

AMENDED IN SENATE AUGUST 19, 2016
AMENDED IN SENATE AUGUST 16, 2016
AMENDED IN SENATE AUGUST 1, 2016
AMENDED IN ASSEMBLY JUNE 23, 2016
AMENDED IN ASSEMBLY JUNE 1, 2016
AMENDED IN ASSEMBLY APRIL 26, 2016
AMENDED IN ASSEMBLY APRIL 13, 2016
AMENDED IN ASSEMBLY MARCH 17, 2016
CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 2444

Introduced by Assembly Member Eduardo Garcia
(Principal coauthors: Assembly Members Alejo and Levine)
(Coauthors: Assembly Members Chiu, Chu, Dodd, Eggman,
Gonzalez, and ~~McCarty~~ *McCarty, and O'Donnell*)
(Coauthor: Senator Pavley)

February 19, 2016

An act to add Chapter 14 (commencing with Section 5880) to Division 5 of the Public Resources Code, relating to a parks, water, climate, and coastal protection and outdoor access for all program, by providing the funds necessary therefor through an election for the issuance and sale of bonds of the State of California and for the handling and disposition of those funds, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL’S DIGEST

AB 2444, as amended, Eduardo Garcia. California Parks, Water, Climate, and Coastal Protection and Outdoor Access For All Act of ~~2016~~. 2018.

Under existing law, programs have been established pursuant to bond acts for, among other things, the development and enhancement of state and local parks and recreational facilities.

This bill would enact the California Parks, Water, Climate, and Coastal Protection and Outdoor Access For All Act of ~~2016~~, 2018, which, if approved by the voters, would authorize the issuance of bonds in an amount of ~~\$2,000,000,000~~ \$3,497,500,000 pursuant to the State General Obligation Bond Law to finance a parks, water, climate, and coastal protection and outdoor access for all program.

The bill would provide for the submission of these provisions to the voters at the ~~November 8, 2016~~, June 5, 2018, statewide ~~general primary~~ *direct* election.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Chapter 14 (commencing with Section 5880) is
2 added to Division 5 of the Public Resources Code, to read:

3
4 CHAPTER 14. CALIFORNIA PARKS, WATER, CLIMATE, AND
5 COASTAL PROTECTION AND OUTDOOR ACCESS FOR ALL ACT OF
6 ~~2016~~ 2018

7
8 Article 1. General Provisions

9
10 5880. (a) The people of California find and declare all of the
11 following:

12 (1) From California’s beautiful rivers, streams, coastal
13 shorelines, and other waterways, to our federal, state, local, and
14 regional parks and outdoor settings, to our vast network of trails
15 connecting people with natural landscapes, Californians value the

1 rich diversity of outdoor experiences afforded to this state and its
2 citizens.

3 (2) Demand for local parks has exceeded available funding by
4 a factor of 8 to 1, with particularly high demand in urban,
5 disadvantaged communities.

6 (3) Many Californians across the state lack access to safe parks,
7 trails, and recreation areas, which limits their ability to experience
8 the outdoors, improve their physical and emotional health, exercise,
9 and connect with their communities.

10 (4) Investments to create and improve parks and recreation
11 areas, and to create trail networks that provide access from
12 neighborhoods to parks and recreational opportunities, will help
13 ensure all Californians have access to safe places to exercise and
14 enjoy recreational activities.

15 (5) The California Center for Public Health Advocacy estimates
16 that inactivity and obesity cost California over forty billion dollars
17 (\$40,000,000,000) annually, through increased health care costs
18 and lost productivity due to obesity-related illnesses, and that even
19 modest increases in physical activity would result in significant
20 savings. Investments in infrastructure improvements such as biking
21 and walking trails and pathways, whether in urban or natural areas,
22 are cost-effective ways to promote physical activity.

23 (6) Continued investments in the state's parks, trails, and natural
24 resources, and greening urban areas will help mitigate the effects
25 of climate change, making cities more livable, and will protect
26 California's natural resources for future generations.

27 (7) California's outdoor recreation economy represents an
28 eighty-seven-billion-dollar (\$87,000,000,000) industry, providing
29 over 700,000 jobs and billions of dollars in local and state revenues.

30 (8) California's state, local, and regional park system
31 infrastructure and national park system infrastructure is aging and
32 a significant infusion of capital is required to protect this
33 investment.

34 (9) There has been a historic underinvestment in parks, trails,
35 and outdoor infrastructure in disadvantaged areas and many
36 communities throughout California.

37 (10) Tourism is a growing industry in California and remains
38 an economic driver for the more rural parts of the state.

39 (b) It is the intent of the people of California that all of the
40 following shall occur in the implementation of this chapter:

1 (1) The investment of public funds pursuant to this chapter will
2 result in public benefits that address the most critical statewide
3 needs and priorities for public funding.

4 (2) In the appropriation and expenditure of funding authorized
5 by this chapter, priority will be given to projects that leverage
6 private, federal, or local funding or produce the greatest public
7 benefit.

8 (3) To the extent practicable, a project that receives moneys
9 pursuant to this chapter will include signage informing the public
10 that the project received funds from the California Parks, Water,
11 Climate, and Coastal Protection and Outdoor Access For All Act
12 of 2016.

13 (4) To the extent practicable, when developing program
14 guidelines for urban recreation projects and habitat protection or
15 restoration projects, administering entities are encouraged to give
16 favorable consideration to projects that provide urban recreation
17 and protect or restore natural resources. Additionally, the entities
18 may pool funding for these projects.

19 5880.01. The following definitions govern the construction of
20 this chapter:

21 (a) “Committee” means the California Parks, Water, Climate,
22 Coastal Protection, and Outdoor Access For All Finance Committee
23 created by Section ~~5889.02~~: 5890.02.

24 (b) *“Conservation actions on private lands” means projects*
25 *with willing landowners that involve the adaptive flexible*
26 *management of natural resources in response to changing*
27 *conditions and threats to habitat and wildlife. These projects result*
28 *in habitat conditions on private lands that, when managed*
29 *dynamically over time, contribute to the long-term health and*
30 *resiliency of vital ecosystems and enhance wildlife populations.*

31 ~~(b)~~

32 (c) “Department” means the Department of Parks and
33 Recreation.

34 ~~(e)~~

35 (d) “Disadvantaged community” has the same meaning set forth
36 in subdivision (g) of Section 75005.

37 ~~(d)~~

38 (e) “Fund” means the California Parks, Water, Climate, and
39 Coastal Protection and Outdoor Access For All Fund, created by
40 Section ~~5880.08~~: 5880.085.

1 (f) “Heavily urbanized city” means a city with a population of
2 300,000 or more.

3 (g) “Heavily urbanized county” means a county with a
4 population of 3,000,000 or more.

5 (e)

6 (h) “Interpretation” includes, but is not limited to, a
7 visitor-serving amenity that enhances the ability to understand and
8 appreciate the significance and value of natural, historical, and
9 cultural resources and that may utilize educational materials in
10 multiple languages, digital information, and the expertise of a
11 naturalist or other skilled specialist.

12 (i) “Nonprofit organization” means a nonprofit corporation
13 qualified to do business in California and qualified under Section
14 501(c)(3) of the Internal Revenue Code.

15 (f)

16 (j) “Preservation” means rehabilitation, stabilization, restoration,
17 development, and reconstruction, or any combination of those
18 activities.

19 (g)

20 (k) “Protection” means those actions necessary to prevent harm
21 or damage to persons, property, or natural, cultural, and historic
22 resources, actions to improve access to public open-space areas,
23 or actions to allow the continued use and enjoyment of property
24 or natural, cultural, and historic resources, and includes acquisition,
25 development, restoration, preservation, and interpretation.

26 (h)

27 (l) “Restoration” means the improvement of physical structures
28 or facilities and, in the case of natural systems and landscape
29 features, includes, but is not limited to, projects for the control of
30 erosion, the control and elimination of exotic species, removal of
31 waste and debris, prescribed burning, fuel hazard reduction, fencing
32 out threats to existing or restored natural resources, road
33 elimination, and other plant and wildlife habitat improvement to
34 increase the natural system value of the property. Restoration
35 projects shall include the planning, monitoring, and reporting
36 necessary to ensure successful implementation of the project
37 objectives.

38 (i)

39 (m) “Severely disadvantaged community” ~~has the same meaning~~
40 ~~set forth in subdivision (g) of Section 75005.~~ means a community

1 *with a median household income less than 60 percent of the*
2 *statewide average.*

3 5880.02. An amount that equals not more than 5 percent of the
4 funds allocated for a grant program pursuant to this chapter may
5 be used to pay the administrative costs of that program.

