



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

DATE January 10, 2024
TITLE 2024 State Priorities and Advocacy Conference
DIVISION General Manager's Office
FROM Erich Pfuehler, Chief of Government and Legislative Affairs
 Dr. Ana M. Alvarez, Deputy General Manager
APPROVED Sabrina B. Landreth, General Manager

RECOMMENDATION

This is an informational item only.

BACKGROUND

The East Bay Regional Park District (Park District) annual State Advocacy Conference (conference) is set to occur on Tuesday, January 30 through Wednesday, January 31, 2024. This conference in Sacramento will include meetings with the Park District’s state delegation and partner agencies. During discussions, the Park District Board of Directors will highlight specific priority issues in alignment with the 2024 Legislative Program’s goals and objectives.

ANALYSIS

The Park District’s 2024 Legislative Program includes seven goals supported by objectives which are designed to be achievable within the one-year time frame. The chart below outlines the seven goals, supporting objectives at the state-level, and additional background context on each item.

Goal	Climate – Friendly Transportation: To expand accessible active and public transportation to and within East Bay parks and trails.	
	State Level Objective	Issue Background
	Building off the expressed interest of the East Bay delegation to support expanded access to parks, trails and open space, this proposed objective seeks to secure direct funding for the Point Wilson – Bay Trail capital project. Specifically, during the 2024 State Advocacy Conference, the Park District will request \$7 million in direct state funding for Point Wilson – Bay Trail through the budget or bond process.	This project would construct a .9-mile paved multi-use extension of the San Francisco Bay Trail from Pinole Point Business Park in Richmond – where distribution centers, including Amazon, Whole Foods and UPS, are located – to Point Wilson providing a connection to the Regional Intermodal Transportation Center (RITC) and Pinole Shores railroad overcrossing – two active transportation projects previously funded by TIGER II. The trail would connect to three modes of public transportation – rail, ferry and bus – at one convenient location along the waterfront in a growing community along the San Pablo Bay shoreline. The trail also connects to the Bio-Rad Laboratories campus— the top

	<p>employer in the City of Hercules. This trail segment has regional transportation benefits because it would complete the San Francisco Bay Trail between the City of Oakland and the City of Hercules, approximately 18 miles, paralleling one of the most congested stretches of Interstate 80. Additionally, it will safely connect communities to the proposed Regional Intermodal Transportation Center.</p>
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Goal	Community Health: To ensure equitable access to parks so all East Bay communities can enjoy the physical and psychological benefits of nature.
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State Level Objective	Issue Background
<p>In alignment with the state’s Outdoors for All goals, advance legislation for a California Environmental Quality Act (CEQA) statutory exemption for existing roads and trails on land acquired by the Park District. This exemption would allow for expanded public access to parks. The Park District has developed a white paper proposal for this legislation and is currently working to secure an author.</p>	<p>The California Environmental Quality Act (CEQA) requires a lead agency to prepare, or cause to be prepared, and certify the completion of an environmental impact report on a project that it proposes to carry out or approve which may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions of the project would avoid or mitigate that effect and there is no substantial evidence the project, as revised, would have a significant effect on the environment. The Park District is subject to CEQA and must comply with CEQA when carrying out activities in furtherance of its mission. To facilitate increasing public access to open space for East Bay community members and visitors, the Park District is requesting legislation be introduced to exempt the opening of existing roads on land banked properties to the public which are already owned and operated by the agency. This statutory exemption would allow the Park District to open land banked properties to the public more quickly by recognizing existing roads as permissible trails without requiring further CEQA analysis.</p>

Goal	Ecosystem Stewardship: To support ecosystem health through restoration, acquisition and habitat enhancement, and improved efficiencies in regulatory approvals.
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State Level Objective	Issue Background
<p>In alignment with the state’s Pathways to 30x30 goals, advance legislation to extend the California Environmental Quality Act (CEQA) Statutory Exemption for Restoration Projects (SERP) in Section 21080.56 of the Public Resources Code</p>	<p>The Statutory Exemption for Restoration Projects (SERP) was implemented through SB 155 which was signed by Governor Newsom in 2021. This legislation added Section 21080.56 to the California Public Resources Code which</p>

<p>to remove the 2025 sunset, while also expanding language to support opportunities for access and maintenance. The Park District has developed a white paper proposal for this legislation and is currently working to secure an author.</p>	<p>provides a temporary statutory exemption under the California Environmental Quality Act (CEQA) for restoration projects which meet specific criteria and requirements. The Park District has successfully advanced one project in collaboration with the California Department of Fish and Wildlife (CDFW) for CEQA coverage under the SERP. The Hayward Marsh Project at Hayward Regional Shoreline will protect against the loss of sensitive endangered species habitat, as well as minimize conversion to less beneficial habitat types within the proposed restoration area due to sea level rise. By utilizing the SERP, the Park District is able to advance the project at a more rapid pace saving 24-36 months and approximately \$300,000 in funding. A challenge with SERP, however, is two ambiguous and restrictive clauses which only allow “incidental public benefits” and construction activities related to habitat restoration. Hayward Marsh qualified for this exemption because of its primary focus on substantial habitat restoration and, to a lesser extent, on protecting and enhancing the existing San Francisco Bay Trail. There are miles of existing trails with an increasingly urgent need for intervention or re-alignment to avoid closures due to erosion and flooding. It is important, as this legislation is considered for extension, for access to be clearly embraced in the legislative language.</p>
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Goal	Green Jobs: To guide the development of career pathways for all in the parks, recreation, outdoor and environmental fields.	
State Level Objective	Issue Background	
<p>Advocate for \$2 million in the state budget for preliminary plans of a California Conservation Corps facility at Holly Court / Bollinger Canyon in Las Trampas Regional Preserve.</p>	<p>The Park District has a long history of working with corps and crews, dating back to the 1930s when the Civilian Conservation Corps and Works Progress Administration built much of the Park District’s original infrastructure. Today, the Park District actively partners with local crews, including Civicorps and the California Conservation Corps (CCC), on trail building and resource management projects. If permanent crews are located in the East Bay, CCC forestry crew members would not only be exposed to current Park District programs and projects, but also career growth ladders and opportunities in alignment with state workforce development goals. In 2023, the Park District successfully engaged the full East Bay delegation on the importance of an East Bay Conservation Corps facility during the 2023 State Advocacy</p>	

