

AGENDA
REGULAR MEETINGS
BOARD OF DIRECTORS

EAST BAY REGIONAL PARK DISTRICT

Tuesday, June 19, 2018

D. BUSINESS BEFORE THE BOARD

7. BOARD COMMITTEE REPORTS

e. Board Legislative Committee (3.3.18) (Rosario)

Present

Board: Dee Rosario, Dennis Waespi, Beverly Lane

Staff: Robert E. Doyle, Erich Pfuehler, Ana Alvarez, Bob Nisbet, Lisa Baldinger, Erik Holmes, Debra Auker, Rachel Sater, Tiffany Margulici, Jeff Rasmussen,

Consultants: Doug Houston

Public:

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

I. STATE LEGISLATION / OTHER MATTERS

A. NEW LEGISLATION

1. **AB 1945 – Greenhouse Gas Reduction Fund (Garcia D-Coachella)**

Legislative Advocate Doug Houston highlighted this is currently a spot bill, but the goal is to broaden the scope for cap-and-trade grant applications to consider co-benefits. When grants have been awarded over the past few years, such as Urban Greening, monies are spent on enhancements, but not to increase access for the public. With this in mind, a co-benefit being considered by this bill is to increase public access. Government Affairs Manager Erich Pfuehler added cap-and-trade investment plans are re-considered every three years. In 2012, District staff attended these discussions. In 2015, a letter of multiple asks was submitted on behalf of the District for the plan. Now, for the third investment plan in 2019, what is being proposed in the bill aligns with the District's asks.

The Board Legislative Committee voted unanimously to SUPPORT.

2. **AB 2053 – Harmful Algal Bloom Task Force (Quirk D-Hayward)**

Houston commented the District has been closely following this bill. Previously, it had been proposed by Assembly Member Bill Quirk's staff to create a taskforce for Blue Green Algae bloom mitigation, but this concept has since expanded into creating an action team to physically study the blooms. Pfuehler added the office of the Assembly Member has been closely working with the District in writing this bill. Director Dennis Waespi said a great thing about the District's "Walk and Talks" is it allows Board

Members to have conversations with elected officials on topics of concern. He is pleased to see this great work by Assembly Member Quirk's office.

The Board Legislative Committee voted unanimously to SUPPORT.

3. AB 2061 – Clean Energy Trucks (Frazier D-Discovery Bay)

Houston shared this bill seeks to remove the weight barriers of zero and close to zero-emission vehicles in California. Such vehicles tend to weigh more than vehicles running on gasoline. This bill would help to incentivize more of such vehicles on the road. Pfuehler added the District fleet greening efforts could benefit from this bill.

The Board Legislative Committee voted unanimously to SUPPORT.

4. AB 2137 – Riverside County Regional Park and Open Space District General Manager Powers - (Mayes R-Yucca Valley)

Houston mentioned this bill is consistent with legislation from last year which expanded the authority of informal bidding process by Sonoma County Agricultural Preservation and Open Space District. The East Bay Regional Park District possesses similar authority which gives a higher limit for contracts. As it is consistent with the District's authority and a host of other agencies, District staff has recommended a support position. Director Beverly Lane asked if the Riverside County Regional Park and Open Space District is in the same government code as the District, the way Midpeninsula Open Space District is. Houston responded he does not believe they are. Director Lane went on to ask, in the creation of open space districts, is there a trend between regional park and/or agriculture and open space. Houston responded such districts are different. General Manager Robert E. Doyle added Sonoma has Parks and Open Space dependent districts that report to the County, but there are no specific trends to speak to. Pfuehler added Solano County is looking to create an Open Space district, which would report to the County for its first ten years.

The Board Legislative Committee voted unanimously to SUPPORT.

5. AB 2421 – Monarch Butterfly and Pollinator Rescue Program (Stone D-Monterey Bay)

Houston relayed Assembly Member Mark Stone, who resides in Santa Cruz, is seeking to establish a program through the Wildlife Conservation Board to provide grants and other support for the preservation of Monarch Butterflies throughout California. Director Dee Rosario commented these butterflies went from several million to hundred-thousands. Director Lane questioned if our prairie lands in Point Pinole would be considered a beneficial habitat as part of this program. GM Doyle responded the Milk Weed in the area would be. Director Rosario recalled from a presentation last year, the butterflies forage in the East Bay Hills and live in other East Bay parks.

The Board Legislative Committee voted unanimously to SUPPORT.

6. AB 2441 – Sacramento-San Joaquin Delta Abandoned Vessel Removal Account (Frazier D-Discovery Bay)

Houston spoke to how this bill by Assembly Member Jim Frazier, which will create the Sacramento San Joaquin Delta Abandoned Vessel Account in the General Fund, aims at helping to remove abandoned water crafts from the Delta. The Park District does have abandoned boats adjacent to our Delta properties. Assistant Finance Officer Jeff Rasmussen commented the California Environmental Protection Agency has in the past provided coordinated efforts between agencies for a similar program, but it has

since been disassembled. Director Rosario highlighted jurisdiction is likely to play a role. Pfuehler agreed and acknowledged the State Lands Commission are responsible for lands directly off the shoreline.

