconciliation instructions. Yarmuth said his estimate is that the current package, including a manager’s amendment, could exceed the cost cap by about $20 billion.

But that problem may be solved in the Senate if it strips out the minimum wage provision, which the Congressional Budget Office estimated would cost about $67 billion over a decade.
House appropriators officially bring back earmarks, ending ban
Announcement marks new era for congressional influence over how government spends $1.4T in discretionary spending annually

By Jennifer Shutt

Posted February 26, 2021 at 3:14pm, Updated at 6:30pm

House Democrats are officially resurrecting earmarks, ending a decadelong prohibition on congressionally directed spending and giving lawmakers new tools to “bring home the bacon.”

The announcement Friday marks a new era for congressional influence over how the federal government spends some of the $1.4 trillion in discretionary spending approved every year.

But House Democrats detailing how the process will work in that chamber is just one piece of the puzzle. The Senate has yet to announce when and how it will bring back earmarks, and Republicans in both chambers are struggling with whether to remove party rules that bar them from participating in the process.
“We are in good faith negotiations with the House and my Senate colleagues to bring back congressionally directed spending in a transparent and responsible way, and those discussions are ongoing,” Senate Appropriations Chairman Patrick J. Leahy, D-Vt., said in a statement. “I believe there is bipartisan support to restore the power of the purse to Congress and I am continuing to work toward that goal.”

House Democrats’ earmarks plan will cap the total amount of money that can be spent on earmarks to 1 percent of total discretionary spending.

For-profit entities will not be eligible for earmarks and the Government Accountability Office will audit the process by looking at a “sample” of enacted earmarks and submitting a report to Congress.

Oversight and transparency

Members will be capped at submitting 10 earmark requests per fiscal year, though members aren’t guaranteed to get those earmarks included in the annual government funding bills. Lawmakers must provide evidence their communities support the earmarks they submit. And any member submitting a request must post it online at the same time they submit their proposal to the Appropriations Committee.

The House panel plans to create a “one-stop” online portal for all House members’ earmarks requests.

The House will continue to require the oversight and transparency restrictions Democrats put in place before the ban took effect in 2011 and add in new rules as well.

The pre-2011 rule changes included requiring members to make their requests and the justifications for them public, and requiring them to certify neither they nor their spouses have any financial interest in a particular earmark.

The new provisions will require the Appropriations Committee to release a list of “community project funding” 24 hours before the full committee marks up the bill. And members will have to certify that no immediate family members have any financial interest.

House Appropriations Chair Rosa DeLauro, D-Conn., has been working on the earmarks proposal with Leahy, but for now the earmarking plan is from House Democrats.

DeLauro said in a statement Friday that “Community Project Funding will allow Members to put their deep, first-hand understanding of the needs of their communities to work to help the people we represent.”
Democrats’ move to bring back earmarks in the House this session has set off an internal debate within the GOP about whether members should try to secure money for their districts or states through the process or sit it out.

Both House and Senate Republicans’ party rules include a prohibition on earmarking.

House Majority Leader Steny H. Hoyer, D-Md., told reporters this week that he expects Republicans will participate in the process, though he declined to discuss conversations he’s had on the topic with House Minority Leader Kevin McCarthy, R-Calif.

“I’ve talked to a lot of Republicans, who I expect are going to be requesting earmarks for their districts,” Hoyer said.

Senate Minority Leader Mitch McConnell, R-Ky., is less bullish on Republicans participating, saying on Fox News on Thursday evening that “earmarks are very unpopular among Republicans.”

“I represent the entire conference and I can tell you the overwhelming majority of the Republican conference in the Senate is not in favor of going back to earmarks,” McConnell said. “I’m assuming those people — even if Democrats craft the bill so that those are permitted — will not be asking for them.”

The House Freedom Caucus is firmly opposed to a return to earmarking, while senior Republicans like Senate Appropriations ranking member Richard C. Shelby of Alabama and House Rules ranking member Tom Cole both back a controlled return to a transparent process.