	<p>Conference and through follow-up discussions. This legislative objective will continue into 2024 through advocacy for \$2 million in the state budget to develop preliminary plans for a permanent Conservation Corps facility in the East Bay. Once developed by the CCC with state funding, a facility at Bollinger Canyon in San Ramon has the potential to host two crews and provide jobs for years to come. Currently, the site, which was formally a camp for a CAL FIRE fuel break crew, is aging and does not have the amenities necessary for group housing, including multiple shower facilities, a full kitchen or suitable sleeping quarters. Once complete, the project will include a community center, as well as a high school, to support personal and professional development by crew members. Specifically, this project will provide for infrastructure improvements at Bollinger Canyon in Las Trampas Wilderness Regional Preserve to host two California Conservation Corps crews safely and healthfully. The upgrades are currently in design and require funding for implementation.</p>
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Goal	Sea Level Rise Preparedness: To address sea level rise with nature-based infrastructure and initiate mitigation strategies regarding climate change.
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State Level Objective	Issue Background
<p>Request \$5 million in direct state funding for Tidewater park development as part of Martin Luther King Jr. Regional Shoreline. This request will be shared with both the Assembly and Senate for consideration of direct budget allocation or bond funding.</p>	<p>The Tidewater Project at Martin Luther King Jr. Regional Shoreline is an 8-acre park expansion. This expanded open space and recreation area will be adjacent to the exiting Tidewater Boating Center and is connected to the rest of the park by the San Francisco Bay Trail. Unfortunately, funding for this project site has been limited due to access challenges. In the recently published Outdoors for All strategy, redlining is specifically noted – stating the practice of redlining led to neighborhoods with far fewer trees and parks which provide shade and clean the air for residents. Instead, these neighborhoods which are home to low income and communities of color have more paved surfaces which absorb and radiate heat. Redlined neighborhoods are disproportionately impacted by pollution and environmental hazards. Every neighborhood surrounding the Tidewater project site was a redlined community in the 1930s. These neighborhoods surrounding the project site were allowed to have industrial zoning right next to residential because those residential properties were considered worth less by the Federal program’s designation. It allowed for</p>

	industrial urban development and clearance of homes for the building of freeways. Due to redlining, accessing the shoreline parks and the Tidewater project site is made more difficult; however, it will still serve critically underserved and disadvantaged communities. The Park District remains committed to expanding green space and ecosystem benefits on this site.
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Goal	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.
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State Level Objective	Issue Background
Resubmit request for direct state funding of \$2 million for the Oyster Bay Access Project at Oyster Bay Regional Shoreline. This project has received funding from the Land and Water Conservation Fund (LWCF) state program through the Wildlife Conservation Board. The additional \$2 million can act as match to the LWCF grant.	In 2023, Assembly Member Ortega advanced a formal request for the Oyster Bay Regional Shoreline access project. Following a site visit, the Park District secured her commitment to continue engaging on this issue. Repurposing this former landfill is a unique opportunity to align with the Governor’s 30x30 and Outdoors For All initiatives. Currently, there are no formal entrance areas to Oyster Bay Regional Shoreline because development of the site has not been possible until recently as the fill to cover the waste from the site’s previous use was settling. When visiting Oyster Bay Regional Shoreline, members of the public must access the park after parking their bicycle or vehicle roadside on Neptune Drive, outside of the park’s jurisdiction. This area does not have designated parking pursuant to the Americans with Disabilities Act (ADA) and can be a limitation on the community’s ability to visit their regional shoreline park. The purpose of the project is to increase equitable access to the shoreline in alignment with state goals. However, due to budget shortfalls, the 2023 budget request was not successful. As such, in 2024 the Park District seeks to prioritize continuing advancing this request in alignment with the Assembly Member’s interest.

Goal	Wildfire Resilience: To minimize the risk of catastrophic wildfire in the East Bay by using proactive vegetation management which is ecologically sound.
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State Level Objective	Issue Background
Advocate for expanded and on-going funding at meaningful levels for CAL FIRE Fire Prevention, State Coastal Conservancy and Wildlife Conservation Board grant programs which support wildfire mitigation and restoration work. This objective includes strategic engagement opportunities, such as a coordinated site-visit of the carbonator in Anthony Chabot Regional	In a February 2023 survey, 79% of respondents agreed with the importance of minimizing the risk of catastrophic wildfire in the East Bay by using proactive vegetation management which is ecologically sound. In addition to funding for removal of vegetation, the Park District is interested in supporting increased funding levels for planting of native, fire/drought tolerant

Park.	vegetation through state programs. With an ongoing source of state funding, large landowning agencies such as the Park District could collectively restore functional native habitat to thousands of acres of public land. Most restoration projects consist of an initial large cost outlay to establish the plant community. As the ecosystem becomes self-sustaining, maintenance costs decrease dramatically over a few years. With restoration funding, fuels reduction projects could not only create a fire-resilient landscape, but also bring back habitat for imperiled wildlife such as the pallid manzanita, monarch butterfly and Alameda whipsnake. In addition, these ecosystems provide climate resiliency benefits including sequestration and reduction of risk of a large-scale carbon release caused by fire.
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FISCAL IMPACT

None.