

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

DATE	July 10, 2024
TITLE	Recommendation to Support Federal Legislation: S. 4628 (Kelly D-AZ); H.R. 7936 (Tonko D-NY); H.R. 8656 (Harder D-CA)
DIVISION	General Manager's Office
FROM	Erich Pfuehler, Chief of Government and Legislative Affairs Dr. Ana M. Alvarez, Deputy General Manager
APPROVED	Sabrina Landreth, General Manager

RECOMMENDATION

The General Manager recommends for the Board Legislative Committee to recommend the Board of Directors adopt a resolution in support of the following legislation: S. 4628, H.R. 7936 and H.R. 8656.

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 need. 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 advocacy goals of the Park District and support the overarching principles of advocacy approved by Resolution NO.: 2024 – 01 – 003. 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 Sacramento and Washington, D.C., and engaging with the author/sponsor and relevant elected official's offices directly. Of the three legislative acts recommended for support, two address Wildfire Resilience (one of which also addresses Green Jobs) and one addresses the overarching principle of supporting inclusive interpretation and educational opportunities. This includes increasing the Federal Emergency Management Agency's ability to provide timely support to communities experiencing catastrophic post-fire impacts, science-based strategies to ensure National Parks' irreplaceable cultural resources are more resilient to climate harms, and increasing accessibility of Federal grants for community wildfire risk reduction and post-fire recovery efforts. All of these components align with the Park District's advocacy goals and overarching principles.

S. 4628 (Kelly D-AZ) Enhancing Mitigation and Building Effective Resilience (EMBER) Act aligns with the advocacy goal of wildfire resilience. This legislation would ease the ability of states and localities to more efficiently and equitably receive assistance by allowing the Federal Emergency Management Agency (FEMA) to reduce or waive matching or cost sharing requirements for wildfire planning and recovery projects. It would expand targeted grazing by providing nonrenewable and temporary grazing permits to reduce fine fuel loads, as well as provisions addressing virtual fencing. It would also update FEMA policies and guidance for post-fire incident recovery, including debris removal, emergency protective measures and toxicity of drinking water resulting from wildfires.

This legislation could be included as a provision in the next revision of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Pub. L. 93-288, 88 Stat. 143 (1974), codified in 42 U.S.C. §§ 5121-5206 (2007)). The Stafford Act was amended in the Department of Homeland Security Appropriations Act of 2007. A support position for S. 4628 would be extended to a related or companion bill introduced in the House of Representatives.

H.R. 7936 (Tonko D-NY) Cultural Resource Challenge Act aligns with the overarching principle of supporting inclusive interpretation and educational opportunities. This legislation would require the National Park Service (NPS) to update guidance on cultural resources research and engagement, advance resource preservation and interpretation, provide technical assistance, and encourage interdisciplinary work and skills sharing. It also establishes a competitive NPS grant program focused on the resiliency and accessibility of cultural resources. It prioritizes projects which address the role of climate change, involve underrepresented groups in historical preservation, engage with storytelling, and empower future generations to engage in historic preservation. Local governments, like the Park District, would be eligible to apply to this grant program.

This legislation could be included as a provision in the next Omnibus Public Lands bill. The last such bill was the John D. Dingell Jr. Conservation, Management and Recreation Act of 2019. A support position for H.R. 7936 would be extended to a related or companion bill introduced in the Senate.

H.R. 8656 (Harder D-CA) Modernizing Wildfire Safety and Prevention Act of 2024 aligns with the advocacy goal of wildfire resilience and green jobs. This legislation would increase accessibility of Federal grants for community wildfire risk reduction and post-fire recovery efforts. It modifies the Federal Emergency Management Agency's (FEMA) Public Assistance, Building Resilient Infrastructure and Communities (BRIC) program, and Hazard Mitigation Grant Program (HMGP) to allow State Management Costs to be used to fund state, Tribal and local capacity-building for improved recovery and proactive disaster mitigation. It also creates a new \$10 million annual (2025-2034) grant program for universities, community colleges and vocational programs to address natural resources, emergency management, emergency management technicians, paramedics, landscape resilience, firefighting, and community planning to ensure there is consistent support for the mitigation, response and recovery

workforce.

This legislation could be included as a provision in the next revision of the Robert T. Stafford Disaster Relieve and Emergency Assistance Act (Pub. L. 93-288, 88 Stat. 143 (1974), codified in 42 U.S.C. §§ 5121-5206 (2007)). The Stafford Act was amended in the Department of Homeland Security Appropriations Act of 2007. A support position for H.R. 8656 would be extended to a related or companion bill introduced in the Senate.

FISCAL IMPACT

None

ATTACHMENTS

PowerPoint presentation on Federal legislation to support