

AGENDA  
REGULAR MEETINGS  
BOARD OF DIRECTORS

EAST BAY REGIONAL PARK DISTRICT

Tuesday, October 4, 2016

C. BUSINESS BEFORE THE BOARD

7. BOARD COMMITTEE REPORTS

- a. Board Legislative Committee (1.15.16) (Burgis)

Present

Board: Diane Burgis (Chair), John Sutter, Dennis Waespi

Staff: Robert E. Doyle, Erich Pfuehler, Tim Anderson, Debra Aufer, Jeff Rasmussen, Jim O'Connor, Tiffany Margulici, Mona Koh

Consultants: Doug Houston, Houston Magnani & Associates, Satinder Malhi

Public: Rick Rickard, Doug Siden

This meeting was called to order at 12:40 p.m.

I. STATE LEGISLATION / ISSUES

A. NEW LEGISLATION – N/A

B. ISSUES

**I. Governor Brown's Budget Proposal:** Advocate Doug Houston discussed the Governor's \$171 billion budget proposal which includes \$807 million for statewide capital maintenance projects. Of the \$807 million, \$60 million is allocated for state parks to address priority capital improvement and deferred maintenance. Staff will work to try to establish a set-aside within this allocation for units operated by local agencies. There is \$719 million for wildfire programs and \$150 million in Cap-and-Trade funds for healthy forests. In addition, there is \$30 million is set aside for CAL FIRE Urban Forestry and \$20 million for Natural Resources Agency Urban Greening programs. Houston added the urban greening program embraces a multi-benefit approach and favors projects which have co-benefits. For example, projects which reduce carbon, and also create green space and are beneficial for water quality. The budget also contains \$60 million for the Department of Fish and Wildlife to implement wetland restoration projects. Theoretically, the District would be eligible and could apply for these funds. The budget document makes it clear that coastal wetlands would be a priority. In addition, there is a \$100 million set aside for

low-carbon roads. Half of this money will be available for projects which help to alleviate congestion through non-motorized infrastructure including trail improvements. This is something in which the District is very interested and staff will look into.

**2. Proposed State Priorities for 2016:** Staff and Houston provided an overview of proposed 2016 state legislative and governmental priorities, including the following:

The Park Bond has stalled out for now, but continues to be a priority. The discussion has shifted a little away from an independent Park Bond to the possibility of a larger, more comprehensive infrastructure package. The larger package would include education, transportation, water, possibly parks, etc.

Government Affairs Manager Erich Pfuehler added staff and Houston are pursuing Cap-and-Trade funding opportunities. These opportunities may include resource protection, such as wildfire management, and wetlands creation/restoration. There have been discussions with the California Air Resources Board (CARB). The District has formally submitted a number of comments. CARB is very interested in data about how the District could help the state meet greenhouse gas (GHG) reduction targets. As part of a messaging strategy, Pfuehler stated the District has issued an RFP to analyze the sequestration value of District assets. The goal is to incorporate the data into a brochure to distribute to legislators and agencies in Sacramento. The message piece would make the case for how resources like parks, open space and trails can help reduce GHG.

General Manager Robert E. Doyle discussed possible endowment legislation. When developing projects on District lands, State and Federal permits must be secured. The State Department of Fish and Wildlife has recently begun to require the District to set aside general fund monies in endowment accounts to ensure the continued maintenance, operation and mitigation of projects on District lands. Houston stated it doesn't make sense for the District to lock up general fund money when staff are already tasked to maintain, operate and mitigate for projects.

In response, the District is looking into sponsoring a bill to establish a system whereby the District could prove (by showing annual budget reserves in excess of the endowment cost) continued stewardship without the need to hold an endowment. District staff already work to protect and preserve wildlife and habitat, so locking up general fund money in an endowment is redundant. The sponsor of the bill will likely be Senator Weickowski.

Pfuehler stated Del Valle is a state reservoir and part of the California State Water Project. District staff and Houston will be looking at ways the state could help address Del Valle's antiquated water infrastructure.

AGM of Operations Jim O'Connor met with water agencies (Zone 7, Alameda County Water and Santa Clara Valley Water District) to request their support to pursue Prop 1 funding for Del Valle's water treatment system. O'Connor added the Del Valle system is so old that the entire system needs to be evaluated and likely replaced. Director Diane Burgis asked if a feasibility study was complete and wondered if Zone 7 had taken water

from Del Valle. O'Connor indicated the feasibility study and cost of replacement was unknown. He added Zone 7 used other sources for water distribution.

## II. FEDERAL LEGISLATION / ISSUES

### A. NEW LEGISLATION – N/A

### B. ISSUES

#### 1. **Land and Water Conservation Fund Update:**

Pfuehler stated \$450 million was put into the Land and Water Conservation Fund (LWCF) for the coming year, which is a substantial increase over the previous level. The LWCF was extended for an additional three years as part of the final budget deal enacted by Congress in December.