“When focused on core infrastructure and community service needs, this tool can vitally help members to ensure their constituencies are not overlooked,” Cole, R-Okla., said in a statement.

A Senate Republican aide not authorized to speak publicly said Friday afternoon that the GOP is still trying to work through the proposal and determine how to address party rules.

“I wouldn’t characterize us as opposed to or supporting anything right now,” the aide said.

The aide said Republicans would like some clarity on how exactly the 1 percent of funding would be determined. For example, would Overseas Contingency Operations accounts or changes to mandatory programs be counted toward the total amount of discretionary spending or not.

Decadelong ban

House Democrats’ earmarking plans end a decadelong moratorium that began in January 2011 when Republicans took control of the House. Speaker John Boehner, backed by a
wave of new tea party Republicans, eliminated the practice by continuing a prohibition in GOP party rules.

In late January, President Barack Obama used his State of the Union speech to announce that he would veto any bill containing earmarks, saying “the American people deserve to know that special interests aren't larding up legislation with pet projects.”

A few days later, Senate Appropriations Chairman Daniel K. Inouye, D-Hawaii, announced a two-year earmark ban, though he defended members' constitutional right to direct federal spending “under the fiscally responsible and transparent earmarking process that” leadership had put in place.

For the next few years, Republicans and Democrats would grumble about the lack of earmarks making it more difficult to pass legislation while members supportive of the ban held the line.

Then in 2016, just days after Donald Trump was elected president, House Republicans gathered behind closed doors to debate their rules for the upcoming Congress.

Florida’s Tom Rooney offered an amendment to bring back earmarks for Army Corps of Engineers projects and Texas’ John Culberson put forward a proposal to allow congressionally directed spending for local, state and federal projects.

Both measures were on track to be adopted by House GOP lawmakers when Speaker Paul D. Ryan, R-Wis., stepped in to stop the vote.

He argued that the party should not bring back the somewhat notorious practice just a short time after Trump was elected after campaigning heavily on a “drain the swamp” message. And he pledged that if the two lawmakers withdrew their amendments, he would hold a vote during the first quarter of 2017.

That vote never happened.

Ryan instead tasked Rules Chairman Pete Sessions, R-Texas, with holding a series of hearings on “congressionally directed spending” and putting together recommendations for the Republican Conference.

Sessions told reporters throughout the process he expected to bring back “transparent, merit-based” earmarks, pushing back on frustrations from some members of his party who argued earmarks in any form went against core conservative values.

That never happened.

When Democrats took control of the chamber in January 2019, Appropriations Chairwoman Nita M. Lowey, D-N.Y., tried to bring back earmarks for the upcoming spending cycle. But she ultimately released a letter in March 2019 saying there wasn’t the “bipartisan, bicameral agreement to allow the Appropriations Committee to earmark.”
In 2020, she held a series of closed-door meetings with moderate and at-risk Democrats, later deciding against setting up a process for “community project funding.”

Now, longtime advocates of the practice are getting their wish, though how the process will work itself out as Congress begins the fiscal 2022 budget and appropriations process remains to be seen.

Since the ban took effect there has been significant turnover in Congress: Just 35 percent of current lawmakers were members before the prohibition.

The Senate holds a larger percentage of members who were in Congress during the heyday of earmarking with 56 senators, while the House includes 133 lawmakers who were sworn in before January 2011.

When broken down along party lines, Democrats have 89 House members and 33 senators while Republicans have 44 House members and 23 senators with any experience of pre-2011 earmarking practices.
OAKLAND — A crucial environment report outlining what it will take for the Oakland A’s to build a 35,000-seat waterfront ballpark doesn’t contain any “show stoppers,” according to team President Dave Kaval.

The exhaustive report, released Friday, details the impact a ballpark development that includes housing, offices and a hotel would have on everything from traffic congestion to air quality to noise to safety.