6 5880.03. (a) Except as provided in subdivision (b), up to 10
7 percent of funds allocated for each program funded by this chapter
8 may be expended for planning and monitoring necessary for the
9 successful design, selection, and implementation of the projects
10 authorized under that program. This section shall not otherwise
11 restrict funds ordinarily used by an agency for “preliminary plans,”
12 “working drawings,” and “construction” as defined in the annual
13 Budget Act for a capital outlay project or grant project. Planning
14 may include feasibility studies for environmental site cleanup that
15 would further the purpose of a project that is eligible for funding
16 under this chapter.

17 (b) Funds used for planning projects that benefit disadvantaged
18 communities may exceed 10 percent of the funds allocated if the
19 state agency administering the moneys determines that there is a
20 need for the additional funding.

21 5880.04. (a) ~~At~~(1) *Except as provided in paragraph (2), at*
22 *least 20 percent of the funds available pursuant to each article of*
23 *this chapter shall be allocated for projects serving severely*
24 *disadvantaged communities.*

25 (2) *At least 15 percent of the funds available pursuant to Article*
26 *8 (commencing with Section 5888) and Article 9 (commencing*
27 *with Section 5889) shall be allocated for projects serving severely*
28 *disadvantaged communities.*

29 (b) Except as provided in subdivision (c), up to 10 percent of
30 the funds available pursuant to each article of this chapter may be
31 allocated for technical assistance to disadvantaged communities.
32 The agency administering the moneys shall operate a
33 multidisciplinary technical assistance program for disadvantaged
34 communities.

35 (c) Funds used for providing technical assistance to
36 disadvantaged communities may exceed 10 percent of the funds
37 allocated if the state agency administering the moneys determines
38 that there is a need for the additional funding.

1 5880.05. Before disbursing grants pursuant to this chapter,
2 each state agency that receives funding to administer a competitive
3 grant program under this chapter shall do the following:

4 (a) (1) Develop and adopt project solicitation and evaluation
5 guidelines. The guidelines shall include monitoring and reporting
6 requirements and may include a limitation on the dollar amount
7 of grants to be awarded. If the state agency has previously
8 developed and adopted project solicitation and evaluation
9 guidelines that comply with the requirements of this subdivision,
10 it may use those guidelines.

11 (2) *Guidelines adopted pursuant to this subdivision shall*
12 *encourage, where feasible, inclusion of the following project*
13 *components:*

14 (A) *Efficient use and conservation of water supplies.*

15 (B) *Use of recycled water.*

16 (C) *The capture of stormwater to reduce stormwater runoff,*
17 *reduce water pollution, or recharge groundwater supplies, or a*
18 *combination thereof.*

19 (D) *Provision of safe and reliable drinking water supplies to*
20 *park and open-space visitors.*

21 (b) Conduct three public meetings to consider public comments
22 before finalizing the guidelines. The state agency shall publish the
23 draft solicitation and evaluation guidelines on its Internet Web site
24 at least 30 days before the public meetings. One meeting shall be
25 conducted at a location in northern California, one meeting shall
26 be conducted at a location in the central valley of California, and
27 one meeting shall be conducted at a location in southern California.

28 (c) Submit the guidelines to the Secretary of the Natural
29 Resources Agency. The Secretary of the Natural Resources Agency
30 shall verify that the guidelines are consistent with applicable
31 statutes and for all the purposes enumerated in this chapter. The
32 Secretary of the Natural Resources Agency shall post an electronic
33 form of the guidelines submitted by state agencies and the
34 subsequent verifications on the Natural Resources Agency's
35 Internet Web site.

36 (d) Upon adoption, transmit copies of the guidelines to the fiscal
37 committees and the appropriate policy committees of the
38 Legislature.

39 5880.06. (a) The Department of Finance shall provide for an
40 independent audit of expenditures pursuant to this chapter. The

1 Secretary of the Natural Resources Agency shall publish a list of
2 all program and project expenditures pursuant to this chapter not
3 less than annually, in written form, and shall post an electronic
4 form of the list on the agency's Internet Web-site: *site in a*
5 *downloadable spreadsheet format. The spreadsheet shall include*
6 *information about the location and footprint of each funded project,*
7 *the project's objectives, the status of the project, anticipated*
8 *outcomes, any matching moneys provided for the project by the*
9 *grant recipient, and the applicable article of this chapter pursuant*
10 *to which the grant recipient received moneys.*

11 (b) If an audit, required by statute, of any entity that receives
12 funding authorized by this chapter is conducted pursuant to state
13 law and reveals any impropriety, the California State Auditor or
14 the Controller may conduct a full audit of any or all of the activities
15 of that entity.

16 (c) The state agency issuing any grant with funding authorized
17 by this chapter shall require adequate reporting of the expenditures
18 of the funding from the grant.

19 5880.065. *If any moneys allocated pursuant to this chapter are*
20 *not encumbered or expended by the recipient entity within the time*
21 *period specified by the administering agency, the unexpended*
22 *moneys shall revert to the administering entity for allocation*
23 *consistent with the applicable article.*

24 5880.07. To the extent feasible, a project whose application
25 includes the use of services of the California Conservation Corps,
26 certified community conservation corps, as defined in Section
27 14507.5, or other nonprofit entities that provide job training and
28 education opportunities for veterans, foster care recipients,
29 farmworkers, or local youth in conservation or restoration projects
30 shall be given preference for receipt of a grant under this chapter.

31 5880.075. To the extent feasible, a project that includes water
32 efficiencies, stormwater capture, or carbon sequestration features
33 in the project design may be given priority for grant funding under
34 this chapter.

35 5880.076. Moneys allocated pursuant to this chapter shall not
36 be used to fulfill any mitigation requirements imposed by law.

37 5880.077. (a) To the extent feasible in implementing this
38 chapter and except as provided in subdivision (b), a state agency
39 receiving funding under this chapter shall seek to achieve wildlife
40 conservation objectives through projects on public lands or

1 voluntary projects on private lands. Funds may be used for
2 payments for the creation of measurable habitat improvements or
3 other improvements to the condition of endangered or threatened
4 species, including through the development and implementation
5 of habitat credit exchanges.

6 (b) This section shall not apply to Article 2 (commencing with
7 ~~Section 5881~~: 5881), Article 3 (commencing with Section 5882),
8 Article 5 (commencing with Section 5884), or Article 6
9 (commencing with Section 5885).

10 5880.078. *A state agency that receives funding to administer*
11 *a grant program under this chapter shall report to the Legislature*
12 *by January 1, 2027, on its expenditures pursuant to this chapter*
13 *and the public benefits received from those expenditures.*

14 5880.080. *A state conservancy receiving funding pursuant to*
15 *this article shall endeavor to allocate funds that are complimentary,*
16 *but not duplicative, of authorized expenditures made pursuant to*
17 *Chapter 188 of the Statutes of 2014.*

18 5880.082. *Funding pursuant to this chapter may be used for*
19 *grants and loans to nonprofit organizations to repay financing*
20 *described in Section 22064 of the Financial Code for projects that*
21 *are consistent with the purposes of this chapter.*

22 5880.084. *For grants awarded for projects that serve a*
23 *disadvantaged community, the administering entity shall provide*
24 *advanced payments in the amount of 25 percent of the grant award*
25 *to the recipient to initiate the project in a timely manner. The*
26 *administering entity may adopt additional requirements for the*
27 *recipient of the grant regarding the use of the advanced payments*
28 *to ensure that the moneys are used properly.*

29 ~~5880.08.~~

30 5880.085. The proceeds of bonds issued and sold pursuant to
31 this chapter shall be deposited in the California Parks, Water,
32 Climate, and Coastal Protection and Outdoor Access For All Fund,
33 which is hereby created in the State Treasury.

34 5880.09. The Legislature may enact legislation necessary to
35 implement programs funded by this chapter.

1 Article 2. Investments in Environmental and Social Equity,
 2 Enhancing California’s Disadvantaged Communities

3
 4 5881. (a) The sum of ~~_____~~ *nine hundred ninety-five million*
 5 *dollars* (~~(\$_____)~~ *(\$995,000,000)*) shall be available to the department,
 6 upon appropriation by the Legislature, for the creation and
 7 expansion of safe neighborhood parks in park-poor neighborhoods
 8 in accordance with the Statewide Park Development and
 9 Community Revitalization Act of 2008’s competitive grant
 10 program described in Chapter 3.3 (commencing with Section 5640).

