

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



FROM: Executive Office

SUBMITTAL DATE:
July 7, 2016


SUBJECT: AB 2444 (Garcia) - California Parks, Water, Climate, and Coastal Protection and Outdoor Access For All Act of 2016.

RECOMMENDED MOTION: That the Board of Supervisors:
Support Assembly bill 2444.

BACKGROUND:

Summary

It has been fourteen years since the passage of a "true park bond." This measure establishes a framework and directs \$3.120 billion to infuse much needed financial resources into all neighborhood, regional, and state parks. If the bill is passed by the legislature and signed by the Governor, it will be placed on the November 2016 ballot.



Brian Nestande
Deputy County Executive Officer

Departmental Concurrence

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$	\$	\$	\$	Consent <input type="checkbox"/> Policy <input type="checkbox"/>
NET COUNTY COST	\$	\$	\$	\$	

SOURCE OF FUNDS:	Budget Adjustment:
	For Fiscal Year:

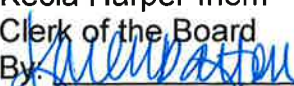
C.E.O. RECOMMENDATION: APPROVE
BY: 

County Executive Office Signature
George A. Johnson

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Jeffries, seconded by Supervisor Ashley and duly carried, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Washington, Benoit and Ashley
Nays: None
Absent: Tavaglione
Date: July 12, 2016
xc: E.O.

Kecia Harper-Ihem
Clerk of the Board
By: 

Deputy

- A-30
- Positions Added
- 4/5 Vote
- Change Order

Prev. Agn. Ref.: | **District:** All | **Agenda Number:**

3-61

**SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FORM 11: AB 2444 - California Parks, Water, Climate, and Coastal Protection and Outdoor Access For
All Act of 2016.**

DATE: July 7, 2015

PAGE: 2 of 2

BACKGROUND:

Summary (continued)

As California recovers from the recession, there is an urgent need to fix, repair, and maintain the infrastructure state and local agencies currently operate. Nowhere is that more profound than in park and recreation departments across California which are experiencing daunting backlogs of major maintenance on projects that add up to billions of dollars.

A recent California Park & Recreation Society (CPRS) survey estimates that the unfunded need for local and regional parks tops out at over \$5 Billion over the next several years. AB 2444 would appropriate \$25 million to the Salton Sea Authority for continuing restoration efforts. Through the Per Capita and other important grants programs envisioned in this bill (Trails, Statewide Park Program, etc.), The Riverside County Regional Park and Open-Space District will be afforded the opportunity to address the long overdue needs in our Region such as: repaving crumbling roads at our parks; installing reliable water and sewage facilities to protect precious groundwater; replacing fixtures and equipment with energy saving devices to save energy, improve the environment and grid reliability and; installing inclusive playgrounds to ensure people of all ages and abilities can be both physically and socially active through play.

Impact on Residents and Businesses

The action presented would affect residents of Riverside County through the much needed support that will be provided to County parks along with funding within the bill to support efforts in the Salton Sea.

SUPPLEMENTAL:

Additional Fiscal Information

N/A

Contract History and Price Reasonableness

N/A



California
LEGISLATIVE INFORMATION

AB-2444 California Parks, Water, Climate, and Coastal Protection and Outdoor Access For All Act of 2016. (2015-2016)

AMENDED IN ASSEMBLY JUNE 23, 2016
AMENDED IN ASSEMBLY JUNE 01, 2016
AMENDED IN ASSEMBLY APRIL 26, 2016
AMENDED IN ASSEMBLY APRIL 13, 2016
AMENDED IN ASSEMBLY MARCH 17, 2016

CALIFORNIA LEGISLATURE— 2015–2016 REGULAR SESSION

ASSEMBLY BILL

No. 2444

**Introduced by Assembly Member Eduardo Garcia
(Coauthor: Assembly Member Levine)**

February 19, 2016

An act to add Chapter 14 (commencing with Section 5880) to Division 5 of the Public Resources Code, relating to a parks, water, climate, and coastal protection and outdoor access for all program, by providing the funds necessary therefor through an election for the issuance and sale of bonds of the State of California and for the handling and disposition of those funds, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 2444, as amended, Eduardo Garcia. California Parks, Water, Climate, and Coastal Protection and Outdoor Access For All Act of 2016.

Under existing law, programs have been established pursuant to bond acts for, among other things, the development and enhancement of state and local parks and recreational facilities.

This bill would enact the California Parks, Water, Climate, and Coastal Protection and Outdoor Access For All Act of 2016, which, if approved by the voters, would authorize the issuance of bonds in the amount of ~~\$2,985,000,000~~ \$3,120,000,000 pursuant to the State General Obligation Bond Law to finance a parks, water, climate, and coastal protection and outdoor access for all program.

The bill would provide for the submission of these provisions to the voters at the November 8, 2016, statewide general election.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: 2/3 Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Chapter 14 (commencing with Section 5880) is added to Division 5 of the Public Resources Code, to read:

CHAPTER 14. California Parks, Water, Climate, and Coastal Protection and Outdoor Access For All Act of 2016
Article 1. General Provisions

5880. (a) The people of California find and declare all of the following:

(1) From California's beautiful rivers, streams, coastal shorelines, and other waterways, to our federal, state, local, and regional parks and outdoor settings, to our vast network of trails connecting people with natural landscapes, Californians value the rich diversity of outdoor experiences afforded to this state and its citizens.

(2) Demand for local parks has exceeded available funding by a factor of 8 to 1, with particularly high demand in urban, disadvantaged communities.

(3) Many Californians across the state lack access to safe parks, trails, and recreation areas, which limits their ability to experience the outdoors, improve their physical and emotional health, exercise, and connect with their communities.

