

AGENDA
REGULAR MEETINGS
BOARD OF DIRECTORS

EAST BAY REGIONAL PARK DISTRICT

Tuesday, May 16, 2017

C. BUSINESS BEFORE THE BOARD

7. BOARD COMMITTEE REPORTS

c. Board Legislative Committee (4.14.17) (Corbett)

Present

Board: Ellen Corbett (Chair), Dennis Waespi, Colin Coffey

Staff: Ana Alvarez, Erich Pfuehler, Bob Nisbet, Jeff Rasmussen, Mona Koh, Rachel Sater, Xiaoning Huang

Consultants: Doug Houston, Houston Magnani & Associates

Public: None.

This meeting was called to order at 12:35 pm.

I. STATE LEGISLATION / ISSUES

A. NEW LEGISLATION

I. AB 898 (Frazier D-Discovery Bay) – Redirection of \$10.5 million East Bay Regional Park District General Fund Dollars

Legislative Advocate Doug Houston discussed AB 898 introduced by Assembly Member Jim Frazier to redirect up to \$10.5 million from the East Bay Regional Park District to help underwrite a fire district in East Contra Costa County serving Brentwood, Oakley, Discovery Bay, Knightsen and the Bethel Island area. This is an unusual bill with a far reaching precedent that could affect all entities, not just Special Districts. By redirecting property taxes from one agency to another, legislators would set the precedent of playing favorites among local governments. Board Director Dennis Waespi asked what the Board Members can do to help defeat the bill. Houston highlighted the committees' which would need to hear the bill. He recommended the District and Board Members contact members of those committees to express opposition. Government Affairs Manager Erich Pfuehler shared District Staff will be meeting Assembly Members in Sacramento all day Monday. Board Director Colin Coffey asked if District Counsel has come to any conclusions about the bill they can share with the Board. Deputy General Manager Ana Alvarez replied not at this time, but it is being reviewed. Board Director Ellen Corbett asked about the potential to refer the bill to the Revenue and Taxation Committee. Houston said this has not yet been explored.

The Board Legislative Committee voted unanimously to OPPOSE.

2. AB 899 (Frazier D-Discovery Bay) – Contra Costa County Election to Reallocate Property Tax Revenue

Houston shared AB 899 is in relation to AB 898. It's currently a spot bill which states the intent of the Legislature to enact legislation to provide for an election in Contra Costa County for the purpose of reallocating property tax revenues for fire protection services. The proposal is not entirely clear whether this would be an election to reallocate all property tax revenue in the county or if the election could be targeted specifically to reallocate Park District property tax revenue to East Contra Costa Fire Protection District. At this time, this bill is not set for hearing.

The Board Legislative Committee voted unanimously to OPPOSE.

3. AB 733 (Berman D-Palo Alto) – Infrastructure Financing Districts to Adapt to Sea Level Rise

Houston explained this would authorize the use of enhanced infrastructure financing districts to help local governments fund projects related to adapting to sea level rise throughout the state. Pfuehler shared this would be something worth looking at for the Alameda Naval Air Station and Gateway Shoreline, given the partners and different jurisdictions overlapping for both projects as well as their proximity to the Bay.

The Board Legislative Committee voted unanimously to SUPPORT.

4. AB 907 (Garcia D-Coachella) – Office of Outdoor Recreation and Public Lands Enhancement

Houston discussed his efforts to recruit the outdoor industry to engage in legislative matters. After preliminary discussions, California Outdoor Recreation Partnership, an informal organization, was launched. The outdoor recreation industry is slowly becoming more engaged. Assembly Member Garcia's bill would create the Department of Outdoor Recreation and Public Lands Development within the Governor's office of Business Development. This office would promote opportunities for both job and economic development within the outdoor recreation sector of the state's economy. Additionally, it would foster connections and communications between government agencies that manage natural resources for outdoor recreation and promote their sustainable use. This office is, by design, trying to help not just the industry, but also to get more people outdoors. There are three other such offices in the U.S. – Utah, Washington and Colorado. They are beneficial in assisting the outdoor industry and supporting recreation. The organizers of the partnership are in the process of forming an advisory committee. The Park District is viewed as one of the potential members. Director Corbett commented this is a good all-around idea. Pfuehler noted there are a number of outdoor industry companies located in the East Bay.

The Board Legislative Committee voted unanimously to SUPPORT.

I. AB 1083 (Burke D-Inglewood) – Electric Vehicle Charging Stations in State Parks and Beaches

Houston shared Assembly Member Burke's legislation calls for a "robust" electric vehicle charging network at all state parks and beaches by December 31, 2018. This legislation is consistent with recommendations made by Parks Forward to modernize and contemporize services offered at and by state parks. Pfuehler added this is part of a series of bills Assembly Member Burke is carrying. This bill has the most specific nexus with the Park District. Director Corbett requested we watch language in regard to the cost of the energy source.

The Board Legislative Committee voted unanimously to SUPPORT.

6. AB 1630 (Bloom D-Santa Monica) – Wildlife Connectivity and Transportation Projects

Houston shared transportation infrastructure, and roads in particular, are a major contributor to habitat fragmentation because they can divide large landscapes into smaller patches and convert interior habitat into edge habitat. A working group in Sacramento is looking at legislation, including the park bond, to promote habitat connectivity to allow for proper migration patterns. These connections will be increasingly important as we see climate change hit California. This bill is looking to urge CalTrans, when receiving federal or state funding for projects, to incorporate design features which promote wildlife connectivity. Director Corbett asked about the streamlining of the permitting process for wildlife crossing projects as referenced in the bill. Houston responded this is being watched by The Nature Conservancy and others who are sensitive to how far reaching CEQA exemptions can go. Pfuehler acknowledged this is similar to discussions the San Francisco Bay Restoration Authority is having about streamlining permits to move projects in the Bay more quickly. Director Waespi asked about the number of wildlife crossing projects in California. Houston responded they are increasing annually, especially with new construction coming forward. Pfuehler added this legislation requires the consideration of habitats when transportation projects are designed.