11 (b) When developing or revising criteria or guidelines for the
 12 grant program, the department may ~~consider the population~~
 13 ~~densities of an applicant in relation to countywide populations,~~
 14 ~~comparative income levels, and other poverty-related factors that~~
 15 ~~are relative to regionwide statistics.~~ *give additional consideration*
 16 *to projects that incorporate stormwater capture and storage or*
 17 *otherwise reduce stormwater pollution. The department shall*
 18 *perform its due diligence by conducting a rigorous prequalification*
 19 *process to determine the fiscal and operational capacity and ability*
 20 *of a potential grant recipient to do both of the following:*

- 21 (1) *Manage a project to maximize public benefit in perpetuity.*
- 22 (2) *Implement the project in a timely manner.*

23 (c) *For grants awarded for projects that serve a disadvantaged*
 24 *community, the administering entity shall provide advanced*
 25 *payments in the amount of 25 percent of the grant award to the*
 26 *recipient to initiate the project in a timely manner. The*
 27 *administering entity may adopt additional requirements for the*
 28 *recipient of the grant regarding the use of the advanced payments*
 29 *to ensure that the moneys are used properly.*

30 5881.01. *Of the amount available pursuant to subdivision (a)*
 31 *of Section 5881, not less than 20 percent shall be available for the*
 32 *rehabilitation, repurposing, or substantial improvement of existing*
 33 *park infrastructure in communities of the state that will lead to*
 34 *increased use and enhanced user experiences, consistent with the*
 35 *Statewide Park Development and Community Revitalization Act*
 36 *of 2008 (Chapter 3.3 (commencing with Section 5640)).*

37 5881.02. *Of the amount available pursuant to subdivision (a)*
 38 *of Section 5881, to correct historic underinvestments in the central*
 39 *valley, Inland Empire, gateway, and desert communities, the sum*
 40 *of forty-eight million dollars (\$48,000,000) shall be available for*

1 *local park improvement grants to the communities identified by*
 2 *the department as park deficient within those areas for active*
 3 *recreational projects, including aquatic centers, to encourage*
 4 *youth health, fitness, and recreational pursuits. Projects that*
 5 *include the donation of land, materials, or volunteer services and*
 6 *that demonstrate collaborations of multiple entities and the*
 7 *leveraging of scarce resources may be given consideration. Entities*
 8 *that receive a grant under this section may also be eligible to*
 9 *receive a grant under subdivision (a) of Section 5881.*

10

11 Article 3. Investments in Protecting, Enhancing, and Accessing
 12 California’s Local and Regional Outdoor Spaces

13

14 5882. For purposes of this article, “district” means any regional
 15 park district, regional park and open-space district, or regional
 16 open-space district formed pursuant to Article 3 (commencing
 17 with Section 5500) of Chapter 3, any recreation and park district
 18 formed pursuant to Chapter 4 (commencing with Section 5780),
 19 or any authority formed pursuant to Division 26 (commencing
 20 with Section 35100). With respect to any community or
 21 unincorporated region that is not included within a district, and in
 22 which no city or county provides parks or recreational areas or
 23 facilities, “district” also means any other entity, including, but not
 24 limited to, a district operating multiple-use ~~park lands~~ *parklands*
 25 pursuant to Division 20 (commencing with Section ~~71660~~ *71000*)
 26 of the Water Code, that is authorized by statute to operate and
 27 manage parks or recreational areas or facilities, employs a full-time
 28 park and recreation director, offers year-round park and recreation
 29 services on land and facilities owned by the entity, and allocates
 30 a substantial portion of its annual operating budget to parks or
 31 recreation areas or facilities.

32

33 5882.01. (a) The sum of ~~_____~~ *four hundred fifty million* dollars
 34 (~~_____~~) (*\$450,000,000*) shall be available to the department, upon
 35 appropriation by the Legislature, for local park rehabilitation and
 36 improvement grants to local governments on a per capita basis.
 37 Grant recipients shall be encouraged to utilize awards to rehabilitate
 38 existing infrastructure and to address deficiencies in neighborhoods
 39 lacking access to the outdoors.

39

40 (b) ~~Pursuant to Section 5880.08, the~~ *The* sum of ~~_____~~ *forty*
 million dollars (~~_____~~) (*\$40,000,000*) shall be available to the

1 department, upon appropriation by the Legislature, for grants to
 2 cities and districts in urbanized counties providing park and
 3 recreation services within jurisdictions of 200,000 or less in
 4 population. For purposes of this subdivision, “urbanized county”
 5 means a county with a population ~~for of~~ 500,000 or ~~greater~~ *more*.
 6 An entity eligible to receive funds under this subdivision shall also
 7 be eligible to receive funds available under subdivision (a).

8 (c) Unless the entity has been identified as a disadvantaged
 9 community, an entity that receives an award pursuant to this section
 10 shall be required to provide a match of 20 percent as a local share.

11 5882.02. (a) (1) The department shall allocate 60 percent of
 12 the funds available pursuant to ~~subdivision~~ *each of subdivisions*
 13 *(a) and (b)* of Section 5882.01 to cities and districts, other than a
 14 regional park district, regional park and open-space district,
 15 open-space authority, or regional open-space district. Each city’s
 16 and district’s allocation shall be in the same ratio as the city’s or
 17 district’s population is to the combined total of the state’s
 18 population that is included in incorporated and unincorporated
 19 areas within the county, except that each city or district shall be
 20 entitled to a minimum allocation of ~~_____~~ *two hundred fifty*
 21 *thousand dollars* ~~(\$_____)~~ *(\$250,000)*. If the boundary of a city
 22 overlaps the boundary of a district, the population in the
 23 overlapping area shall be attributed to each jurisdiction in
 24 proportion to the extent to which each operates and manages parks
 25 and recreational areas and facilities for that population. If the
 26 boundary of a city overlaps the boundary of a district, and in the
 27 area of overlap the city does not operate and manage parks and
 28 recreational areas and facilities, all grant funds for that area shall
 29 be allocated to the district.

30 (2) On or before April 1, ~~2018~~, 2020, a city and a district that
 31 are subject to paragraph (1), and whose boundaries overlap, shall
 32 collaboratively develop and submit to the department a specific
 33 plan for allocating the grant funds in accordance with the formula
 34 specified in paragraph (1). If, by that date, the plan has not been
 35 developed and submitted to the department, the director shall
 36 determine the allocation of the grant funds between the affected
 37 jurisdiction.

38 (b) (1) The department shall allocate 40 percent of the funds
 39 available pursuant to ~~subdivision~~ *each of subdivisions (a) and (b)*
 40 of Section 5882.01 to counties and regional park districts, regional

1 park and open-space districts, open-space authorities formed
2 pursuant to Division 26 (commencing with Section 35100), and
3 regional open-space districts formed pursuant to Article 3
4 (commencing with Section 5500) of Chapter 3.

5 (2) Each county's allocation under paragraph (1) shall be in the
6 same ratio that the county's population is to the total state
7 population, except that each county shall be entitled to a minimum
8 allocation of ~~_____ five hundred thousand dollars (\$_____)~~.
9 *(\$500,000)*.

10 (3) In any county that embraces all or part of the territory of a
11 regional park district, regional park and open-space district,
12 open-space authority, or regional open-space district, and whose
13 board of directors is not the county board of supervisors, the
14 amount allocated to the county shall be apportioned between that
15 district and the county in proportion to the population of the county
16 that is included within the territory of the district and the population
17 of the county that is outside the territory of the district.

18 (c) For the purpose of making the calculations required by this
19 section, population shall be determined by the department, in
20 cooperation with the Department of Finance, on the basis of the
21 most recent verifiable census data and other verifiable population
22 data that the department may require to be furnished by the
23 applicant city, county, or district.

24 (d) The Legislature intends all recipients of funds pursuant to
25 subdivision (a) *or* (b) of Section 5882.01 to use those funds to
26 supplement local revenues in existence on the effective date of the
27 act adding this chapter. To receive an allocation pursuant to
28 subdivision (a) *or* (b) of Section 5882.01, the recipient shall not
29 reduce the amount of funding otherwise available to be spent on
30 parks or other projects eligible for funds under this chapter in its
31 jurisdiction. A one-time allocation of other funding that has been
32 expended for parks or other projects, but which is not available on
33 an ongoing basis, shall not be considered when calculating a
34 recipient's annual expenditures. For purposes of this subdivision,
35 the Controller may request fiscal data from recipients for the
36 preceding three fiscal years. Each recipient shall furnish the data
37 to the Controller no later than 120 days after receiving the request
38 from the Controller.