The Board Legislative Committee voted unanimously to SUPPORT.

7. AB 2551 – Forest and Wildland Health Improvement and Fire Prevention Program (Wood D-Healdsburg)

Houston relayed, given recent fires last summer and into fall, there has been a lot of legislation written to address the issue of wildfire moving forward. This legislation would create the Forest Wildland Health Improvement and Fire Prevention Program (FWHIFPP) and which will seek 18% of the Greenhouse Gas Reduction Fund (GGRF) to help underwrite the program. Houston acknowledged this is a sizeable amount and there is a trend currently to go after the unallocated portion of the GGRF funds due to perceived opportunity. Depending on the Governor's successor, there will likely be great discussion on how the future GGRF will be used. Pfuehler shared the legislature did recently secure a 2/3 vote to extend the cap-and-trade program for another ten years. Additionally, at a recent conversation with Senator Nancy Skinner's office, she noted a number of fire bills are moving forward. She emphasized the District should work to have a seat at the table. Director Lane asked if this is a grant and if we are eligible. GM Doyle responded the District will work to ensure we are. GM Doyle went on to mention there may be a consolidation of fire bills. Houston continued a consolidation would take place in the context of the budget. The Governor has established his priorities for the funding that exists. Pfuehler added, in response to the GM's question, the sorting of bills will occur during the budget process, but it should also be emphasized, when they are combined, champions will be determined. With this in mind, it is important the District act as a positive means of support for such legislation. Director Rosario asked who certifies the methodology to be used in such legislation. Houston replied the California Air Resources Board. GM Doyle added it is a complicated process and there will likely be debate. Director Rosario asked if there is a favored methodology. Houston shared there are many different methodologies being discussed. The challenge with forest health and carbon cataloging is in baseline assessment. The state has not historically taken into account forest management or fire emissions. There is good data out there, and folks are on the right track.

The Board Legislative Committee voted unanimously to SUPPORT.

8. AB 2614 – Transportation for Disadvantaged Youth to Experience the Outdoors (Carrillo D-Los Angeles)

Houston referenced this legislation stems from the notion that it is great to have green spaces in urban areas across California, but that it is not enough. This legislation seeks to transport kids from their homes to green areas. It aligns with efforts in SB 5 to determine organizations looking to partner and get kids outside, but to also increase grants for such programs. GM Doyle commented the Bay Area, due to the tech industry, is having a shortage of bus drivers for such programming. Some agencies have bought buses, but have been unable to get a certified driver. An additional big challenge is, there are grants to buy buses, but finding the labor is difficult. Pfuehler shared access to green spaces for urban youth is an issue people recognize state wide and was highlighted in SB 5, SB 1 and other bills. Additionally, the District has a provision in the proposed draft extension expenditure plan for Measure CC to increase such access.

The Board Legislative Committee voted unanimously to SUPPORT.

9. AB 3160 – Coastal Wetlands Fund (Grayson D-Concord)

Houston stated this item is serving as a spot bill at this time. The ultimate intent of the bill is not consistent with the content before you today. It will likely be amended and revised by the middle of next week.

10. SB 1015 – California Climate Resiliency Program (Allen D-Santa Monica)

Houston commented this bill is seeking to redirect GGRF funds. Over the course of the last few years, there has been a trend away from making resource-related investments through cap-and-trade. In previous years, there has been investments in meadows, watershed property, wetlands, etc., but more recently investments have shifted to forest health. This program is looking for ways to enhance existing resources. Pfuehler added this bill would increase investments in things the Park District is already doing.

The Board Legislative Committee voted unanimously to SUPPORT.

11. SB 1316 – Carnegie State Vehicular Recreation Area Alameda-Tesla Expansion Area (Glazer D-Orinda)

GM Doyle began by sharing the District had a meeting with Senator Glazer earlier in the day. GM Doyle highlighted Assembly Member Baker is also strongly involved in this bill. This legislation is a creative and surprising piece. The bill is an attempt to move the dialog along to bring all parties involved in the Tesla issue together for balanced communication. Assembly Member Baker is not opposed to OHV, but rather feels Tesla is the wrong expansion area. Senator Glazer expressed this is the first of multiple steps. A key part of this legislation is it gives authority to the state to sell the property for lower than value to a land agency with the intent of open space. Once sold, it will then become a question of resources for management of the park. Suggestion to add language for sale for mitigation purposes was given to allow for additional funding sources. There is concern about trespassing vehicles, as the property is next to an existing OHV site, so the property would have to be monitored. Director Waespi questioned the size of this property. GM Doyle responded it is over a thousand acres. The property set aside happened prior to Measure D being put into place and the zoning has changed in the past years. The electeds are still unsure how receptive the State Parks will be. At this time, they are completely noncommittal. Pfuehler added Friends of Tesla is supporting the legislation as is.

