

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

DATE	March 13, 2024
TITLE	Recommendation to Support Federal Legislation: S. 3670 and H.R. 7082, H.R. 6659, H.R. 6773, H.R. 6841, H.R. 6882 and H.R. 6925
DIVISION	General Manager's Office
FROM	Erich Pfuehler, Chief of Government and Legislative Affairs Dr. Ana Alvarez, Deputy General Manager
APPROVED	Sabrina Landreth, General Manager 

RECOMMENDATION

The General Manager recommends the Board Legislative Committee approves extending support of the following legislation: S. 3670 and H.R. 7082, H.R. 6659, H.R. 6773, H.R. 6841, H.R. 6882 and H.R. 6925.

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 seven legislative acts recommended for support, three address Climate-Friendly Transportation, two address Sea Level Rise Preparedness, one addresses Community Health, one addresses Ecosystem Stewardship and one is commemorative in nature. This includes acknowledging extreme weather is impacting parklands, the need to use nature-based solutions for coastal resilience, the increase in e-bikes as a mode of transportation to and from parks, the need to ensure safer and more accessible climate-friendly transportation, the importance of children experiencing nature and the legacy of former Senator Dianne Feinstein. All of these components align with the Park District's advocacy goals and overarching principles.

S. 3670 (Markey D-MA) and H.R. 7082 (Cohen D-TN) Complete Streets Act aligns with the advocacy goal of climate-friendly transportation. The Complete Streets Act would promote safer and more accessible transportation routes across the United States. A "complete street" is one designed to provide safe and accessible transportation options for multiple modes of travel, as well as for people of all ages and abilities. Complete streets can accommodate pedestrians, bicyclists and public transit users, not just cars and freight vehicles. A complete street is also safe for children, seniors and individuals with disabilities.

This legislation would require states to set aside a portion of their Federal highway funding to create a grant program aimed at funding complete streets projects. Through this program, eligible local and regional entities will be able to apply for technical assistance and capital funding to build safe street projects – such as sidewalks, bike lanes, crosswalks and bus stops.

Under the Complete Streets Act:

- States would be required to set aside five percent of their Federal highway money to create a "Complete Streets" program.
- Eligible entities would need to adopt a complete streets policy, participate in technical assistance and create a prioritized plan for projects in their jurisdictions to access the funding.
- States and Metropolitan Planning Organizations (MPOs) would be responsible for certifying complete streets policies meet minimum requirements set out by the United States Secretary of Transportation.

The U.S. Secretary of Transportation, States and MPOs would be required to adopt design standards for Federal surface transportation projects aimed at providing safe and adequate accommodation of all users. The standards would apply to all phases of project planning, development and operation.

This legislation could be included as a provision in the next Federal Highway Administration Surface Transportation Reauthorization. The current authorization was included as part of the Infrastructure Investment and Jobs Act of 2021. Authorization is through fiscal year 2026.

H.R. 6659 (Barragan D-CA) E-Bike Share Act aligns with the advocacy goal of climate-friendly transportation. This legislation would establish a program at the U.S. Department of Transportation (DoT) to provide grants for electric bike-sharing services in disadvantaged communities. Electric bike sales are surging, as the level of ridership has doubled nearly every year since 2015. However, the cost of ownership can be a barrier for low-income residents. Municipal bike-share systems are increasingly adopting electric bikes into their systems to grow their popularity. The proposed DoT grant program

would accelerate this adoption and deploy an affordable, zero-emission alternative to driving for communities which need it the most. The E-Bike Share program would offer a zero-emission alternative to areas underserved by transit. The program could help connect disadvantaged communities to everyday destinations like parks, jobs, grocery stores and schools, to name a few. It could provide a viable option for accessing East Bay parks and trails.

This legislation could be included as a provision in the next Federal Highway Administration Surface Transportation Reauthorization. The current authorization was included as part of the Infrastructure Investment and Jobs Act of 2021. Authorization is through fiscal year 2026. A support position for H.R. 6659 would be extended to a related or companion bill introduced in the Senate.