(4) Investments to create and improve parks and recreation areas, and to create trail networks that provide access from neighborhoods to parks and recreational opportunities, will help ensure all Californians have access to safe places to exercise and enjoy recreational activities.

(5) The California Center for Public Health Advocacy estimates that inactivity and obesity cost California over forty billion dollars (\$40,000,000,000) annually, through increased health care costs and lost productivity due to obesity-related illnesses, and that even modest increases in physical activity would result in significant savings. Investments in infrastructure improvements such as biking and walking trails and pathways, whether in urban or natural areas, are cost-effective ways to promote physical activity.

(6) Continued investments in the state's parks, trails, and natural resources, and greening urban areas will help mitigate the effects of climate change, making cities more livable, and will protect California's natural resources for future generations.

(7) California's outdoor recreation economy represents an eighty-seven-billion-dollar (\$87,000,000,000) industry, providing over 700,000 jobs and billions of dollars in local and state revenues.

(8) California's state, local, and regional park system infrastructure and national park system infrastructure is aging and a significant infusion of capital is required to protect this investment.

(9) There has been a historic underinvestment in parks, trails, and outdoor infrastructure in disadvantaged areas and many communities throughout California.

(10) Tourism is a growing industry in California and remains an economic driver for the more rural parts of the state.

(b) It is the intent of the people of California that all of the following shall occur in the implementation of this chapter:

(1) The investment of public funds pursuant to this chapter will result in public benefits that address the most critical statewide needs and priorities for public funding.

(2) In the appropriation and expenditure of funding authorized by this chapter, priority will be given to projects that leverage private, federal, or local funding or produce the greatest public benefit.

(3) To the extent practicable, a project that receives moneys pursuant to this chapter will include signage informing the public that the project received funds from the California Parks, Water, Climate, and Coastal Protection and Outdoor Access For All Act of 2016.

(4) To the extent practicable, when developing program guidelines for urban recreation projects and habitat protection or restoration projects, administering entities are encouraged to give favorable consideration to projects that provide urban recreation and protect or restore natural resources. Additionally, the entities may pool funding for these projects.

5880.01. The following definitions govern the construction of this chapter:

(a) "Committee" means the California Parks, Water, Climate, Coastal Protection, and Outdoor Access For All Finance Committee created by Section 5889.02.

(b) "Department" means the Department of Parks and Recreation.

(c) "Disadvantaged community" has the same meaning set forth in subdivision (g) of Section 75005.

(d) "Fund" means the California Parks, Water, Climate, and Coastal Protection and Outdoor Access For All Fund, created by Section 5880.08.

(e) "Interpretation" includes, but is not limited to, a visitor-serving amenity that enhances the ability to understand and appreciate the significance and value of natural, historical, and cultural resources and that may utilize educational materials in multiple languages, digital information, and the expertise of a naturalist or other skilled specialist.

(f) "Preservation" means rehabilitation, stabilization, restoration, development, and reconstruction, or any combination of those activities.

(g) "Protection" means those actions necessary to prevent harm or damage to persons, property, or natural, cultural, and historic resources, actions to improve access to public open-space areas, or actions to allow the continued use and enjoyment of property or natural, cultural, and historic resources, and includes acquisition, development, restoration, preservation, and interpretation.

(h) "Restoration" means the improvement of physical structures or facilities and, in the case of natural systems and landscape features, includes, but is not limited to, projects for the control of erosion, the control and elimination of exotic species, removal of waste and debris, prescribed burning, fuel hazard reduction, fencing out threats to existing or restored natural resources, road elimination, and other plant and wildlife habitat improvement to increase the natural system value of the property. Restoration projects shall include the planning, monitoring, and reporting necessary to ensure successful implementation of the project objectives.

(i) "Severely disadvantaged community" has the same meaning set forth in subdivision (g) of Section 75005.

5880.02. An amount that equals not more than 5 percent of the funds allocated for a grant program pursuant to this chapter may be used to pay the administrative costs of that program.

5880.03. (a) Except as provided in subdivision (b), up to 10 percent of funds allocated for each program funded by this chapter may be expended for planning and monitoring necessary for the successful design, selection, and implementation of the projects authorized under that program. This section shall not otherwise restrict funds ordinarily used by an agency for "preliminary plans," "working drawings," and "construction" as defined in the annual Budget Act for a capital outlay project or grant project. Planning may include feasibility studies for environmental site cleanup that would further the purpose of a project that is eligible for funding under this chapter.

(b) Funds used for planning projects that benefit disadvantaged communities may exceed 10 percent of the funds allocated if the state agency administering the moneys determines that there is a need for the additional funding.

5880.04. (a) At least ~~10~~ 20 percent of the funds available pursuant to each article of this chapter shall be allocated for projects serving severely disadvantaged communities.

(b) Except as provided in subdivision (c), up to 10 percent of the funds available pursuant to each article of this chapter may be allocated for technical assistance to disadvantaged communities. The agency administering the moneys shall operate a multidisciplinary technical assistance program for ~~small~~ disadvantaged communities.

(c) Funds used for providing technical assistance to disadvantaged communities may exceed 10 percent of the funds allocated if the state agency administering the moneys determines that there is a need for the additional funding.

5880.05. Before disbursing grants pursuant to this chapter, each state agency that receives funding to administer a competitive grant program under this chapter shall do the following:

(a) Develop and adopt project solicitation and evaluation guidelines. The guidelines shall include monitoring and reporting requirements and may include a limitation on the dollar amount of grants to be awarded. If the state

agency has previously developed and adopted project solicitation and evaluation guidelines that comply with the requirements of this subdivision, it may use those guidelines.