Kaval said he’s now watching for an upcoming Court of Appeals ruling on whether the environmental review approval process can be fast-tracked, as a lower court decided. Any decision prolonging the process “would kill the project,” he said.
A court-ordered delay would also raise questions over where, if not Howard Terminal near the Port of Oakland, the A’s would build a ballpark. And it raises the possibility that the team, which now owns half of the Coliseum site, could look outside Oakland.

But on a day fans have long awaited, Kaval did not wish to discuss details except to say the team is committed to and excited about the Howard Terminal ballpark.

“If you read the content, there are really not any show stoppers in this environmental impact report,” he said in a phone interview from spring training in Arizona. “Sometimes when you do a report like this it becomes obvious that certain things are just not going to happen. That’s not what this is about. A lot of these key areas that people have a lot of concerns about, there’s a defined plan to show how these things can be handled appropriately.”

According to the environmental report released Friday, it would take two years after approval to complete the ballpark, up to 540 housing units, small portions of the planned retail and commercial space, and the hotel rooms. A dozen of the project site’s 55 acres would be outdoor park space.

Once built out, the estuary site near the Port of Oakland and Jack London Square would have 3,000 residences, up to 1.5 million square feet of commercial office space and 270,000 square feet of retail or dining. It would also include an indoor performance venue that could accommodate 3,500 people, up to 400 hotel rooms and more than 18 acres of open space.

No specific date was given for completion of the entire project.

Among the project’s impacts that could not be mitigated to a “less than significant” level is the noise that would be created by ballpark operations.

Also, pedestrians, cyclists or those driving into the ballpark area would have to cross over the railroad tracks on Embarcadero, exposing them to some safety risk, although plans call for upgrading the railroad crossings at an estimated cost of $13 million.

The report also says the ballpark development would lead to more traffic on Interstate 880 in the northbound direction between 23rd Avenue and Embarcadero, Highway 24 eastbound between Broadway and Highway 13, the Posey Tube and the Webster Tube that each connect Oakland and Alameda, and Market Street.

The project would have a total of 8,900 parking spots, according to the report, but about 6,900 would be for the commercial and residential uses of the complex. About 2,000 of the spaces would be shared between the ballpark and the indoor-performance venue.
The Howard Terminal site and the proposed ballpark are shown in a rendering supplied by the Oakland A’s. (Courtesy of Oakland A’s)

The A’s are privately financing the project, according to Kaval speaking on behalf of owner Jon Fisher, and have not said how much it will cost.

The environmental impact report will be used by the Oakland City Council in determining whether to approve the project, but it’s not the only hurdle the project must clear.

Earlier this month, an Alameda County Superior Court judge dismissed a lawsuit filed by the Pacific Merchant Shipping Association, the Harbor Trucking Association, the California Trucking Association and Schnitzer Steel Industries, Inc., that would have prevented the project from being built under a fast-track process.

It was a win for supporters of the project, but the plaintiffs have filed an appeal. Critics of the proposed ballpark project have said it would hurt neighboring businesses and prompt longtime port tenants to leave, costing jobs.

Kaval said the appeal “poses an existential crisis for the entire endeavor,” but he is optimistic the A’s will prevail at the Court of Appeals level.

Kaval hopes the project receives approval this year, keeping the A’s on track with opening the ballpark as early as 2023, a year before their lease at the Coliseum expires.

“What I’ve been saying from the beginning is that we are 100 percent focused on getting this project approved at the waterfront. This is where we feel our future is. We are going to do everything we can do to bring that to a head this year. We need a vote, our lease is expiring in 2024 at the Coliseum so we can’t play there forever, and we just need to go. We are hopeful that these things can come together and we can get a positive affirmative vote and none of this additional litigation gets in the way.”