39 5882.04. (a) The director of the department shall prepare and
40 adopt criteria and procedures for evaluating applications for grants

1 allocated pursuant to subdivision (a) *or* (b) of Section 5882.01.
 2 The application shall be accompanied by certification that the
 3 project is consistent with the park and recreation element of the
 4 applicable city or county general plan or the district park recreation
 5 plan, as the case may be.

6 (b) To utilize available grant funds as effectively as possible,
 7 overlapping and adjoining jurisdictions and applicants with similar
 8 objectives are encouraged to combine projects and submit a joint
 9 application. A recipient may allocate all or a portion of its per
 10 capita share for a regional or state project.

11 5882.05. (a) The director of the department shall annually
 12 forward a statement of the total amount to be appropriated each
 13 fiscal year for projects approved for grants pursuant to this article
 14 to the Director of Finance for inclusion in the annual Budget Act.
 15 A list of eligible jurisdictions and the amount of grant funds to be
 16 allocated to each jurisdiction shall also be made available by the
 17 department.

18 (b) Funds appropriated pursuant to this article shall be
 19 encumbered by the recipient within three years from the date the
 20 appropriation is effective. Regardless of the date of encumbrance
 21 of the granted funds, the recipient is expected to complete all
 22 funded projects within eight years of the effective date of the
 23 appropriation.

24 5882.06. (a) The sum of ~~_____~~ *one hundred twenty million*
 25 ~~dollars (\$_____)~~ *(\$120,000,000)* shall be available to the department,
 26 upon appropriation by the Legislature, for grants to regional park
 27 districts, counties, regional open-space districts, open-space
 28 authorities formed pursuant to Division 26 (commencing with
 29 Section 35100), and eligible nonprofit organizations on a
 30 competitive grant basis to *develop, expand, improve, rehabilitate,*
 31 *or restore parks and park facilities, including including, but not*
 32 *limited to, trails, that facilitate new or enhanced use and enhanced*
 33 ~~*user experiences: regional trail networks, regional sports*~~
 34 ~~*complexes, low-cost accommodations in park facilities, and visitor,*~~
 35 ~~*outdoor, and interpretative facilities serving youth and communities*~~
 36 ~~*of color.*~~

37 (b) *In awarding moneys, the department shall encourage*
 38 *applicants seeking funds for acquisition projects to perform*
 39 *projects in conjunction with new or enhanced public-use and*
 40 *public-access opportunities.*

1 (c) Preference may be given to multiuse trail projects over
2 single-use trail projects.

3 (d) Of the amount available pursuant to this section, up to 5
4 percent may be available to provide a one-to-one match for
5 nonprofit organizations that offer recreational facilities to the
6 public free of charge and whose approved grant projects promote
7 outdoor and wilderness experiences for youth of low-income
8 households, who lack access to green-space opportunities, through
9 recreational programming, transportation, enhanced public access,
10 and outdoor educational programs.

11
12 Article 3.5. Urban Recreation, Watershed, and Stormwater
13 Cobenefit Program
14

15 5882.50. The sum of one hundred eighty-seven million five
16 hundred thousand dollars (\$187,500,000) shall be available, upon
17 appropriation by the Legislature, to promote and enhance
18 multibenefit greening projects in urbanized settings as follows:

19 (a) The sum of one hundred fifteen million dollars
20 (\$115,000,000) shall be available to the Natural Resources Agency
21 for project grants for the protection and enhancement of an urban
22 creek, as defined in subdivision (e) of Section 7048 of the Water
23 Code, and its tributaries, pursuant to Division 22.8 (commencing
24 with Section 32600) and Division 23 (commencing with Section
25 33000) of this code and Section 79508 of the Water Code. Money
26 available pursuant to this subdivision shall be equally divided
27 between projects in areas described in Division 22.8 (commencing
28 with Section 32600) and projects in areas described in Division
29 23 (commencing with Section 33000). Projects serving
30 disadvantaged communities shall have priority for funding under
31 this subdivision.

32 (b) The sum of twelve million five hundred thousand dollars
33 (\$12,500,000) shall be available to the Santa Ana River
34 Conservancy Program pursuant to Chapter 4.6 (commencing with
35 Section 31170) of Division 21. To correct historic underinvestments
36 in park and green-space development, not less than 50 percent of
37 this amount shall be available to the State Coastal Conservancy
38 for grants to enhance park and recreational infrastructure within
39 the most park-deficient areas along the lower river in heavily
40 urbanized communities.

1 (c) (1) The sum of sixty million dollars (\$60,000,000) shall be
2 available to the Strategic Growth Council for competitive grants
3 to cities, counties, regional park districts, park districts, regional
4 open-space districts, open-space authorities, conservation-based
5 nonprofit organizations, and joint powers authorities for
6 stormwater capture projects that lead to improved or enhanced
7 park, parkway, open-space, greenways, or green infrastructure
8 and provide for at least two of the following benefits:

- 9 (A) Reduce flooding.
- 10 (B) Reduce water pollution.
- 11 (C) Facilitate increased recharge of groundwater or otherwise
- 12 store water for reuse.
- 13 (D) Increase or otherwise enhance habitat for fish and wildlife.
- 14 (E) Promote adaptation and protect against sea level rise.
- 15 (F) Reduce heat island effects.

16 (2) In implementing this subdivision, the Strategic Growth
17 Council may draw from existing guidelines and provisions pursuant
18 to the urban greening program, as described by Chapter 729 of
19 the Statutes of 2008, or other program.

20 (3) If a countywide parcel tax measure for park-related
21 improvements is approved by the voters in a heavily urbanized
22 county at the November 6, 2016, general election, of the amount
23 available pursuant to this subdivision, the Legislature may
24 appropriate at least ten million dollars (\$10,000,000) to the heavily
25 urbanized county as a block grant award to allocate funds within
26 that county to maximize recreation, greening, watershed, and
27 stormwater benefits consistent with park improvements identified
28 in that measure. For the purpose of maximizing the objectives of
29 this subdivision, a heavily urbanized county may award moneys
30 to water districts that administer river corridor projects. Agencies
31 eligible under this paragraph shall also be eligible for other grants
32 under this subdivision.

33

34 Article 4. Restoring California’s Natural, Historic, and Cultural
35 Legacy

36

37 5883. (a) The sum of three hundred seventy million
38 dollars (~~\$~~) (\$370,000,000) shall be available to the department,
39 upon appropriation by the Legislature, for restoration and
40 preservation of existing state park facilities and ~~units~~ units, to

1 *promote greater access to those units through the provision of*
2 *low-cost overnight accommodations in ways that enhance access*
3 *and recreational opportunities for disadvantaged communities, to*
4 *preserve and increase public access to those facilities and units*
5 *and to protect the natural, cultural, and historic resources of those*
6 *facilities and units. Not less than 80 percent of these funds shall*
7 *be available for capital improvements that address the department's*
8 *backlog of deferred maintenance or that enhance park access and*
9 *user experiences.*

10 (b) Of the total amount available pursuant to this section, the
11 sum of ~~_____~~ *twenty million* dollars (~~(\$_____)~~ *(\$20,000,000)* shall
12 be available for enterprise projects that facilitate new or enhanced
13 park use and user experiences and increase revenue generation to
14 support operations of the department.

15 (c) Of the total amount available pursuant to this section, the
16 sum of ~~_____~~ *twenty million* dollars (~~(\$_____)~~ *(\$20,000,000)* shall
17 be available to the department for grants to local agencies that
18 operate a unit of the state park system to address an urgent need
19 for the restoration of aging infrastructure that, without restoration,
20 would compromise the continued operation of the unit. Unless a
21 local agency has been identified as a disadvantaged community,
22 a local agency that receives a grant pursuant to this subdivision
23 shall be required to provide a match of not less than 25 percent.

24 (d) *Of the total amount available pursuant to this section, the*
25 *sum of twelve million five hundred thousand dollars (\$12,500,000)*
26 *shall be available for projects in units of the state park system that*
27 *are managed by nonprofit organizations that have entered into*
28 *operating agreements with the department. Of this amount, not*
29 *less than five million dollars (\$5,000,000) shall be available to*
30 *nonprofit organizations that operate a unit in the Inland Empire*
31 *State Park Program. An award recipient receiving funds pursuant*
32 *to this subdivision shall provide a match of 20 percent.*

33 ~~(e)~~

34 (e) Of the total amount available pursuant to this section, the
35 sum of ~~_____~~ *seventy million* dollars (~~(\$_____)~~ *(\$70,000,000)* shall
36 be available to the department according to the following schedule
37 and subject to Section 5883.02 to address major infrastructure
38 rehabilitation to improve tourism and visitor experiences and to
39 promote the health and safety of units within the state park system:

1 (1) The sum of ~~_____ ten million~~ dollars ~~(\$_____)~~ ~~(\$10,000,000)~~
 2 to implement a Central Valley State Park Program. In order to be
 3 eligible under this paragraph, a park shall be located in a county
 4 within the central valley from the County of Sacramento south to
 5 the base of the Tehachapi Mountain Range.