(b) Conduct three public meetings to consider public comments before finalizing the guidelines. The state agency shall publish the draft solicitation and evaluation guidelines on its Internet Web site at least 30 days before the public meetings. One meeting shall be conducted at a location in northern California, one meeting shall be conducted at a location in the central valley of California, and one meeting shall be conducted at a location in southern California.

(c) Submit the guidelines to the Secretary of the Natural Resources Agency. The Secretary of the Natural Resources Agency shall verify that the guidelines are consistent with applicable statutes and for all the purposes enumerated in this chapter. The Secretary of the Natural Resources Agency shall post an electronic form of the guidelines submitted by state agencies and the subsequent verifications on the Natural Resources Agency's Internet Web site.

(d) Upon adoption, transmit copies of the guidelines to the fiscal committees and the appropriate policy committees of the Legislature.

5880.06. (a) The Department of Finance shall provide for an independent audit of expenditures pursuant to this chapter. The Secretary of the Natural Resources Agency shall publish a list of all program and project expenditures pursuant to this chapter not less than annually, in written form, and shall post an electronic form of the list on the agency's Internet Web site.

(b) If an audit, required by statute, of any entity that receives funding authorized by this chapter is conducted pursuant to state law and reveals any impropriety, the California State Auditor or the Controller may conduct a full audit of any or all of the activities of that entity.

(c) The state agency issuing any grant with funding authorized by this chapter shall require adequate reporting of the expenditures of the funding from the grant.

5880.07. A project whose application includes the use of services of the California Conservation Corps or certified community conservation corps, as defined in Section 14507.5, shall be given preference for receipt of a grant under this chapter whenever feasible.

5880.075. A project that includes water efficiencies, stormwater capture, or carbon sequestration features in the project design may be given priority for grant funding under this ~~chapter~~ *chapter whenever feasible*.

5880.08. (a) The proceeds of bonds issued and sold pursuant to this chapter shall be deposited in the California Parks, Water, Climate, and Coastal Protection and Outdoor Access For All Fund, which is hereby created in the State Treasury.

(b) Proceeds of bonds issued and sold pursuant to this chapter shall be allocated according to the following schedule:

(1) Nine hundred ninety-five million dollars (\$995,000,000) for purposes of Article 2 (commencing with Section 5881).

(2) ~~Nine hundred ninety-five million dollars (\$995,000,000)~~ *One billion fifty-five million dollars (\$1,055,000,000)* for purposes of Article 3 (commencing with Section 5882), Article 4 (commencing with Section 5883), Article 5 (commencing with Section 5884), and Article 6 (commencing with Section 5885).

(3) ~~Nine hundred ninety-five million dollars (\$995,000,000)~~ *One billion seventy million dollars (\$1,070,000,000)* for purposes of Article 7 (commencing with Section 5886), Article 7.5 (commencing with Section 5887), and Article 8 (commencing with Section 5888).

5880.09. The Legislature may enact legislation necessary to implement programs funded by this chapter.

Article 2. Investments in Environmental and Social Equity, Enhancing California's Disadvantaged Communities

5881. (a) Pursuant to Section 5880.08, the sum of nine hundred ninety-five million dollars (\$995,000,000) shall be available to the department, upon appropriation by the Legislature, for the creation and expansion of safe neighborhood parks in park-poor neighborhoods in accordance with the Statewide Park Development and

Community Revitalization Act of 2008's competitive grant program described in Chapter 3.3 (commencing with Section 5640).

(b) When developing or revising criteria or guidelines for the grant program, the department may consider the population densities of an applicant in relation to countywide populations, comparative income levels, and other poverty-related factors that are relative to regionwide statistics.

Article 3. Investments in Protecting, Enhancing, and Accessing California's Local and Regional Outdoor Spaces
Article 3.

5882. For purposes of this article, "district" means any regional park district, regional park and open-space district, or regional open-space district formed pursuant to Article 3 (commencing with Section 5500) of Chapter 3, any recreation and park district formed pursuant to Chapter 4 (commencing with Section 5780), or any authority formed pursuant to Division 26 (commencing with Section 35100). With respect to any community or unincorporated region that is not included within a district, and in which no city or county provides parks or recreational areas or facilities, "district" also means any other ~~entity~~ *entity, including, but not limited to, a district operating multiple-use park lands pursuant to Division 20 (commencing with Section 71660) of the Water Code*, that is authorized by statute to operate and manage parks or recreational areas or facilities, employs a full-time park and recreation director, offers year-round park and recreation services on land and facilities owned by the entity, and allocates a substantial portion of its annual operating budget to parks or recreation areas or facilities.

5882.01. (a) Pursuant to Section 5880.08, the sum of four hundred fifty million dollars (\$450,000,000) shall be available to the department, upon appropriation by the Legislature, for local park rehabilitation and improvement grants to local governments on a per capita basis. Grant recipients shall be encouraged to utilize awards to rehabilitate existing infrastructure and to address deficiencies in neighborhoods lacking access to the outdoors.

(b) Pursuant to Section 5880.08, the sum of thirty-five million dollars (\$35,000,000) shall be available to the department, upon appropriation by the Legislature, for grants to cities and districts in urbanized counties providing park and recreation services within jurisdictions of 200,000 or less in population. For purposes of this subdivision, "urbanized county" means a county with a population for 500,000 or greater. An entity eligible to receive funds under this subdivision shall also be eligible to receive funds available under subdivision (a).

(b)

(c) Unless the entity has been identified as a disadvantaged community, an entity that receives an award pursuant to this section shall be required to provide a match of 20 percent as a local share.