#### 2. **Proposed Federal Priorities for 2016**

Transfer of Concord Naval Weapons Station property to National Park Service by January 20, 2017:

Pfuehler stated the District would like this transfer to occur while Jonathan Jarvis, a Pinole resident, is Director of the National Park Service (NPS). The District has also invited President Obama to celebrate the centennial of the NPS and participate in the commemoration for the Port Chicago Explosion.

Clean up of upland portion of the Oakland Army Base for Gateway Park:

Pfuehler stated a contract for cleanup has been issued and the current timeline for cleanup is by end of 2017. The District needs to continue to put on the pressure and try to meet again with the Army.

Resolve the jurisdiction of Oakland Inner Harbor Canal:

Pfuehler added legislation was enacted a few years back which allows the Park District to hold land tenure for the Oakland side of the canal. Alameda is interested in taking responsibility for the west side of the canal. The issue, at this point, is deciding where the dividing line would be. More discussion is necessary.

Pursue gun range cleanup funding:

Pfuehler stated the District needs to look for possibilities through the EPA or other federal and state sources to secure cleanup funding.

Pursue additional FEMA money for fuels management in light of continued drought conditions:

Assistant Finance Officer Jeff Rasmussen met with Cal OES (Office of Emergency Services) and the California Department of Fish and Wildlife. They have confirmed that FEMA money for fuels management is definitely available. There are many environmental requirements that must be worked through, but the effort is ongoing. Director John

Sutter asked where the District was in the process. Rasmussen indicated that \$600,000 has been spent.

EPA shoreline resiliency funding:

Pfuehler reported EPA Region 9 has allocated about \$10 million a year into the San Francisco Bay Restoration account. The District was able to obtain some of that funding for Breuner Marsh. Grants Manager Tiffany Margulici recently took members of Region 9 on a site visit to Breuner Marsh and the response was very positive.

Bay Trail – National Scenic Trail designation:

Pfuehler reported NPS seems receptive and the designation could be good visibility for the District. The District is leading the effort to get the designation going and has the support of the Bay Trail Project.

Alameda Point Veterans Memorial pre-construction funds in FY17 budget request:

Pfuehler mentioned the project has stalled a bit. The Veterans Affairs (VA) budget has received more scrutiny by Congress and funding for the Alameda hospital project has gotten caught up in that process. The District wrote a support letter requesting the VA's budget include sufficient funds to complete the Alameda project.

Work on a Centers for Disease Control and Prevention “Partnership to Improve Community Health” grant with Children’s Hospital or health agencies:

The District has been very involved with Children’s Hospital and actively helping children experience the parks. The Centers for Disease Control and Prevention has community health grants. Although the District is not eligible to be the lead applicant, pursuing a partnership with a public health department to possibly obtain a community health grant would be a good target.

**3. Other Issues:** N/A

### III. LOCAL LEGISLATIVE AND GOVERNMENTAL PRIORITIES FOR 2016:

Contra Costa Measure J augmentation:

Pfuehler reported this appears to still be on track for a November ballot measure. The District’s biggest role is to secure funding for paved trails as alternative transportation routes.

San Francisco Bay Restoration Authority:

Pfuehler reported this will go on the ballot in June. The District is generally supportive. The focus will be on the campaign side for the next few months.

Measure BB implementation:

District staff have received some signals that trail maintenance funding is not being pursued as aggressively in the implementation of this measure as hoped. The General Manager has

submitted a letter to the Executive Director of Alameda County Transportation Commission highlighting the need for trail maintenance funding. Staff continue to push them on this and may need a sit-down meeting. Sutter illustrated the importance of trail maintenance by commenting that, unlike a car going over a pothole in the road, a trail pothole could lead to injury or even death for hikers and bicyclists. Data on trail injuries and bike accidents may help drive home the importance of trail maintenance funding.

Alameda Issues – Oakland Inner Harbor Canal, Naval Air Station:

Pfuehler recommends the District keep these as priorities with the City of Alameda while there is a receptive City Council and Administration.

Measure CC education efforts with electeds and via social media:

This will be a topic of discussion at the Board workshop. Whether the Board decides to go forward with a renewal effort or not, staff will still be doing education about Measure CC. Pfuehler indicated social media will be a component of this education.

Pursue funding through Plan Bay Area:

Pfuehler stated funding went up from \$10 million to \$16 million out of a \$292 billion plan. The match requirement went down from 3-1 to 2-1, so for every dollar received from Plan Bay Area, the District needs to provide two.

#### IV. PUBLIC COMMENTS

None.

#### IV. ARTICLES

Provided in Board Legislative Committee packet.

#### V. OPEN FORUM PUBLIC COMMENT

None.

#### VI. BOARD COMMENTS

None.

This meeting adjourned at 2:10 p.m.

Respectfully Submitted:

A handwritten signature in blue ink, appearing to read 'E. Pfuehler', with a long horizontal flourish extending to the right.

Erich Pfuehler  
Government Affairs Manager