6 (2) The sum of ~~_____ ten million~~ dollars ~~(\$_____)~~ ~~(\$10,000,000)~~
 7 to implement a Central Coast State Park Program. ~~In order to be~~
 8 ~~eligible under this paragraph, a park shall be located in the County~~
 9 ~~of Ventura.~~

10 (3) The sum of ~~_____ fifteen million~~ dollars ~~(\$_____)~~
 11 ~~(\$15,000,000)~~ to implement an East Bay State Park Program.

12 (4) The sum of ~~_____ ten million~~ dollars ~~(\$_____)~~ ~~(\$10,000,000)~~
 13 to implement a High Desert-Coachella Valley State Park Program.

14 (5) The sum of ~~_____ ten million~~ dollars ~~(\$_____)~~ ~~(\$10,000,000)~~
 15 to implement an Inland Empire State Park Program.

16 (6) The sum of ~~_____ fifteen million~~ dollars ~~(\$_____)~~
 17 ~~(\$15,000,000)~~ to implement a San Diego State Park Program.
 18 Priority may be given to projects bordering a national estuary.

19 (e)

20 (f) Of the total amount available pursuant to this section, the
 21 sum of ~~_____ fifty million~~ dollars ~~(\$_____)~~ ~~(\$50,000,000)~~ shall be
 22 available to the department for direct distribution to the ~~twelve 12~~
 23 districts within the department to address historic underinvestments
 24 in units of the state park system.

25 5883.01. The department, in expending the funding available
 26 under this article, shall endeavor, where practical, to partner with
 27 cities, counties, nonprofit organizations, and nongovernmental
 28 organizations to maximize leveraging opportunities to enhance
 29 tourism, visitation, and visitor experiences.

30 5883.02. The funding available pursuant to subdivision ~~(d)~~ (e)
 31 of Section 5883 shall be allocated based on regional populations
 32 and the demand for infrastructure repair and improvements.

33

34 Article 5. Trails and ~~Waterfront~~ Greenway Investment

35

36 5884. (a) The sum of ~~_____ fifty million~~ dollars ~~(\$_____)~~
 37 ~~(\$50,000,000)~~ shall be available to the Natural Resources Agency,
 38 *working in cooperation with the department*, upon appropriation
 39 by the Legislature, for competitive grants to local agencies, state
 40 conservancies, federally recognized Native American tribes,

1 nonfederally recognized California Native American tribes listed
 2 on the California Tribal Consultation List maintained by the Native
 3 American Heritage Commission, and nonprofit organizations to
 4 provide nonmotorized infrastructure development and
 5 enhancements that promote new or alternate access to parks,
 6 waterways, outdoor recreational pursuits, and forested or other
 7 natural environments to encourage health-related commuting and
 8 opportunities for Californians to reconnect with nature.

9 (b) Of the amount made available pursuant to this section, up
 10 to 25 percent may be made available to communities for innovative
 11 transportation programs that provide new and expanded outdoor
 12 experiences to disadvantaged youth.

13 (c) Alignment, development, and improvement of nonmotorized
 14 infrastructure and trails that lead to safer interconnectivity between
 15 parks, waterways, and natural areas may be encouraged.

16 (d) The Natural Resources Agency is encouraged, when
 17 designing ~~guidelines~~, *guidelines* for grants awarded under this
 18 article, to utilize existing program guidelines including, if
 19 applicable, guidelines that have been established for the California
 20 Recreational Trails Act (Article 6 (commencing with Section 5070)
 21 of Chapter ~~4~~ 1) and, to the extent possible, to design guidelines
 22 that are consistent with the California Recreational Trails Plan,
 23 as described in Article 6 (commencing with Section 5070) of
 24 Chapter 1.

25 5884.01. Unless the entity has been identified as a
 26 disadvantaged community, an entity that receives an award under
 27 this article shall be required to provide a match of 20 percent.

28

29 Article 6. Rural Recreation, Tourism, and Economic Enrichment
 30 Investment

31

32 5885. (a) The sum of ~~_____~~ *forty-five million* dollars (~~\$_____~~)
 33 (~~\$45,000,000~~) shall be available to the department, upon
 34 appropriation by the Legislature, to administer a competitive grant
 35 program for cities, counties, and districts in nonurbanized areas,
 36 that are eligible for a grant under the Roberti-Z'berg-Harris Urban
 37 Open-Space and Recreation Program Act (Chapter 3.2
 38 (commencing with Section 5620)). Notwithstanding subdivisions
 39 (c) and (e) of Section 5621 and for the purposes of this section,
 40 the definition of nonurbanized area shall be updated by the

1 department to reflect current population levels. A nonurbanized
2 area shall include counties with populations of less than 500,000
3 people and low population densities per square mile, as determined
4 by the department. In awarding the grants, the department may
5 consider the following factors:

6 (1) Whether the project would provide new recreational
7 opportunities in rural communities that have demonstrated
8 deficiencies and lack of outdoor infrastructure in support of
9 economic and health-related goals.

10 (2) Whether the project proposes to acquire and develop lands
11 to enhance residential recreation while promoting the quality of
12 tourism experiences and the economic vitality of the community.
13 These enhancements may include accessibility for individuals with
14 disabilities, trails, bikeways, regional or destination-oriented
15 recreational amenities, and visitor centers.

16 (3) Whether the project includes collaboration between public
17 and nonprofit organizations, including, but not limited to, nonprofit
18 land trusts, to facilitate public access to privately-owned lands for
19 regional trail development for wildlife viewing, recreation, or
20 outdoor experiences for youth.

21 (b) Unless the entity has been identified as a disadvantaged
22 community, an entity that receives an award under this article shall
23 be required to provide a match of 20 percent.

24 ~~(c) In addition to entities described in subdivision (a), an~~
25 ~~irrigation district exercising powers authorized under Section 22185~~
26 ~~of the Water Code is eligible for a grant under this article.~~

27
28 Article 7. ~~California Clean Water, Coastal, and Watershed~~
29 ~~Benefit River Recreation, Creek, and Waterway Improvements~~
30 Program
31

32 5886. (a) The sum of ~~_____~~ *one hundred fifteen million* dollars
33 ~~(\$_____)~~ *(\$115,000,000)* shall be available to the Natural Resources
34 Agency, upon appropriation by the Legislature, for grants pursuant
35 to the California River Parkway Act of 2004 (Chapter 3.8
36 commencing with Section 5750)) and the Urban Streams
37 Restoration Program pursuant to Section 7048 of the Water Code.
38 Eligible projects shall include, but are not limited to, projects that
39 protect and enhance urban creeks.

1 (b) Unless the entity has been identified as a disadvantaged
2 community, an entity that receives an award under this article shall
3 be required to provide a match of 20 percent.

4 (c) To maximize cooperation and leverage resources, the Natural
5 Resources Agency may give priority to projects that include
6 partnerships among federal, state, and local agencies and to projects
7 proposed by nonprofit organizations, including, but not limited to,
8 nonprofit land trusts.