5882.02. (a) (1) The department shall allocate 60 percent of the funds available pursuant to subdivision (a) of Section 5882.01 to cities and districts, other than a regional park district, regional park and open-space district, open-space authority, or regional open-space district. Each city's and district's allocation shall be in the same ratio as the city's or district's population is to the combined total of the state's population that is included in incorporated and unincorporated areas within the county, except that each city or district shall be entitled to a minimum allocation of two hundred fifty thousand dollars (\$250,000). If the boundary of a city overlaps the boundary of a district, the population in the overlapping area shall be attributed to each jurisdiction in proportion to the extent to which each operates and manages parks and recreational areas and facilities for that population. If the boundary of a city overlaps the boundary of a district, and in the area of overlap the city does not operate and manage parks and recreational areas and facilities, all grant funds for that area shall be allocated to the district.

(2) On or before April 1, 2018, a city and a district that are subject to paragraph (1), and whose boundaries overlap, shall collaboratively develop and submit to the department a specific plan for allocating the grant funds in accordance with the formula specified in paragraph (1). If, by that date, the plan has not been developed and submitted to the department, the director shall determine the allocation of the grant funds between the affected jurisdiction.

(b) (1) The department shall allocate 40 percent of the funds available pursuant to subdivision (a) of Section 5882.01 to counties and regional park districts, regional park and open-space districts, open-space authorities formed pursuant to Division 26 (commencing with Section 35100), and regional open-space districts formed pursuant to Article 3 (commencing with Section 5500) of Chapter 3.

(2) Each county's allocation under paragraph (1) shall be in the same ratio that the county's population is to the total state population, except that each county shall be entitled to a minimum allocation of five hundred thousand dollars (\$500,000).

(3) In any county that embraces all or part of the territory of a regional park district, regional park and open-space district, open-space authority, or regional open-space district, and whose board of directors is not the county board of supervisors, the amount allocated to the county shall be apportioned between that district and the county in proportion to the population of the county that is included within the territory of the district and the population of the county that is outside the territory of the district.

(c) For the purpose of making the calculations required by this section, population shall be determined by the department, in cooperation with the Department of Finance, on the basis of the most recent verifiable census data and other verifiable population data that the department may require to be furnished by the applicant city, county, or district.

(d) The Legislature intends all recipients of funds pursuant to subdivision (a) of Section 5882.01 to use those funds to supplement local revenues in existence on the effective date of the act adding this chapter. To receive an allocation pursuant to subdivision (a) of Section 5882.01, the recipient shall not reduce the amount of funding otherwise available to be spent on parks or other projects eligible for funds under this chapter in its jurisdiction. A one-time allocation of other funding that has been expended for parks or other projects, but which is not available on an ongoing basis, shall not be considered when calculating a recipient's annual expenditures. For purposes of this subdivision, the Controller may request fiscal data from recipients for the preceding three fiscal years. Each recipient shall furnish the data to the Controller no later than 120 days after receiving the request from the Controller.

5882.04. (a) The director of the department shall prepare and adopt criteria and procedures for evaluating applications for grants allocated pursuant to subdivision (a) of Section 5882.01. The application shall be accompanied by certification that the project is consistent with the park and recreation element of the applicable city or county general plan or the district park recreation plan, as the case may be.

(b) To utilize available grant funds as effectively as possible, overlapping and adjoining jurisdictions and applicants with similar objectives are encouraged to combine projects and submit a joint application. A recipient may allocate all or a portion of its per capita share for a regional or state project.

(c)

5882.05. (a) The director of the department shall annually forward a statement of the total amount to be appropriated each fiscal year for projects approved for grants pursuant to this article to the Director of Finance for inclusion in the annual Budget Act. A list of eligible jurisdictions and the amount of grant funds to be allocated to each jurisdiction shall also be made available by the department.

(d)

(b) Funds appropriated pursuant to this article shall be encumbered by the recipient within three years from the date the appropriation is effective. Regardless of the date of encumbrance of the granted funds, the recipient is expected to complete all funded projects within eight years of the effective date of the appropriation.

5882.06. Pursuant to Section 5880.08, the sum of one hundred twenty million dollars (\$120,000,000) shall be available to the department, upon appropriation by the Legislature, for grants to regional park districts, counties, regional open-space districts, open-space authorities formed pursuant to Division 26 (commencing with Section 35100), and eligible nonprofit organizations on a competitive grant basis to expand, rehabilitate, or restore parks and park facilities, including trails, that facilitate new or enhanced use and enhanced user experiences.

Article 4. Restoring California's Natural, Historic, and Cultural Legacy

5883. (a) Pursuant to Section 5880.08, the sum of three hundred ~~twenty five~~ *forty five* million dollars ~~(\$325,000,000)~~ *(\$350,000,000)* shall be available to the department, upon appropriation by the Legislature, for restoration and preservation of existing state park facilities and units to preserve and increase public access to those facilities and units and to protect the natural, cultural, and historic resources of those facilities and ~~units as follows:~~ *units. Not less than 80 percent of these funds shall be available for capital improvements that address the department's backlog of deferred maintenance or that enhance park access and user experiences.*

~~(a) Not less than 80 percent shall be available for capital improvements that address the department's backlog of deferred maintenance or that enhance park access and user experiences.~~

(b) ~~The~~ *Of the total amount available pursuant to this section, the sum of twenty million dollars (\$20,000,000) shall be available for enterprise projects that facilitate new or enhanced park use and user experiences and increase revenue generation to support operations of the department.*

(c) ~~The~~ *Of the total amount available pursuant to this section, the sum of twenty million dollars (\$20,000,000) shall be available to the department for grants to local agencies that operate a unit of the state park system system to address an urgent need for the restoration of aging infrastructure that, without restoration, would compromise the continued operation of the unit. Unless a local agency has been identified as a disadvantaged community, a local agency that receives a grant pursuant to this subdivision shall be required to provide a match of not less than 25 percent.*

