

Bay Area Briefs

A Sacramento Synopsis of Capitol Conservation Legislation Courtesy of



Signed Budget Bill offers Big Bond Dollars

Governor Arnold Schwarzenegger signed the 2008-2009 State Budget package passed by the Legislature in late September, thus ending an 85-day delay that culminated with unprecedented controversy over the final deal reached between the Administration, State Senate and State Assembly. The final deal is so bad that virtually every major interest in California ranging from education to the environment, from health care to human services, has lambasted the package as one of the worst state budgets in recent years, if not decades.

However, resources funding largely avoided the deep fiscal impacts felt in other departments due mostly to heavy reliance on bond funds and other protected revenue streams. For this reason, the conservation community can point to some "wins" that included allocation of over \$800 million in bond funds and special funds for a huge variety of capital outlay priorities, while also saving 48 state parks from closure. Losses, however, include a \$3 million cut to DFG's Biodiversity Conservation Program and a permanent 10% reduction to Williamson Act subventions. A complete summary can be viewed at www.calandtrusts.org

This was a long and difficult budget year. Bold proposals such as the State Parks Access Pass never crossed the finish line. And the Natural Heritage Preservation Tax Credit Act has now expired. Nonetheless, there are victories within the signed 2008-09 State Budget that should sustain virtually all aspects of California's conservation mission for at least the next several months. Selected highlights of key appropriations approved this year include:

State Coastal Conservancy

- \$35 million from Prop 84 for unrestricted statewide capital outlay
- \$24 million from Prop 84 for the San Francisco Bay Area Conservancy
- \$26.4 million from Prop 84 for Ocean Protection Council

Department of Parks and Recreation

- \$10.8 million for Recreational Grants
- \$2 million from State, Urban and Coastal Park Fund for acquisitions

Secretary of Resources

- \$28.6 million from Prop 84 for River Parkways Program

Department of Water Resources

- \$7.2 million from Prop 84 for urban streams

Department of Conservation

- \$5 million from Prop 84 for CA Farmland Conservancy Program

Environmental Enhancement Mitigation Program – \$10 million

New Era for Urban Parks Begins

While urban parks will receive little funding for new parks in the 2008-2009 State Budget, three new mechanisms for distributing existing bond dollars were signed by the Governor on September 30th. They are:

AB 31 (de Leon), creates the Statewide Park Development and Community Revitalization Act of 2008. Administered by State Parks, the resulting program will be the vehicle for distributing \$400 million in local parks funding in Proposition 84. The bill establishes a needs-based approach for funding parks throughout California that includes prioritization for critically underserved communities.

AB 2494 (Caballero) creates the Housing Related Parks Program, and will be the vehicle used to distribute \$200 million in Proposition 1c for Housing Urban-Suburban-and-Rural Parks. The bill creates incentives to California's cities and counties to improve quality of life for critically underserved communities by receiving funds for park and recreation facilities in exchange for demonstrated support of affordable housing. Park districts and nonprofits are eligible partners in receiving these funds.

SB 732 (Steinberg) establishes the Strategic Growth Council within state government. The Council is charged with distributing \$150 million from Proposition 84 for planning grants and urban greening. While planning grants are reserved for local governments, nonprofits are eligible for urban greening funds, which will support a variety of projects including local parks, community green spaces, and urban streams.

Conservation Bills Fare Better than Most on Governor's Desk

Governor Arnold Schwarzenegger took swift action on over 800 bills transmitted to his desk immediately after the Legislature passed the 2008-2009 Budget. More than 45% were vetoed, including key environmental priorities relating to air quality.

However, most conservation measures reported in the Briefs throughout 2008 did garner the Governor's signature, including the critical bill to continue the exception for not paying volunteers for a variety of restoration and other outdoor projects. A complete list can be viewed at www.calandtrusts.org.

Below is a brief synopsis of several bills identified by both statewide conservation interests and local Bay Area advocates as priority issues at the State Capitol. Unless otherwise noted, the Governor has signed into law the following measures:

Public Works Exceptions for Volunteers: AB 2537 (Furutani) extends the sunset date on this critical public works exception to January 1, 2012. The bill also requires the Director of Industrial Relations to prepare a report providing various statistics on volunteers.

Resource Conservation Lands Acquisitions: SB 1285 (Corbett) responds to issues raised by the Legislative Analyst's Office regarding transparency and accountability in the resource acquisitions appraisal process. The bill requires the Department of General Services to work with numerous resource conservation departments in developing a set of standards for conservation appraisals. The bill contains additional related provisions, and gives the Resources Agency final authority to adopt or reject standards developed.

Parks and Recreation Easements: SB 1431 (Wiggins) authorizes the Department of Parks and Recreation to acquire conservation easements on real property and make grants to nonprofits for these purposes if the department determines that the easement is necessary to protect a unit of the state park system from an incompatible use or to preserve and enhance the value of the unit of the state park system.

San Francisco Bay Restoration Authority: AB 2954 (Lieber) creates, until January 1, 2029, the San Francisco Bay Restoration Authority to generate and allocate resources to restore, enhance, and protect wetlands and wildlife habitats in the bay and along its shoreline. The bill allows the Authority to levy benefit assessments, special taxes or property-related fees, accept money from any source, issue bonded indebtedness, enter into joint power agreements (JPAs), hire staff, and award grants to any entity to restore or enhance tidal wetlands, natural ponds, or natural habitats on the SF Bay.

California Urban Forestry Act: AB 2045 (De La Torre) brings the Urban Forestry Act of 1978 into the 21st Century by expanding the scope of the urban forestry program to include increasing integrated, multi-benefit projects by assisting urban areas with innovative solutions to problems including GHG emissions, public health impacts of poor air and water quality, urban heat island effect, stormwater management, and lack of green space.

State Parks Preservation Board: AB 2455 (Laird) creates the State Parks Preservation Board in response to recommendations made by a state-sponsored work group on how to address the role of the Public Works Board in State Parks acquisition projects. **Unfortunately, Governor Schwarzenegger vetoed this measure, citing the need to let existing administrative actions run their course before pursuing a broader effort.**

Oil Spill Prevention and Response: AB 2547 (Leno) is one of several bills seeking to mandate rapid response and appropriate cleanup to coastal oil spills by providing funding and statutory guidelines for these purposes. Other related bills passed by the Legislature include AB 2031 and AB 2032 (both Hancock), and AB 2935 (Huffman). **Governor Schwarzenegger signed a package of oil spill prevention bills including AB 2031 and AB 2935. Unfortunately, AB 2547 and AB 2032 were not included, and were subsequently vetoed.**

Smart Growth: SB 375 (Steinberg) is a very complex bill that establishes financial and CEQA incentives for local governments to conform their general plans to preferred growth scenarios.

About the California Council of Land Trusts

CCLT acts as the statewide voice on conservation issues for more than 150 land trusts working in local communities throughout California. CCLT is a partner of the Bay Area Open Space Council, and regularly provides legislative updates and guidance to the Council and its members. Visit www.calandtrusts.org for more information.