

**EAST BAY REGIONAL PARK DISTRICT
LEGISLATIVE COMMITTEE
AGENDA STAFF REPORT**

DATE	April 10, 2024
TITLE	Recommendation to Support Federal Legislation
DIVISION	General Manager's Office
FROM	Erich Pfuehler, Chief of Government & Legislative Affairs Dr. Ana M. Alvarez, Deputy General Manager
APPROVED	Sabrina Landreth, General Manager 

RECOMMENDATION

The General Manager recommends the Board of Directors adopt a resolution to support the following legislation: S.Res. 595 and H.Res. 1075, H.R. 7070, H.R. 7462, and H.R. 7525.

BACKGROUND

As part of the 2023-2024 Legislative Session, the East Bay Regional Park District (Park District) Board of Directors will take formal positions on bills as they are introduced and considered by their respective Legislatures. To guide bill analysis, the Park District's Board of Directors established seven key advocacy goals through Resolution No.: 2024 – 01 – 003. These advocacy goals strive to align funding and policy advocacy with identified project and program needs and priorities. Guided by the Park District mission, elected Board of Directors and General Manager, Government and Legislative Affairs staff work to align advocacy goals with Park District needs. Overarching principles include equitable service delivery, advancing climate resiliency adaptation and mitigation, guiding work with an environmental ethic, supporting inclusive interpretation and educational opportunities, increasing conservation through land acquisition, and ensuring the fiscal health of the Park District. The specific goals are as follows:

- Climate - Friendly Transportation: To expand accessible active and public transportation to and within East Bay parks and trails.
- Community Health: To ensure equitable access to parks so all East Bay communities can enjoy the physical and psychological benefits of nature.
- Ecosystem Stewardship: To support ecosystem health through restoration, acquisition and habitat enhancement, and improved efficiencies in regulatory approvals.
- Green Jobs: To guide the development of career pathways for all in the parks, recreation, outdoor and environmental fields.
- Sea Level Rise Preparedness: To address sea level rise with nature-based infrastructure and initiate mitigation strategies regarding climate change.
- Welcoming Visitor Use Facilities: To be sure all visitors are welcomed to the East Bay parks and trails by providing facilities which are safe, accessible, inclusive, and sustainable.
- Wildfire Resilience: To minimize the risk of catastrophic wildfire in the East Bay by using proactive vegetation management which is ecologically sound.

ANALYSIS

The legislation proposed for support by the Park District, as listed below, has been identified based on its alignment with at least one of the seven key advocacy goals of the Park District and support for overarching principles of advocacy as approved by resolution no.: 2024 – 01 – 03. To engage on the identified bills, the proposed resolution will direct staff on specific actions related to Park District supported legislation, including writing letters of support, participating in bill hearings in Washington, D.C. and engaging with the author or relevant elected official's offices directly.

S.Res. 595 (Coons D-DE) and H.Res. 1075 (Matsui D-CA) AmeriCorps Recognition aligns with the advocacy goal of green jobs. This resolution recognizes the contributions of AmeriCorps members and alumni, as well as AmeriCorps Seniors volunteers, in the lives of the people and communities of the United States. Each year, 200,000 individuals serve in AmeriCorps and AmeriCorps Seniors at nearly 40,000 locations across the U.S. Funds invested by AmeriCorps and AmeriCorps Seniors have leveraged hundreds of millions of dollars in outside funding and in-kind donations each year. AmeriCorps members nationwide, in return for completing their service terms, have earned more than \$4.5 billion used for furthering educational advancement and career readiness. AmeriCorps Week was observed from March 10 through March 16 in 2024. These resolutions would honor the overall service of participants.

H.R. 7070 (Stanton D-AZ) Wildfire Response Improvement Act aligns with the advocacy goal of wildfire resilience. This legislation directs the Federal Emergency Management Agency (FEMA) to update its regulations and guidance for the Fire Management Assistance Grant (FMAG), Public Assistance, and Hazard Mitigation Grant programs to better respond to the unique challenges of wildfires – including debris removal, emergency protective measures and impacts to drinking water resources. It calls for a review of the criteria for evaluating the cost-effectiveness of projects intended to mitigate the impacts of wildfire including defensible space, nature-based infrastructure, vegetation management and the effects of wildfire smoke on public health. The Park District has previously supported this legislation (Resolution NO.: 2022-12-294).

This legislation could be included as a provision of the next FEMA reform act. The last major reform was enacted in 2018 as a response to a historic Atlantic hurricane season and extreme wildfire disaster in 2017. The Disaster Recovery Reform Act of 2018 expanded the agency's authority and reduced complexities. A support position for H.R. 7070 would be extended to a related or companion bill introduced in the Senate.

H.R. 7462 (Waters D-CA) Wildfire Insurance Coverage Act aligns with the advocacy goal of wildfire resilience. This bill would require the Government Accountability Office (GAO) to conduct a study assessing the danger wildfires increasingly pose to communities and how the market for homeowners' insurance is responding to this growing threat. Specifically, it calls on FEMA to identify mitigation practices which would assist in reducing premiums for insurance policies covering damages from wildfires. It also calls on FEMA to analyze and assess the need for a national map to measure and quantify wildfire risk. The bill requires the GAO to examine the extent to which private insurers have increased rates and the geographic areas in which such increased rates have been applied. It also calls on the GAO to determine what actions state insurance regulatory agencies have taken in response to increased rates. The GAO is to report about the manner in which the Federal and state governments can alleviate impediments faced by private insurers underwriting wildfire risk. The study will include forest management policies, which could support relocating homeowners from wildfire zones and subsidizing premiums for lower-income homeowners. The GAO study is to be completed in two years. The Park District has previously supported this legislation (Resolution NO.: 2022-12-293).

This legislation could be included as a provision of the next major wildfire package. Each year, Congress enacts legislation to call for GAO reports mostly through larger bills which combine a number of issues. For example, the 2023 National Defense Authorization Act called for 158 GAO mandates. Any major wildfire package will likely include GAO mandates. A support position for H.R. 7462 would be extended to a related or companion bill introduced in the Senate.

H.R. 7525 (Fallon R-TX) Special District Grant Accessibility Act aligns with the overarching principle of ensuring the fiscal health of the Park District. H.R. 7525 would require the Office of Management and Budget (OMB) to issue guidance to Federal agencies requiring special districts to be recognized as local governments for the purpose of Federal financial assistance determinations. OMB would have 180 days to issue guidance to Federal agencies clarifying how each agency recognizes a special district as a unit of local government for the purpose of being eligible to receive Federal financial assistance. Each agency has a year to implement the requirements of the guidance. Two years after enactment of the legislation, the OMB Director is required to provide a progress report to Congress. The bill also would codify in Federal law a formal definition of “special district.” The legislation states: *“The term ‘special district’ means a political subdivision of a State, with specified boundaries and significant budgetary autonomy or control, created by or pursuant to the laws of the State, for the purpose of performing limited and specific governmental or proprietary functions that distinguish it as a significantly separate entity from the administrative governance structure of any other form of local government unit within a State.”* H.R. 7525 is an initiative of the National Special Districts Coalition (NSDC), in partnership with the California Special Districts Association.

This legislation could be included as a provision of the next Government Performance and Results Act reform. The last major reform was enacted in 2011. Public Law No: 111-352 (01/04/2011) amended the Government Performance and Results Act of 1993 to require each executive agency to make its strategic plan available on its public website and to the Office of Management and Budget (OMB). A support position for H.R. 7525 would be extended to a related or companion bill introduced in the Senate.

FISCAL IMPACT

There is no fiscal impact.

ATTACHMENTS

None.