


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

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<b>DATE</b>	September 30, 2024
<b>TITLE</b>	Recommendation to Support Federal Legislation
<b>DIVISION</b>	General Manager's Office
<b>FROM</b>	Erich Pfuehler, Chief of Government and Legislative Affairs Dr. Ana M. Alvarez, Deputy General Manager
<b>APPROVED</b>	Sabrina Landreth, General Manager 

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**RECOMMENDATION**

The Board Legislative Committee concurs with the General Manager's recommendation to support the following legislation: S. 4277 and H.R. 8253, S. 4900, H.R. 6492, and H.R. 9150.

**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, 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 four legislative acts recommended for support, two address Community Health, one addresses Climate Friendly Transportation, and one both addresses Wildfire Resilience and Sea Level Rise Preparedness.

This includes funding for active transportation and fleet modernization, increasing the Federal Emergency Management Agency's ability to provide proactive pre-disaster support to communities, expanding access to outdoor recreation and identifying wildfire smoke as a natural disaster. All of these components align with the Park District's advocacy goals and overarching principles.

S. 4277 (Warren D-MA) and H.R. 8253 (Garcia D-CA) Better Utilizing Investments to Leverage Development and Generating Renewable Energy to Electrify the Nation's (BUILD GREEN) Infrastructure and Jobs Act aligns with the advocacy goal of climate friendly transportation. Modeled after the Department of Transportation's (DoT) successful BUILD grant program, the BUILD GREEN Act provides \$500 billion in grant funding over ten years for electrifying public transportation modes, greening fleet vehicles and projects which clearly demonstrate "a contribution to the reduction of greenhouse gas emissions and toxic emissions." E-bike share programs are also eligible. "A unit of local government" is eligible to apply for grants. This legislation would expand opportunities for the Park District to seek grant funding for active transportation trail projects and purchasing electric fleet vehicles.

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.

S. 4900 (Butler D-CA) Investing in Community Resilience Act aligns with the advocacy goals of sea-level rise preparedness and wildfire resilience. This legislation adds additional resilience measures the Federal Emergency Management Agency's (FEMA) Public Assistance (PA) grant program. It would allow recipients to invest in disaster preparedness, including, but not limited to, proactively positioning resources, mapping local vulnerabilities and creating emergency plans. It would enhance programs designated by FEMA which strengthen communities and property from storms, wildfires and other disasters such as StormReady, FloodReady, FireWise and FORTIFIED. Additionally, this bill would clarify that subrecipients are eligible to receive increased Federal-cost share for FEMA PA projects. The bill would also require FEMA to issue guidance no later than 18 months after the date of enactment of the Act.

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 in the Department of Homeland Security

Appropriations Act of 2007. A support position for S. 4900 would be extended to a related or companion bill introduced in the House of Representatives.

H.R. 6492 (Westerman R-AR) Expanding Public Lands Outdoor Recreation Experiences (EXPLORE) Act aligns with the advocacy goal of community health. This legislation would simplify management and administrative processes to increase and improve opportunities for outdoor recreation. The bill would make the Outdoor Recreation Legacy Partnership (ORLP) program permanent. ORLP provides grant funding for urban areas to develop green spaces and outdoor access. This legislation also encompasses the Recreation Not Red Tape Act, which expands seasonal recreation opportunities, promotes partnerships with Tribal and State governments and outlines volunteer programs which will improve relationships with local trail maintenance groups.

The bill also includes and the Federal Interagency Council on Outdoor Recreation which promotes better coordination and collaboration among Federal agencies so user groups can obtain more holistic information about recreational access and land management. Lastly, the bill includes the Biking on Long Distance Trails Act, which would identify at least 10 existing long-distance bike trails and at least 10 areas where there is opportunity to develop or complete such trails. The bill will also direct the Department of the Interior to publish and distribute maps, install signage and distribute promotional materials.

In April, the EXPLORE Act (H.R. 6492) passed the House of Representatives. In July, the Senate companion bill – America’s Outdoor Recreation Act (S. 873) – was put on the Senate calendar to be voted on in September. The bill was also filed as an amendment to the National Defense Authorization (NDAA) bill. On September 9<sup>th</sup>, the Western Governor’s Association sent a letter to Senators urging passage of the bill.

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. 6492 would be extended to a related or companion bill introduced in the Senate, such as S. 873 (Manchin D-WV).

H.R. 9150 (Harder D-CA) Keeping Families Safe from Wildfire Smoke Act aligns with the advocacy goal of community health. This legislation would add wildfire smoke to the Federal Emergency Management Agency’s (FEMA) list of disaster events. By doing so, it would make Federal resources for air purification equipment, masks, medical and other resources available if wildfire smoke creates a major health threat. According to the sponsor, “wildfire smoke in California is deadlier than car accidents; smoke contributed to over 52,000 deaths between 2008 and 2018 in the state while car accidents kill about 4,000 people per year.”

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 in the Department of Homeland Security Appropriations Act of 2007. A support position for H.R. 9150 would be extended to a related or companion bill introduced in the Senate.

## **FISCAL IMPACT**

None.

## **ATTACHMENTS**

Federal Legislation PowerPoint presentation.