~~(d) The sum of five million dollars (\$5,000,000) shall be available for the planning, development, and implementation of climate adaptation projects within units of the state park system. Priority shall be given to projects that use natural systems and landscape features.~~

(d) *Of the total amount available pursuant to this section, the sum of seventy million dollars (\$70,000,000) shall be available to the department according to the following schedule and subject to Section 5883.02 to address major infrastructure rehabilitation to improve tourism and visitor experiences and to promote the health and safety of units within the state park system:*

(1) *Ten million dollars (\$10,000,000) to implement a Central Valley State Park Program. In order to be eligible under this paragraph, a park shall be located in a county within the central valley from the County of Sacramento south to the base of the Tehachapi Mountain Range.*

(2) *Ten million dollars (\$10,000,000) to implement a Central Coast State Park Program. In order to be eligible under this paragraph, a park shall be located in the County of Ventura.*

(3) *Fifteen million dollars (\$15,000,000) to implement an East Bay State Park Program.*

(4) *Ten million dollars (\$10,000,000) to implement a High Desert-Coachella Valley State Park Program.*

(5) *Ten million dollars (\$10,000,000) to implement an Inland Empire State Park Program.*

(6) *Fifteen million dollars (\$15,000,000) to implement a San Diego State Park Program. Priority may be given to projects bordering a national estuary.*

(e) *Of the total amount available pursuant to this section, the sum of fifty million dollars (\$50,000,000) shall be available to the department for direct distribution to the twelve districts within the department to address historic underinvestments in units of the state park system.*

5883.01. *The department, in expending the funding available under this article, shall endeavor, where practical, to partner with cities, counties, nonprofit organizations, and nongovernmental organizations to maximize leveraging opportunities to enhance tourism, visitation, and visitor experiences.*

5883.02. *The funding available pursuant to subdivision (d) of Section 5883 shall be allocated based on regional populations and the demand for infrastructure repair and improvements.*

Article 5. Trails and Waterfront Greenway Investment

5884. (a) Pursuant to Section 5880.08, the sum of fifty million dollars (\$50,000,000) shall be available to the Natural Resources Agency, upon appropriation by the Legislature, for competitive grants to local agencies, state conservancies, federally recognized Native American tribes, nonfederally recognized California Native American tribes listed on the California Tribal Consultation List maintained by the Native American Heritage Commission, and nonprofit organizations to provide nonmotorized infrastructure development and enhancements that promote new or alternate access to parks, waterways, outdoor recreational pursuits, and forested or other natural environments to encourage health-related commuting and opportunities for Californians to reconnect with nature.

(b) Of the amount made available pursuant to this section, up to 25 percent may be made available to communities for innovative transportation programs that provide new and expanded outdoor experiences to disadvantaged youth.

(c) Alignment, development, and improvement of nonmotorized infrastructure and trails that lead to safer interconnectivity between parks, waterways, and natural areas may be encouraged.

(d) The Natural Resources Agency is encouraged, when designing guidelines, for grants awarded under this article, to utilize existing program guidelines including, if applicable, guidelines that have been established for the California Recreational Trails Act (Article 6 (commencing with Section 5070) of ~~Chapter 1~~) and the Active Transportation Program (~~Chapter 8 (commencing with Section 2380) of Division 3 of the Streets and Highway Code~~; ~~Chapter 1~~).

5884.01. *Unless the entity has been identified as a disadvantaged community, an entity that receives an award under this article shall be required to provide a match of 20 percent.*

Article 6. Rural Recreation, Tourism, and Economic Enrichment Investment

5885. (a) Pursuant to Section 5880.08, the sum of fifty million dollars (\$50,000,000) shall be available to the department, upon appropriation by the Legislature, to administer a competitive grant program for cities, counties, and districts in nonurbanized areas, that are eligible for a grant under the Roberti-Z'berg-Harris Urban Open-Space and Recreation Program Act (Chapter 3.2 (commencing with Section 5620)). Notwithstanding subdivisions (c) and (e) of Section 5621 and for the purposes of this section, the definition of nonurbanized area shall be updated by the department to reflect current population levels. A nonurbanized area shall include counties with populations of less than 500,000 people and low population densities per square mile, as determined by the department. In awarding the grants, the department may consider the following factors:

(1) Whether the project would provide new recreational opportunities in rural communities that have demonstrated deficiencies and lack of outdoor infrastructure in support of economic and health-related goals.

(2) Whether the project proposes to acquire and develop lands to enhance residential recreation while promoting the quality of tourism experiences and the economic vitality of the community. These enhancements may include accessibility for individuals with disabilities, trails, bikeways, regional or destination-oriented recreational amenities, and visitor centers.

(3) Whether the project includes collaboration between public and nonprofit organizations, including, but not limited to, nonprofit land trusts, to facilitate public access to privately-owned lands for regional trail development for wildlife viewing, recreation, or outdoor experiences for youth.

(b) Unless the entity has been identified as a disadvantaged community, an entity that receives an award under this article shall be required to provide a match of 20 percent.

(c) In addition to entities described in subdivision (a), an irrigation district exercising powers authorized under Section 22185 of the Water Code is eligible for a grant under this article.

Article 7. California Clean Water, Coastal, and Watershed Cobenefit Program

5886. (a) Pursuant to Section 5880.08, the sum of two hundred *ten* million dollars—~~(\$200,000,000)~~ (*\$210,000,000*) shall be available to the Natural Resources Agency, upon appropriation by the Legislature, for grants pursuant to the California River Parkway Act of 2004 (Chapter 3.8 (commencing with Section 5750)). Eligible projects shall include, but are not limited to, projects that protect and enhance urban creeks.