The Board Legislative Committee voted unanimously to SUPPORT.

7. SB 262 (Wieckowski D-Fremont) – Climate Adaptation Advisory Council

Pfuehler shared a bill was enacted a few years back which requires different agencies throughout the state to coordinate on adaptation strategies so as to avoid duplicative efforts. Houston added this bill would create an advisory council to discuss how to move forward with coordinating climate adaption actions. Deputy General Manager Alvarez shared it is important for parks to be highlighted as a solution to climate change. Pfuehler acknowledged it would be important to have a park agency on the advisory council. While the District could qualify under a number of categories included in the bill, it could be helpful to have a separate category for “parks and open space.” The Park District is seeking to add this category.

The Board Legislative Committee voted unanimously to SUPPORT.

8. SB 424 (Allen D-Santa Monica) – The California Regional Environmental Education Community Network

Houston said this bill establishes the California Regional Environmental Education Community Network to facilitate the implementation of high quality environmental literacy in California public schools. It appropriates \$4.5 million for grants to local educational agencies and to community-based environmental education providers. The premise of this bill is to eliminate the gap in learning about environmental education between varying demographics in California.

The Board Legislative Committee voted unanimously to SUPPORT.

B. ISSUES

I. Park Bond Update

Houston shared the diligent work to expedite AB 18 through the legislature. With a successful 2/3rds vote in the Assembly, the bill has been sent to the Senate. SB 5 has not moved as quickly. At this time, AB 18 will be held in rules until SB 5 can advance. Positive conversations with stakeholders have occurred in trying to modify SB 5’s content to better align with AB 18 regarding park funding.

Eventually, a fusion of the two bills is likely. A good source has shared with Houston the topic has been broached with the Governor and he is open to a discussion about such a bond.

2. Transportation Package Update

Houston discussed the recent passage of a \$52 billion transportation package, \$5.2 billion annually, primarily financed by new gas and diesel taxes. This package includes about \$34 million toward road repairs and an additional \$7 billion toward mass transit projects. In addition, the Active Transportation Program will receive a \$100 million annual increase in expenditures. This has the potential to help the Park District's commuter trails. To reduce vehicle miles traveled, \$25 million is budgeted annually for planning to meet the objectives of SB 375. There will now be \$75-80 million annually in revenues for state parks to assist in working on the deferred maintenance. Advanced mitigation, similar to the Environmental Enhancement Mitigation Program, will receive \$30 million. Pfuehler added the Park District has been actively involved in a regional advanced mitigation effort for the East Bay.

3. Other Issues – N/A

II. FEDERAL LEGISLATION / ISSUES

A. NEW LEGISLATION

a. H.R. 1233 (McNerney D-CA) – Emergency Flood Response Act

Pfuehler remarked this legislation is a response to the recent flooding. Representative McNerney is seeking to create a pilot program administered by FEMA for flood protection and prevention, primarily targeting levee repair, restoration and maintenance. The Hayward Shoreline would be a natural pilot project. Pfuehler recommended support for this program. The current definition in the bill of an “eligible entity” is a “State local levee maintaining agency or unit of local government which is responsible for emergency flood response efforts, and maintains and operates a flood emergency fund.” Given it is not clear if the District would be eligible, it would be appropriate to reach out to the sponsor's office to ensure the District could qualify to apply for a pilot grant. This program seems to have merit in Congress, but the Administration's budget proposal reduces FEMA's pre-disaster mitigation budget.

The Board Legislative Committee voted unanimously to SUPPORT.

2. S. 729 (Harris D-CA) and H.R. 1719 (DeSaulnier D-CA) – John Muir National Historic Site

Pfuehler recognized the need for Congressional approval to expand John Muir National Historic Site by 44 acres. Identical legislation has passed the House in earlier Congresses, but not the Senate. This bill does not have funding attached to it – it is simply approving the effort. Director Coffey asked why there is opposition when there are no costs. Pfuehler replied it could be a partisan issue.

The Board Legislative Committee voted unanimously to SUPPORT.

3. S. 731 (Feinstein D-CA) and H.R. 1738 (Garamendi D-CA) – Sacramento-San Joaquin Delta National Heritage Area

Pfuehler explained S. 731 would establish a National Heritage Area for the Delta. A small amount of funding is included with this designation, but it is primarily an interpretive program and would give the Delta region a sense of place.

The Board Legislative Committee voted unanimously to SUPPORT.

B. ISSUES

I. Other Issues – N/A

III. ARTICLES – No discussion.

IV. OPEN FORUM PUBLIC COMMENT

V. BOARD COMMENTS

Director Waespi stated the Alameda County Special Districts Association (ACSDA) has written a letter of opposition on AB 898 and asked if the Contra Costa County Special Districts Association (CCCSDA) has done the same. Pfuehler shared Director Lane had a conversation with Betty Boatman from the Contra Costa County Water District and the chair of CCCSDA. He needs to follow up with Director Lane about the specifics. In addition, because the East Contra Costa Fire Protection District is a member of CCCSDA, he is unsure if a position will be taken.

This meeting adjourned at 1:17 pm.

Respectfully Submitted:

Lisa Baldinger
Legislative Assistant

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