H.R. 6773 (Thompson D-CA) Senator Dianne Feinstein Memorial Trail aligns with the overarching principle of inclusive interpretation and educational opportunities. Along with Representative Jared Huffman, Representative Mike Thompson's legislation would designate a trail in the Headwaters Forest Reserve in honor of the late Senator Dianne Feinstein. Senator Feinstein was the chief architect of the 1999 agreement which led to the creation of the Headwaters Forest Preserve after facilitating the sale of the land from Pacific Lumber to the United States Government. The bill would rename the Elk River Trail in the Headwaters Forest Reserve to the Senator Dianne Feinstein Memorial Trail. Other examples of her dedication to conservation include preserving millions of acres of land in the State of California from the redwoods of Headwaters Forest to the San Francisco Bay and Lake Tahoe. She also provided leadership in the establishment of Death Valley National Park, Joshua Tree National Park, the Mojave National Preserve, the Santa Rosa and San Jacinto Mountains National Monument, the Mojave Trails National Monument, the Sand to Snow National Monument and the Castle Mountains National Monument. The late Senator was historically supportive of the Park District particularly with regard to Wildfire Resilience and Sea Level Rise Preparedness, as well as supporting the creation of the San Francisco Bay Restoration Authority.

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. 6773 would be extended to a related or companion bill introduced in the Senate.

H.R. 6841 (Levin D-CA) Coastal Resilience and Restoration Program aligns with the advocacy goal of sea level rise preparedness. This legislation amends the Coastal Zone Management Act of 1972 aimed at allowing the Secretary of Commerce to establish a Coast and Estuarine Resilience and Restoration Program. It calls on the Department of Commerce to work with state, regional and other units of government, and non-governmental organizations to protect coast and estuarine areas. Specifically, those which:

1. Have significant conservation, recreational, coastal access, ecological, historical, community protection or aesthetic value.
2. Are threatened by conversion from their natural, undeveloped or recreational state to other uses.
3. Could be managed or restored to effectively conserve, enhance or restore ecological function to mitigate climate change.

Priority is given to areas within or adjacent to a national wildlife refuge which would include Don Edwards National Wildlife Refuge just south of Coyote Hills Regional Park. Priority is also given for the value of ecosystem services, including as a buffer for storm surge, habitat for economically valuable species and long-term carbon storage.

The bill also directs the Secretary of Commerce to designate at least five new National Estuarine Research Reserves. It authorizes \$47 million for each of the fiscal years 2024 through 2028 for the program.

This legislation could be included as a provision in the next round of amendments to the Coastal Zone Management Act. It has been amended 11 times since 1972, most recently in 2009. The act was provided an infusion of funding for habitat restoration projects as part of the Infrastructure Investment and Jobs Act of 2021. \$207 million is provided over five years. A support position for H.R. 6841 would be extended to a related or companion bill introduced in the Senate.

H.R. 6882 (Cartwright D-PA) PREPARE Act aligns with the advocacy goal of sea level rise preparedness. The Preparedness and Risk management for Extreme weather Patterns Assuring Resilience and Effectiveness (PREPARE) Act would create an Interagency Council to provide government-wide recommendations on resilience and readiness for extreme weather. It would encourage communities to undertake efforts aimed at boosting resilience against natural disasters. The sponsor indicated every dollar spent on mitigation would save six dollars on the averted potential recovery costs after a natural disaster. The Office of Management and Budget is tasked with ensuring each agency participating in the Council has adequate resources.

This legislation could be included as a provision in the next reauthorization of the Weather Research and Forecasting Innovation Act. Authorization is through fiscal year 2023. The current authorization includes the National Oceanic and Atmospheric Administration (NOAA) Weather Act. A support position for H.R. 6882 would be extended to a related or companion bill introduced in the Senate.

H.R. 6925 (Porter D-CA) Every Kid Outdoors Reauthorization Act aligns with the advocacy goal of community health. This legislation would permanently authorize the program which enables fourth graders and their families to visit National Parks for free. The program was established in March of 2019 when the John D. Dingell, Jr. Conservation, Management and Recreation Act was signed into law. H.R. 6925 would also expand the program to include fifth grade students. Without action by Congress, the Every Kid Outdoors program is set to expire in 2026.

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. 6925 would be extended to a related or companion bill introduced in the Senate.

FISCAL IMPACT

There is no fiscal impact.

ATTACHMENTS

Federal Legislation to Support PowerPoint