(b) Unless the entity has been identified as a disadvantaged community, an entity that receives an award under this article shall be required to provide a match of 20 percent.

(c) To maximize cooperation and leverage resources, the Natural Resources Agency may give priority to projects that include partnerships among federal, state, and local agencies and to projects proposed by nonprofit organizations, including, but not limited to, nonprofit land trusts.

(d) Not less than 50 percent of the amount made available pursuant to this section shall be allocated for project grants to protect and enhance an urban creek, as defined in subdivision (e) of Section 7048 of the Water Code, and its tributaries, pursuant to Division 22.8 (commencing with Section 32600), Division 23 (commencing with Section 33000), and Section 79508 of the Water Code. Money allocated pursuant to this subdivision shall be equally divided between projects in areas described in Division 22.8 (commencing with Section 32600) and projects in areas described in Division 23 (commencing with Section 33000).

(e) *Not less than 5 percent of the amount made available pursuant to this section shall be allocated to the Santa Ana River Program pursuant to Chapter 4.6 (commencing with Section 31170) of Division 21.*

Article 7.5. State Conservancy Funding

5887. Pursuant to Section 5880.08, the sum of two hundred ~~forty-five~~ *forty-five* million dollars ~~(\$250,000,000)~~ *(\$245,000,000)* shall be available, upon appropriation by the Legislature, in accordance with the following schedule, to fulfill the purposes of the specified entity:

- (a) Baldwin Hills Conservancy, five million dollars (\$5,000,000).
- (b) California Tahoe Conservancy, ~~twenty seventeen~~ *twenty* million ~~five hundred thousand~~ *five hundred thousand* dollars ~~(\$20,000,000)~~ *(\$17,500,000)*.
- (c) Coachella Mountains Conservancy, ten million dollars (\$10,000,000).
- (d) Sacramento-San Joaquin Delta Conservancy, fifteen million dollars (\$15,000,000).
- (e) Salton Sea Authority, twenty-five million dollars (\$25,000,000).
- (f) San Diego River Conservancy, fifteen million dollars (\$15,000,000).
- (g) San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy, ~~twenty~~ *twenty-five* million dollars ~~(\$20,000,000)~~ *(\$25,000,000)*.
- (h) San Joaquin River Conservancy, ~~fifteen~~ *ten* million dollars ~~(\$15,000,000)~~ *(\$10,000,000)*.
- (i) Santa Monica Mountains Conservancy, twenty million dollars (\$20,000,000).
- (j) Sierra Nevada Conservancy, ~~twenty-five~~ *twenty-two* million ~~five hundred thousand~~ *five hundred thousand* dollars ~~(\$25,000,000)~~ *(\$22,500,000)*.
- (k) State Coastal Conservancy, eighty million dollars (\$80,000,000). Of this amount, not less than 40 percent shall go toward the San Francisco Bay Area Conservancy Program (Chapter 4.5 (commencing with Section 31160) of Division 21).

5887.02. The Legislature shall strive to consider population size, land mass, and natural resource significance as factors when determining the amount of any other funds to be made available to an entity listed in Section 5887.

5887.03. A receiving entity in Section 5887 shall develop and adopt a strategic master plan that identifies priorities and specific criteria for selecting projects for funding. The strategic plan shall include strategies for providing public access to conserved lands wherever feasible and be consistent with project goals and objectives.

5887.04. *Conservancies, in expending the funding available under this article, shall endeavor, where practical, to partner with cities, counties, nonprofit organizations, and nongovernmental organizations to acquire open space and create urban greenway corridors.*

Article 8. Climate Preparedness and Habitat Resiliency

5888. Pursuant to Section 5880.08, the sum of ~~five hundred forty five~~ *six hundred fifteen* million dollars ~~(\$545,000,000)~~ *(\$615,000,000)* shall be ~~available~~ *available*, upon appropriation by the Legislature, to plan, develop, and implement climate adaptation and resiliency projects that improve a community's ability to adapt to the unavoidable impacts of climate change. Projects shall improve and protect coastal and rural economies, agricultural viability, wildlife corridors, or habitat, develop future recreational opportunities, or enhance drought tolerance and water retention, in accordance with the following schedule:

(a) (1) Three hundred ~~forty~~ *forty* million dollars ~~(\$300,000,000)~~ *(\$340,000,000)* shall be available to the Wildlife Conservation Board for grants for any of the following:

~~(1)~~

(A) Projects for the acquisition, development, rehabilitation, restoration, protection, and expansion of wildlife corridors and open space, including projects to improve connectivity and reduce barriers between habitat areas. *In awarding grants pursuant to this subparagraph, special consideration may be given to projects that protect state-designated wildlife corridors.*

~~(2)~~

(B) Projects for the acquisition, development, rehabilitation, restoration, protection, and expansion of habitat that promote the recovery of threatened and endangered species.

~~(3)~~

(C) Projects to improve climate adaptation and resilience of natural systems.

~~(4)~~

(D) Projects to protect and improve existing open-space corridors and trail linkages related to utility or transportation infrastructure that provide habitat connectivity and public access or trails.

(2) Applications submitted pursuant to this subdivision that promote projects seeking to preserve the working character of lands, including uninterrupted agricultural and rangeland practices, through conservation easements, may be given additional consideration.

(3) Of the amount subject to this subdivision, fifty-five million dollars (\$55,000,000) shall be available for the acquisition, development, rehabilitation, restoration, protection, and expansion of habitat that furthers the implementation of adopted natural community conservation plans to help resolve resource conflicts by balancing communitywide conservation, planning, and economic activities.

(4) Of the amount subject to this subdivision, ten million dollars (\$10,000,000) shall be administered through the Department of Fish and Wildlife for competitive grants to wildlife rehabilitation facilities operated by nongovernmental entities.