9 ~~(d) Notwithstanding any other provision of this division, 60~~
10 ~~percent of the funds appropriated pursuant to this section shall be~~
11 ~~expended for project grants in the area described in the watershed~~
12 ~~of the Los Angeles River upstream of the northernmost boundary~~
13 ~~of the City of Vernon, and 40 percent of the funds shall be~~
14 ~~expended for project grants in the remainder of the Los Angeles~~
15 ~~River area.~~

16 ~~(e) Of the amount made available pursuant to subdivision (a),~~
17 ~~_____ dollars (\$_____) shall be available for purposes of the Lower~~
18 ~~American River Conservancy Program or the American River~~
19 ~~Parkway Plan, as defined in Section 5841.~~

20 ~~(f) Not less than _____ percent of the amount made available~~
21 ~~pursuant to this section shall be allocated to the Santa Ana River~~
22 ~~Program pursuant to Chapter 4.6 (commencing with Section 31170)~~
23 ~~of Division 21.~~

24 *(d) Of the amount made available pursuant to subdivision (a),*
25 *not less than seven million five hundred thousand dollars*
26 *(\$7,500,000) shall be available for the Lower American River*
27 *Conservancy Program, if that program is created.*

28 *(e) Of the amount made available pursuant to subdivision (a),*
29 *not less than ten million dollars (\$10,000,000) shall be available*
30 *for improvements in and along the Guadalupe River and its*
31 *headwaters or contributing tributaries, including Los Gatos Creek,*
32 *upon the enactment of subsequent legislation that demonstrates a*
33 *comprehensive local and regional approach to restoration, public*
34 *recreation, and management of the river corridor.*

35 *(f) Of the amount made available pursuant to subdivision (a),*
36 *not less than fifteen million dollars (\$15,000,000) shall be available*
37 *to implement the Urban Streams Restoration Program, established*
38 *pursuant to Section 7048 of the Water Code.*

39 ~~5886.02. _____ dollars (\$_____) shall be available, upon~~
40 ~~appropriation by the Legislature, to implement the Urban Streams~~

1 Restoration Program for streams not otherwise eligible for funding
2 pursuant to this article.

3 5886.04. _____ dollars (\$_____) shall be available to the Natural
4 Resources Agency, upon appropriation by the Legislature, for
5 existing multi-benefit urban streams projects that are not otherwise
6 eligible for funding pursuant to this article.

7 5886.04. *The sum of thirty-seven million five hundred thousand*
8 *dollars (\$37,500,000) shall be available to the Salton Sea*
9 *Authority, upon appropriation by the Legislature, for capital outlay*
10 *projects that provide air quality and habitat benefits and that*
11 *implement the Natural Resource Agency’s Salton Sea Management*
12 *Program. Of this amount, not less than ten million dollars*
13 *(\$10,000,000) shall be available for purposes consistent with the*
14 *New River Water Quality, Public Health, and River Parkway*
15 *Development Program, as described in Section 71103.6.*

16 5886.06. ~~The~~ *To the maximum extent feasible, the* Natural
17 Resources Agency is encouraged, when developing guidelines for
18 grants awarded under this article, to utilize existing ~~programs,~~
19 *programs through which communities enter into partnerships with*
20 *state agencies for multibenefit projects to enhance and restore*
21 *waterways, including, but not limited to, the urban streams program*
22 *through which communities enter into partnerships with state*
23 *agencies for multibenefit projects to enhance and restore*
24 *waterways. Riverine Stewardship Technical Assistance program.*

25
26 Article 7.5. State Conservancy Funding

27
28 5887. The sum of _____ *one hundred sixty-five million* dollars
29 ~~(\$_____)~~ *(\$165,000,000)* shall be available, upon appropriation by
30 the Legislature, in accordance with the following schedule, to
31 fulfill the purposes of the specified entity:

32 (a) Baldwin Hills Conservancy, _____ *five million* dollars
33 ~~(\$_____)~~ *(\$5,000,000).*

34 (b) California Tahoe Conservancy, _____ *twenty million* dollars
35 ~~(\$_____)~~ *(\$20,000,000).*

36 (c) Coachella Mountains Conservancy, _____ *ten million* dollars
37 ~~(\$_____)~~ *(\$10,000,000).*

38 (d) Sacramento-San Joaquin Delta Conservancy, _____ *fifteen*
39 *million* dollars ~~(\$_____)~~ *(\$15,000,000).*

1 ~~(e) Salton Sea Authority, _____ dollars (\$_____). These moneys~~
2 ~~shall be for capital outlay projects that provide air quality and~~
3 ~~habitat benefits and that implement the Natural Resources Agency's~~
4 ~~Salton Sea Management Program.~~

5 ~~(f)~~

6 ~~(e) San Diego River Conservancy, _____ fifteen million dollars~~
7 ~~(\$_____). (\$15,000,000).~~

8 ~~(g)~~

9 ~~(f) San Gabriel and Lower Los Angeles Rivers and Mountains~~
10 ~~Conservancy, _____ thirty million dollars (\$_____). (\$30,000,000).~~
11 ~~Of this amount, not less than two million five hundred thousand~~
12 ~~dollars (\$2,500,000) shall be allocated as a cost share to match~~
13 ~~United States Forest Service funds for resource management~~
14 ~~purposes of upper watershed lands. Not less than twenty-two~~
15 ~~million five hundred thousand dollars (\$22,500,000) shall be made~~
16 ~~available for improvements in and along the San Gabriel River~~
17 ~~from moneys made available from this subdivision and subdivision~~
18 ~~(a) of Section 5882.50.~~

19 ~~(h)~~

20 ~~(g) San Joaquin River Conservancy, _____ ten million dollars~~
21 ~~(\$_____). (\$10,000,000).~~

22 ~~(i)~~

23 ~~(h) Santa Monica Mountains Conservancy, _____ thirty million~~
24 ~~dollars (\$_____). (\$30,000,000).~~

25 ~~(j)~~

26 ~~(i) Sierra Nevada Conservancy, _____ thirty million dollars~~
27 ~~(\$_____). (\$30,000,000).~~

28 ~~(k) State Coastal Conservancy, _____ dollars (\$_____). Of this~~
29 ~~amount, not less than 40 percent shall go toward the San Francisco~~
30 ~~Bay Area Conservancy Program (Chapter 4.5 (commencing with~~
31 ~~Section 31160) of Division 21).~~

32 5887.01. The Legislature shall strive to consider population
33 size, land mass, and natural resource significance as factors when
34 determining the amount of any other funds to be made available
35 to an entity listed in Section 5887.

36 5887.02. A receiving entity in Section 5887 shall develop and
37 adopt a strategic master plan that identifies priorities and specific
38 criteria for selecting projects for funding. The strategic plan shall
39 include strategies for providing public access to conserved lands

1 wherever feasible and be consistent with project goals and
2 objectives.

3 5887.03. Conservancies, in expending the funding available
4 under this article, shall endeavor, where practical, to partner with
5 cities, counties, nonprofit organizations, and nongovernmental
6 organizations to acquire open space and create urban greenway
7 corridors.

8

9

Article 8. Ocean, Bay, and Coastal Protection

10

11 5888. *The sum of two hundred million dollars (\$200,000,000)*
12 *shall be available, upon appropriation by the Legislature, to fund*
13 *projects that enhance and protect coastal and ocean resources in*
14 *the state as follows:*

15 (a) *The sum of fifty-five million dollars (\$55,000,000) shall be*
16 *available for deposit into the California Ocean Protection Trust*
17 *Fund for grants consistent with Section 35650. Priority shall be*
18 *given to projects that conserve, protect, and restore marine wildlife*
19 *and healthy ocean and coastal ecosystems with a focus on the*
20 *state’s system of marine protected areas and sustainable fisheries.*

21 (b) *The sum of fifty million dollars (\$50,000,000) shall be*
22 *available to the San Francisco Bay Area Conservancy Program*
23 *(Chapter 4.5 (commencing with Section 31160) of Division 21).*

24 (c) *The sum of ninety-five million dollars (\$95,000,000) shall*
25 *be available to the State Coastal Conservancy for the protection*
26 *of beaches, bays, and coastal watershed resources, including the*
27 *protection of coastal agricultural resources pursuant to Section*
28 *31150 and projects to complete the California Coastal Trail*
29 *pursuant to Section 31408.*

30 5888.02. *In implementing Section 5888, the administering*
31 *entity may give special consideration to the acquisition of lands*
32 *that are in deferred certification areas of county local coastal*
33 *plans.*

34

35 ~~Article 8.9. Climate Preparedness and Preparedness, Habitat~~
36 ~~Resiliency Resiliency, Resource Enhancement, and Innovation~~

37

38 5888:

39 5889. The sum of ~~_____~~ *seven hundred twenty-two million five*
40 *hundred thousand dollars* ~~(\$_____)~~ *(\$722,500,000) shall be*

1 available, upon appropriation by the Legislature, to plan, develop,
2 and implement climate adaptation and resiliency projects that
3 improve a community’s ability to adapt to the unavoidable impacts
4 of climate change. Projects shall improve and protect coastal and
5 rural economies, agricultural viability, wildlife corridors, or habitat,
6 develop future recreational opportunities, or enhance drought
7 tolerance and water retention, in accordance with the following
8 schedule:

9 (a) (1) ~~Four hundred twenty-seven million five hundred~~
10 ~~thousand~~ dollars ~~(\$427,500,000)~~ shall be available to the
11 Wildlife Conservation Board for grants for any of the following:

12 (A) Projects for the acquisition, development, rehabilitation,
13 restoration, protection, and expansion of wildlife corridors and
14 open space, including projects to improve connectivity and reduce
15 barriers between habitat areas. In awarding grants pursuant to this
16 subparagraph, ~~special consideration~~ *priority* may be given to
17 projects that protect state-designated wildlife corridors and wildlife
18 corridors threatened by urban development.