The Coliseum site already has environmental clearance, but the A’s have made it clear their focus is on developing a property closer to the heart of the city, following a trend of other successful professional sports stadiums and arenas.

The A’s purchased Alameda County’s half of the 120-acre Coliseum site for $85 million, offering the same for the city’s equal share.

Mike Jacob, vice president and general counsel of the Pacific Merchant Shipping Association, said in an emailed statement that members of the East Oakland Stadium Alliance — a coalition of those who want the A’s to stay at the current Coliseum site instead of building at Howard Terminal — would review the impact report in the next few days.

“We anticipate that the Howard Terminal Draft EIR will once again confirm the obvious and what everyone already knows — that the current Coliseum site remains the ideal and most logical location for a new ballpark that will make A’s fans proud to call home,” Jacob said.
Oakland Mayor Libby Schaaf expressed optimism about the project.

“I’m excited about keeping our A’s rooted in Oakland,” Schaaf said in a press release about the project. “The Howard Terminal ballpark requires the highest environmental standards while giving us an opportunity to expand our entertainment district near Jack London Square, increase housing, provide good jobs, and keep our beloved waterfront working.”

Members of the public have 45 days to submit comments on the EIR. The city is also hosting several public hearings and workshops, beginning on Saturday, March 6, at 10 a.m. on Zoom: http://bit.ly/HTDEIRWorkshop.
Congresswoman Barbara Lee Applauds Passage of Legislation to Protect Wilderness and Public Lands

Washington, D.C. – Congresswoman Barbara Lee (CA-13) today released the following statement applauding the passage of the Protecting America’s Wilderness and Public Lands Act, H.R. 803, a landmark bill that addresses threats to natural lands and waters.

The legislation includes eight separate bipartisan measures that seek to permanently protect public lands. The bill designates approximately 1.5 million acres of land as wilderness and incorporates over 1,200 river miles into the National Wild and Scenic Rivers System. Some of the country’s greatest natural and cultural territories, notably in California, Colorado, and Washington, will be preserved under this legislation.

“Protecting the survival and integrity of our nation’s most precious natural territories is a crucial measure in order to ensure a healthy planet,” said Congresswoman Lee. “Every year, the catastrophic effects of the climate crisis get exponentially worse. We saw this in California last year when we had the worst wildfire season in our history, with millions of acres burned, more than 10,000 structures damaged or
destroyed and too many lives lost. The wildfires and droughts that threaten the livelihood of farmers in our state are a direct consequence of our failure to adequately address the climate crisis.”

“I am pleased to see the commitment that this bill makes to promoting environmental justice and economic growth. We must remain dedicated to protecting communities that bear the greatest burden of our environmental crisis. If we are going to address the climate crisis, we must continue investing in a green, sustainable future. This bill is a great place to start.”

Four key areas of improvement that the bill addresses are:

1. Safeguarding biodiversity and advancing the goal of permanently protecting at least 30% of all U.S. lands and ocean areas by the end of the decade.
2. Improving access to clean air and clean drinking water for underserved communities.
3. Increasing access to outdoor recreation for rural communities, leading to more good-paying jobs and resident retention.
4. Affirming our responsibility to permanently protect natural lands and waters.

The bill combines efforts of environmental preservation and economic development to confront the decline of natural lands and waters. It is a necessary safeguard for some of the most magnificent and environmentally vital areas in California, Colorado, and Washington.

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Congresswoman Lee is a member of the House Appropriations Committee and Chair of the subcommittee on State and Foreign Operations. She serves as Co-Chair of the Steering & Policy Committee, former Chair of the Congressional Black Caucus, Chair Emeritus of the Progressive Caucus, Co-Chair of the Congressional Asian Pacific American Caucus Health Task Force, and Co-Chair of the Pro-Choice Caucus. She also serves as Chair of the Majority Leader’s Task Force on Poverty and Opportunity. As a member of the House Democratic Leadership, she is the highest ranking African American woman in the U.S. Congress.