(b) ~~One hundred million dollars (\$100,000,000)~~ Eighty million dollars (\$80,000,000) shall be available for deposit into the California Climate Resilience Account, established pursuant to Section 31012, for projects that assist coastal communities, including those reliant on commercial fisheries, with adaptation to climate change, including projects that address ocean acidification, sea level rise, or the protection of habitat associated with the Pacific Flyway.

(c) ~~Twenty-five million dollars (\$25,000,000)~~ Fifteen million dollars (\$15,000,000) shall be available for projects that improve agricultural and open-space soil health, to improve carbon soil sequestration, erosion control, water quality, and water retention.

(d) ~~Fifty~~ (1) Sixty million dollars ~~(\$50,000,000)~~ (\$60,000,000) shall be available for projects that reduce fire risk, improve forest health, and provide feedstock for compost, energy, or alternative fuels facilities. Projects may include, but are not limited to, forest restoration projects that include hazardous fuel reduction, post-fire watershed rehabilitation, and forest management practices that promote forest resilience to wildfire, climate change, and other disturbances. Unless otherwise specified by the Legislature, project funds shall be equally administered by the Department of Forestry and Fire Protection and by the Sierra Nevada Conservancy.

(2) Of the amount subject to this subdivision, up to five million dollars (\$5,000,000) shall be available from the Department of Forestry and Fire Protection to the California Tahoe Conservancy for projects consistent with this subdivision.

(e) ~~Thirty~~ Forty million dollars ~~(\$30,000,000)~~ (\$40,000,000) shall be available to the California Conservation Corps for projects to rehabilitate or improve parks and restore watersheds, including regional and community fuel load reduction projects on public lands, and stream and river restoration projects. Not less than 50 percent of these funds shall be in the form of grants to certified local community conservation corps, as defined in Section ~~14507.5~~ 14507.5, including local community conservation corps that have secured certification within the last three to five years prior to the grant application date.

(f) ~~Forty~~ (1) Eighty million dollars ~~(\$40,000,000)~~ (\$80,000,000) shall be available to the Natural Resources Agency, upon appropriation by the ~~Legislation~~ Legislature, to award funding to projects identified by local agencies, nongovernmental land conservation organizations, federally recognized Native American tribes, or nonfederally recognized California Native American tribes listed on the California Tribal Consultation list maintained by the Native American Heritage Commission for any of the following:

~~(1)~~

(A) Projects that involve the restoration, protection, and acquisition of natural, cultural, and historic resources within the state.

~~(2)~~

~~(B) Projects that promote carbon sequestration through conversion of blighted or industrial properties to green spaces within the coastal zone; convert and repurpose properties formerly operating as fossil fuel power plants to create permanently protected open space, tourism, and park opportunities through fee title and conservation easements.~~

~~(3)~~

(C) Projects that enhance water and natural resource values or promote economic activity through improved recreation, tourism, and natural resource investment in those areas of the state not within the jurisdiction of a state conservancy.

(2) Before a grant is awarded pursuant to this subdivision, a project applicant shall demonstrate availability to the applicant of a minimum 20 percent match from other funds. Project applicants shall be encouraged to leverage all available local, federal, and nongovernmental sources to maximize funding distribution.

Article 9. Fiscal Provisions

5889. (a) Bonds in the total amount of ~~two~~ *three billion nine one hundred eighty five twenty* million dollars (~~\$2,985,000,000~~), (*\$3,120,000,000*), not including the amount of any refunding bonds issued in accordance with Section 5889.12, may be issued and sold to provide a fund to be used for carrying out the purposes expressed in this chapter and to reimburse the General Obligation Bond Expense Revolving Fund pursuant to Section 16724.5 of the Government Code. The bonds, when sold, shall be and constitute a valid and binding obligation of the State of California, and the full faith and credit of the State of California is hereby pledged for the punctual payment of both the principal of, and interest on, the bonds as the principal and interest become due and payable.

(b) The Treasurer shall sell the bonds authorized by the committee pursuant to this section. The bonds shall be sold upon the terms and conditions specified in a resolution to be adopted by the committee pursuant to Section 16731 of the Government Code.

5889.01. The bonds authorized by this chapter shall be prepared, executed, issued, sold, paid, and redeemed as provided in the State General Obligation Bond Law (Chapter 4 (commencing with Section 16720) of Part 3 of Division 4 of Title 2 of the Government Code), and all of the provisions of that law apply to the bonds and to this chapter.

5889.02. (a) Solely for the purpose of authorizing the issuance and sale, pursuant to the State General Obligation Bond Law (Chapter 4 (commencing with Section 16720) of Part 3 of Division 4 of Title 2 of the Government Code), of the bonds authorized by this chapter, the California Parks, Water, Climate, and Coastal Protection and Outdoor Access For All Finance Committee is hereby created. For purposes of this chapter, the California Parks, Water, Climate, and Coastal Protection and Outdoor Access For All Finance Committee is the "committee" as that term is used in the State General Obligation Bond Law.

(b) The committee consists of the Director of Finance, the Treasurer, and the Controller. Notwithstanding any other provision of law, any member may designate a representative to act as that member in his or her place for all purposes, as though the member were personally present.

(c) The Treasurer shall serve as the chair of the committee.

(d) A majority of the committee may act for the committee.

5889.03. The committee shall determine whether or not it is necessary or desirable to issue bonds authorized by this chapter in order to carry out the actions specified in this chapter and, if so, the amount of bonds to be issued and sold. Successive issues of bonds may be authorized and sold to carry out those actions progressively, and it is not necessary that all of the bonds authorized to be issued be sold at any one time.