The Board Legislative Committee voted unanimously to SUPPORT.

12. SB 1401 – Climate Adaptation Information Clearinghouse (Wieckowski D-Fremont)

Houston commented this legislation is a part of Senator Wieckowski's continued quest to gather more climate data. Pfuehler shared, at this time, the actual content of the bill discusses reporting back about the user experience, so it may be a spot bill and could expand. Houston continued this bill is seeking to get better feedback from those with access to climate data for use. GM Doyle added such data will be helpful for the Park District in future planning efforts. Director Lane expressed concern additional conversations need to happen as such data could be used to support existing infrastructure around the Bay. This could allow for better planning. GM Doyle went on to comment there is a huge opportunity for a national conversation on solutions to shoreline protection. Director Waespi asked, when dredging occurs, do they not test the quality of the material. GM Doyle responded there is a vast variety of materials and it takes a lot of effort.

The Board Legislative Committee voted unanimously to SUPPORT.

B. OTHER MATTERS

I. Prop. 68 Park Bond

Houston shared there is now an official measure appearing on the June 2018 ballot. GM Doyle

emphasized the Board's full support and the District's leadership role in endorsing SB 5. Today's vote is on the new ballot number. Pfuehler shared in Dr. Manross' last survey, there was a series of question about the Park Bond. The question of funding going to regional and local parks had the largest net shift. Climate change then followed, then infrastructure, with water quality resources having the lowest net shift in the East Bay. Thus, the idea that water should lead the conversation in the East Bay is incorrect. Director Rosario clarified this is an over 50% vote. Houston confirmed and shared statewide polling should be shared early next week. He stated a difficulty in getting the polling out earlier is that there was not a name and summary. Local cost savings were successfully integrated into the language of the bond.

The Board Legislative Committee voted unanimously to SUPPORT.

2 Other matters

Director Lane questioned if the Board will be taking a support position on Regional Measure 3. Pfuehler responded the District has not yet.

II. FEDERAL LEGISLATION / OTHER MATTERS

A. NEW LEGISLATION

1. S. 2350 – Explore America Act (Schatz D-HI)

Pfuehler highlighted this legislation aims to enhance existing programs and partnerships. It has the potential to tie into what is going to occur in Concord at the Naval Weapons Station. Such legislation has the potential to provide for additional resources for the City and Park District as that project moves forward.

The Board Legislative Committee voted unanimously to SUPPORT.

2. S. 2395 – Forest Incentives Program Act (Shaheen D-NH)

Pfuehler commented this bill is more geared toward private forests to encourage sustainable forest management practices under the acknowledgement the climate is changing. It is an effort for private forest managers to adopt more climate related forest management plans. He went on to share the non-NGO behind this legislation is trying to do the right thing in a difficult situation.

The Board Legislative Committee voted unanimously to SUPPORT.

B. OTHER MATTERS

1. 2018 Legislative meetings in Washington

Pfuehler shared this is a placeholder to see if there was any additional follow up. The only new report is the Department of Army will not be meeting their March 2018 deadline. It is unknown if this delay will be worse or more beneficial for the Park District. Director Rosario asked if there are any discussions with the Department of Toxic Substance Control. Pfuehler shared the current focus is now the Army.

2. Other Matters

III. MEASURE CC EXTENSION UPDATE

Pfuehler relayed there is an upcoming meeting with the Sierra Club Public Lands Committee. GM Doyle commented he spoke with Norman yesterday and they will not be endorsing anything at the meeting, but rather finalizing their comments on the draft expenditure list. Pfuehler went on to share Dr. George Manross is working on a survey in the Zone. It will likely be the Go-No-Go survey. In the survey, the language Legal Council has provided will be tested. In addition, some language used in the draft expenditure plan commitment list will be tested to see the thoughts of the general public. There will be

additional questions to measure the thoughts on wildfire prevent efforts and pesticide use in the parks. GM Doyle went on to add this survey will test the general trust of the District across the zone. Assistant General Manager of Finance and Management Services Debra Auker shared the process for the creation of the Communities Facilities District will be a two-step process.

VI. ARTICLES

Pfuehler highlighted the article shared regarding the morale of the EPA reflects what was learned during the D.C. trip.

VII. OPEN FORUM PUBLIC COMMENT

None.

VIII. BOARD COMMENTS

Director Lane requested the articles be done in a separate packet in the future.

This meeting adjourned at 2:00 pm.

Respectfully Submitted:

Lisa Baldinger
Legislative Assistant