19 (B) Projects for the acquisition, development, rehabilitation,
20 restoration, protection, and expansion of habitat that promote the
21 recovery of threatened and endangered species.

22 (C) Projects to improve climate adaptation and resilience of
23 natural systems.

24 (D) Projects to protect and improve existing open-space
25 corridors and trail linkages related to utility or transportation
26 infrastructure that provide habitat connectivity and public access
27 or trails.

28 (E) *Projects to restore rivers and streams in support of fisheries*
29 *and wildlife, including, but not limited to, reconnecting rivers with*
30 *their floodplains, riparian and side-channel habitat restoration,*
31 *and restoration and protection of upper watershed forests and*
32 *meadow systems that are important for fish and wildlife resources*
33 *and that are consistent with the purposes of subdivision (f) of*
34 *Section 79738 of the Water Code. Priority shall be given to projects*
35 *supported by multistakeholder public and private partnerships*
36 *using a science-based approach and measurable objectives to*
37 *guide identification, design, and implementation of regional actions*
38 *to benefit salmon and steelhead.*

39 (F) *In implementing this subdivision, the Wildlife Conservation*
40 *Board may provide matching grants for incentives to landowners*

1 *for conservation actions on private lands or use of voluntary*
2 *habitat credit exchange mechanisms. The matching grant shall*
3 *not exceed 50 percent of the total cost of the incentive program.*

4 (2) Applications submitted pursuant to this subdivision that
5 promote projects seeking to preserve the working character of
6 lands, including uninterrupted agricultural and rangeland practices,
7 through conservation easements, may be given additional
8 consideration.

9 (3) Of the amount subject to this subdivision, ~~_____~~ *seventy*
10 *million dollars* (~~(\$_____)~~ *(\$70,000,000)*) shall be available for the
11 acquisition, development, rehabilitation, restoration, protection,
12 and expansion of habitat that furthers the implementation of
13 ~~adopted~~ *natural community conservation plans, as set forth in plans*
14 *adopted pursuant to the Natural Community Conservation Planning*
15 *Act (Chapter 10 (commencing with Section 2800) of Division 3*
16 *of the Fish and Game Code), to help resolve resource conflicts by*
17 *balancing communitywide conservation, planning, and economic*
18 *activities. Funding pursuant to this paragraph shall not be used*
19 *to offset mitigation obligations otherwise required.*

20 (4) Of the amount subject to this subdivision, ~~_____~~ *ten million*
21 *dollars* (~~(\$_____)~~ *(\$10,000,000)*) shall be administered through the
22 Department of Fish and Wildlife for competitive grants to wildlife
23 rehabilitation facilities operated by nongovernmental entities.

24 (5) *Of the amount subject to this subdivision, not less than forty*
25 *million dollars (\$40,000,000) shall be available for the acquisition,*
26 *development, rehabilitation, restoration, protection, and expansion*
27 *of wildlife corridors and open space to improve connectivity and*
28 *reduce barriers between habitat areas and to protect and restore*
29 *habitat associated with the Pacific Flyway. In awarding grants*
30 *pursuant to this paragraph, priority may be given to projects that*
31 *protect state-designated wildlife corridors. Of the amount described*
32 *in this paragraph, seven million five hundred thousand dollars*
33 *(\$7,500,000) shall be available for the California Waterfowl*
34 *Habitat Program.*

35 (6) *The Wildlife Conservation Board shall develop or update a*
36 *strategic master plan that identifies priorities and specific criteria*
37 *for selecting projects pursuant to paragraph (1).*

38 (7) *Activities funded pursuant to this subdivision shall be*
39 *consistent with the state's climate adaptation strategy, as provided*

1 *by Section 71153, and the statewide objectives provided in Section*
2 *71154.*

3 (b) The sum of ~~_____~~ *forty million* dollars ~~(\$_____)~~ *(\$40,000,000)*
4 shall be available for deposit into the California Climate Resilience
5 Account, established pursuant to Section 31012, for projects that
6 assist coastal communities, including those reliant on commercial
7 fisheries, with adaptation to climate change, including projects
8 that address ocean acidification, sea level rise, or the protection
9 of habitat associated with the Pacific Flyway.

10 (c) The sum of ~~_____~~ *fifteen million* dollars ~~(\$_____)~~
11 *(\$15,000,000)* shall be available for projects that improve
12 agricultural and open-space soil health, to improve carbon soil
13 sequestration, erosion control, water quality, and water retention,
14 which may in part be allocated to the Department of Conservation
15 for watershed restoration and conservation projects on agricultural
16 lands pursuant to Section 9084.

17 (d) (1) The sum of ~~_____~~ *eighty million* dollars ~~(\$_____)~~
18 *(\$80,000,000)* shall be available for projects that reduce fire risk,
19 improve forest health, and provide feedstock for compost, energy,
20 or alternative fuels facilities. Projects may include, but are not
21 limited to, forest restoration projects that include hazardous fuel
22 reduction, post-fire watershed rehabilitation, and forest
23 management practices that promote forest resilience to wildfire,
24 climate change, and other disturbances. Unless otherwise specified
25 by the Legislature, project funds shall be equally administered by
26 the Department of Forestry and Fire Protection and by the Sierra
27 Nevada Conservancy.

28 (2) Of the amount ~~subject~~ *available pursuant* to this subdivision,
29 up to ~~_____~~ *five million* dollars ~~(\$_____)~~ *(\$5,000,000)* shall be
30 available from the Department of Forestry and Fire Protection to
31 the California Tahoe Conservancy for projects consistent with this
32 subdivision.

33 (e) ~~_____~~ dollars ~~(\$_____)~~

34 (3) *Of the amount available to the Department of Forestry and*
35 *Fire Protection pursuant to this subdivision, not less than seven*
36 *million five hundred thousand (\$7,500,000) dollars shall be*
37 ~~available to the Department of Forestry and Fire Protection for~~
38 ~~existing urban forestry programs and priority shall be given to~~
39 ~~local governments that~~ *with an emphasis on projects in geographic*

1 *areas that* have not previously been awarded a grant under an
2 existing urban forestry program.

3 ~~(f)~~

4 (e) The sum of ~~_____~~ *fifty million* dollars (~~(\$_____)~~ *(\$50,000,000)*)
5 shall be available to the California Conservation Corps for projects
6 to rehabilitate or improve parks and restore watersheds, including
7 regional and community fuel load reduction projects on public
8 lands, and stream and river restoration projects. Not less than 50
9 percent of these funds shall be in the form of grants to certified
10 local community conservation corps, as defined in Section 14507.5,
11 including local community conservation corps that have secured
12 certification within the last three to five years prior to the grant
13 application date.

14 ~~(g)~~

15 (f) (1) The sum of ~~_____~~ *one hundred ten million* dollars (~~(\$_____)~~
16 *(\$110,000,000)*) shall be available to the Natural Resources ~~Agency,~~
17 ~~upon appropriation by the Legislature, Agency~~ to award funding
18 to projects identified by local agencies, *nonprofit organizations,*
19 nongovernmental land conservation organizations, federally
20 recognized Native American tribes, or nonfederally recognized
21 California Native American tribes listed on the California Tribal
22 Consultation list maintained by the Native American Heritage
23 ~~Commission for any of the following:~~ *Commission, as follows:*

24 ~~(A) Projects that involve the restoration, protection, and~~
25 ~~acquisition of natural, cultural, and historic resources within the~~
26 ~~state.~~

27 ~~(B) Projects that convert and repurpose properties formerly~~
28 ~~operating as fossil fuel power plants to create permanently~~
29 ~~protected open space, tourism, and park opportunities through fee~~
30 ~~title and conservation easements.~~

31 ~~(C) Projects that enhance water and natural resource values or~~
32 ~~promote economic activity through improved recreation, tourism,~~
33 ~~and natural resource investment in those areas of the state not~~
34 ~~within the jurisdiction of a state conservancy.~~

35 (A) *Not more than ten million dollars (\$10,000,000) shall be*
36 *available for projects that involve the restoration, protection, and*
37 *acquisition of Native American, natural, cultural, and historic*
38 *resources within the state.*

39 (B) *Not less than thirty million dollars (\$30,000,000) shall be*
40 *available for projects that convert and repurpose properties or*