5889.04. For purposes of the State General Obligation Bond Law, "board," as defined in Section 16722 of the Government Code, means the Secretary of the Natural Resources Agency.

5889.05. There shall be collected each year and in the same manner and at the same time as other state revenue is collected, in addition to the ordinary revenues of the state, a sum in an amount required to pay the principal of, and interest on, the bonds each year. It is the duty of all officers charged by law with any duty in regard to the collection of the revenue to do and perform each and every act that is necessary to collect that additional sum.

5889.06. Notwithstanding Section 13340 of the Government Code, there is hereby appropriated from the General Fund in the State Treasury, for the purposes of this chapter, an amount that will equal the total of the following:

(a) The sum annually necessary to pay the principal of, and interest on, bonds issued and sold pursuant to this chapter, as the principal and interest become due and payable.

(b) The sum that is necessary to carry out the provisions of Section 5889.09, appropriated without regard to fiscal years.

5889.07. The board may request the Pooled Money Investment Board to make a loan from the Pooled Money Investment Account in accordance with Section 16312 of the Government Code for the purpose of carrying out this chapter less any amount withdrawn pursuant to Section 5889.09. The amount of the request shall not exceed the amount of the unsold bonds that the committee has, by resolution, authorized to be sold for the purpose of carrying out this chapter. The board shall execute those documents required by the Pooled Money Investment Board to obtain and repay the loan. Any amounts loaned shall be deposited in the fund to be allocated in accordance with this chapter.

5889.08. Notwithstanding any other provision of this chapter, or of the State General Obligation Bond Law, if the Treasurer sells bonds that include a bond counsel opinion to the effect that the interest on the bonds is excluded from gross income for federal tax purposes under designated conditions or is otherwise entitled to any federal tax advantage, the Treasurer may maintain separate accounts for the bond proceeds invested and for the investment earnings on those proceeds, and may use or direct the use of those proceeds or earnings to pay any rebate, penalty, or other payment required under federal law or take any other action with respect to the investment and use of those bond proceeds, as may be required or desirable under federal law in order to maintain the tax-exempt status of those bonds and to obtain any other advantage under federal law on behalf of the funds of this state.

5889.09. For the purposes of carrying out this chapter, the Director of Finance may authorize the withdrawal from the General Fund of an amount or amounts not to exceed the amount of the unsold bonds that have been authorized by the committee to be sold for the purpose of carrying out this chapter less any amount borrowed pursuant to Section 5889.09. Any amounts withdrawn shall be deposited in the fund. Any moneys made available under this section shall be returned to the General Fund, with interest at the rate earned by the moneys in the Pooled Money Investment Account, from proceeds received from the sale of bonds for the purpose of carrying out this chapter.

5889.10. All moneys deposited in the fund that are derived from premium and accrued interest on bonds sold pursuant to this chapter shall be reserved in the fund and shall be available for transfer to the General Fund as a credit to expenditures for bond interest, except that amounts derived from premiums may be reserved and used to pay the cost of bond issuance prior to any transfer to the General Fund.

5889.11. Pursuant to Chapter 4 (commencing with Section 16720) of Part 3 of Division 4 of Title 2 of the Government Code, the cost of bond issuance shall be paid out of the bond proceeds, including premiums, if any. To the extent the cost of bond issuance is not paid from premiums received from the sale of bonds, these costs shall be shared proportionately by each program funded through this chapter by the applicable bond sale.

5889.12. The bonds issued and sold pursuant to this chapter may be refunded in accordance with Article 6 (commencing with Section 16780) of Chapter 4 of Part 3 of Division 4 of Title 2 of the Government Code, which is a part of the State General Obligation Bond Law. Approval by the voters of the state for the issuance of the bonds under this chapter shall include approval of the issuance of any bonds issued to refund any bonds originally issued under this chapter or any previously issued refunding bonds.

5889.13. The proceeds from the sale of bonds authorized by this chapter are not "proceeds of taxes" as that term is used in Article XIII B of the California Constitution, and the disbursement of these proceeds is not subject to the limitations imposed by that article.

SEC. 2. (a) Notwithstanding the requirements of Sections 9040, 9043, 9044, 9061, and 9082 of the Elections Code, or any other law, the Secretary of State shall submit this act to the voters at the November 8, 2016, statewide general election.

(b) The Secretary of State shall include in the ballot pamphlets mailed pursuant to Section 9094 of the Elections Code the information specified in Section 9084 of the Elections Code regarding the bond act contained in this act. If that inclusion is not possible, the Secretary of State shall publish a supplemental ballot pamphlet regarding this act to be mailed with the ballot pamphlet. If the supplemental ballot pamphlet cannot be mailed with the ballot pamphlet, the supplemental ballot pamphlet shall be mailed separately.

(c) Notwithstanding Section 9054 of the Elections Code or any other law, the translations of the ballot title and the condensed statement of the ballot title required pursuant to Section 9054 of the Elections Code may be made available for public examination at a later date than the start of the public examination period for the ballot pamphlet, provided that the translations of the ballot title and the condensed statement of the ballot title must remain available for public examination for eight days.

(d) Notwithstanding Section 13282 of the Elections Code or any other law, the public shall be permitted to examine the condensed statement of the ballot title for not more than eight days. Any voter may seek a writ of mandate for the purpose of requiring the condensed statement of the ballot title, or portion thereof, to be amended or deleted only within that eight-day period.

SEC. 3. This act shall take effect upon approval by the voters of the California Parks, Water, Climate, and Coastal Protection and Outdoor Access For All Act, as set forth in Section 1 of this act.

SEC. 4. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to fund a California parks, water, climate, and coastal protection and outdoor access for all program at the earliest possible date, it is necessary that this act take effect immediately.