1 *parts of properties formerly operating as fossil fuel power plants*
2 *on the effective date of this chapter to create permanently protected*
3 *open space, tourism, and park opportunities through fee title or*
4 *conservation easements.*

5 *(C) Not less than fifteen million dollars (\$15,000,000) shall be*
6 *available for projects that enhance park, water, and natural*
7 *resource values through improved recreation, tourism, and natural*
8 *resource investments in those areas of the state not within the*
9 *jurisdiction of a state conservancy. Of this amount, not less than*
10 *10 percent shall be available for allocation to water districts*
11 *operating regional recreation facilities within recreation preserves*
12 *or recreation reserves that promote tourism visitations.*

13 *(D) Not less than thirty-five million dollars (\$35,000,000) shall*
14 *be available for projects that enhance visitor experiences through*
15 *development, expansion, and improvement of science centers*
16 *operated by foundations or other nonprofit organizations in heavily*
17 *urbanized communities. Of this amount, not less than 50 percent*
18 *shall be available for accredited science centers operated by*
19 *foundations in heavily urbanized counties.*

20 *(E) Not more than ten million dollars (\$10,000,000) shall be*
21 *available for projects that promote, develop, and improve any of*
22 *the following:*

23 *(i) Community, civic, or athletic venues.*

24 *(ii) Cultural or visitor centers that recognize the contributions*
25 *of California's ethnic communities or celebrate the unique*
26 *traditions of these communities, including those of Asian and*
27 *Hispanic descent.*

28 *(iii) Visitor centers that educate the public about natural*
29 *landscapes, aquatic species, or wildlife migratory patterns.*

30 *(2) Before a grant is awarded pursuant to this subdivision, a*
31 *project applicant shall demonstrate availability to the applicant of*
32 *a minimum ~~20 percent~~ 20-percent match from other funds. Project*
33 *applicants shall be encouraged to leverage all available local,*
34 *federal, and nongovernmental sources to maximize funding*
35 *distribution.*

36 ~~*(h) _____ dollars (\$_____) shall be available to the Ocean*~~
37 ~~*Protection Council for purposes of carrying out its duties.*~~

38 *5889.02. In implementing Section 5889, the administering*
39 *entity may give special consideration to the acquisition of lands*

1 that are in deferred certification areas of county local coastal
2 plans.

3

4 Article 8.5.10. Advance Payment for Water Projects

5

6 ~~5888.5.~~

7 5890. (a) Within 90 days of notice that a grant under this
8 ~~division~~ chapter for projects included and implemented in an
9 integrated regional water management plan has been awarded, the
10 regional water management group shall provide the department
11 with a list of projects to be funded with the grant funds where the
12 project proponent is a nonprofit organization or a disadvantaged
13 community, or the project benefits a disadvantaged community.
14 The list shall specify how the projects are consistent with the
15 adopted integrated regional water management plan and shall
16 include all of the following information:

17 (1) Descriptive information concerning each project identified.

18 (2) The names of the entities that will receive the funding for
19 each project, including, but not limited to, an identification as to
20 whether the project proponent or proponents are nonprofit
21 organizations or a disadvantaged community.

22 (3) The budget of each project.

23 (4) The anticipated schedule for each project.

24 (b) Within 60 days of receiving the project information pursuant
25 to subdivision (a), the department shall provide advance payment
26 of 50 percent of the grant award for those projects that satisfy both
27 of the following criteria:

28 (1) The project proponent is a nonprofit organization or a
29 disadvantaged community, or the project benefits a disadvantaged
30 community.

31 (2) The grant award for the project is less than one million
32 dollars (\$1,000,000).

33 (c) Funds advanced pursuant to subdivision (b) shall comply
34 with the following requirements:

35 (1) The recipient shall place the funds in a noninterest-bearing
36 account until expended.

37 (2) The funds shall be spent within six months of the date of
38 receipt, unless the department waives this requirement.

39 (3) The recipient shall, on a quarterly basis, provide an
40 accountability report to the department regarding the expenditure

1 and use of any advance grant funds that provides, at a minimum,
2 the following information:

3 (A) An itemization as to how advance payment funds provided
4 under this section have been expended.

5 (B) A project itemization as to how any remaining advance
6 payment funds provided under this section will be expended over
7 the period specified in paragraph (2).

8 (C) A description of whether the funds are placed in a
9 noninterest-bearing account, and if so, the date that occurred and
10 the dates of withdrawals of funds from that account, if applicable.

11 (4) If funds are not expended, the unused portion of the grant
12 shall be returned to the department within 60 days after project
13 completion or the end of the grant performance period, whichever
14 is earlier.

15 (5) The department may adopt additional requirements for the
16 recipient regarding the use of the advance payment to ensure that
17 the funds are used properly.

18 ~~(d) As used in this section:~~

19 ~~(1) "Disadvantaged community" has the same meaning as~~
20 ~~defined in subdivision (c) of Section 5880.01.~~

21 ~~(2) "Nonprofit organization" has the same meaning as defined~~
22 ~~in subdivision (k) of Section 75005.~~

23
24 Article 9.11. Fiscal Provisions

25
26 5889.

27 5891. (a) Bonds in the total amount of ~~two billion dollars~~
28 ~~(\$2,000,000,000), three billion four hundred ninety-seven million~~
29 ~~five hundred thousand dollars (\$3,497,500,000), not including the~~
30 ~~amount of any refunding bonds issued in accordance with Section~~
31 ~~5889.12, 5891.12, may be issued and sold to provide a fund to be~~
32 ~~used for carrying out the purposes expressed in this chapter and~~
33 ~~to reimburse the General Obligation Bond Expense Revolving~~
34 ~~Fund pursuant to Section 16724.5 of the Government Code. The~~
35 ~~bonds, when sold, shall be and constitute a valid and binding~~
36 ~~obligation of the State of California, and the full faith and credit~~
37 ~~of the State of California is hereby pledged for the punctual~~
38 ~~payment of both the principal of, and interest on, the bonds as the~~
39 ~~principal and interest become due and payable.~~

1 (b) The Treasurer shall sell the bonds authorized by the
2 committee pursuant to this section. The bonds shall be sold upon
3 the terms and conditions specified in a resolution to be adopted
4 by the committee pursuant to Section 16731 of the Government
5 Code.

6 ~~5889.01.~~

7 5891.01. The bonds authorized by this chapter shall be
8 prepared, executed, issued, sold, paid, and redeemed as provided
9 in the State General Obligation Bond Law (Chapter 4 (commencing
10 with Section 16720) of Part 3 of Division 4 of Title 2 of the
11 Government Code), and all of the provisions of that law apply to
12 the bonds and to this chapter.

13 ~~5889.02.~~

14 5891.02. (a) Solely for the purpose of authorizing the issuance
15 and sale, pursuant to the State General Obligation Bond Law
16 (Chapter 4 (commencing with Section 16720) of Part 3 of Division
17 4 of Title 2 of the Government Code), of the bonds authorized by
18 this chapter, the California Parks, Water, Climate, and Coastal
19 Protection and Outdoor Access For All Finance Committee is
20 hereby created. For purposes of this chapter, the California Parks,
21 Water, Climate, and Coastal Protection and Outdoor Access For
22 All Finance Committee is the “committee” as that term is used in
23 the State General Obligation Bond Law.

24 (b) The committee consists of the Director of Finance, the
25 Treasurer, and the Controller. Notwithstanding any other provision
26 of law, any member may designate a representative to act as that
27 member in his or her place for all purposes, as though the member
28 were personally present.

29 (c) The Treasurer shall serve as the chair of the committee.

30 (d) A majority of the committee may act for the committee.

31 ~~5889.03.~~

32 5891.03. The committee shall determine whether or not it is
33 necessary or desirable to issue bonds authorized by this chapter in
34 order to carry out the actions specified in this chapter and, if so,
35 the amount of bonds to be issued and sold. Successive issues of
36 bonds may be authorized and sold to carry out those actions
37 progressively, and it is not necessary that all of the bonds
38 authorized to be issued be sold at any one time.

1 ~~5889.04.~~

2 *5891.04.* For purposes of the State General Obligation Bond
3 Law, “board,” as defined in Section 16722 of the Government
4 Code, means the Secretary of the Natural Resources Agency.

5 ~~5889.05.~~

6 *5891.05.* There shall be collected each year and in the same
7 manner and at the same time as other state revenue is collected,
8 in addition to the ordinary revenues of the state, a sum in an amount
9 required to pay the principal of, and interest on, the bonds each
10 year. It is the duty of all officers charged by law with any duty in
11 regard to the collection of the revenue to do and perform each and
12 every act that is necessary to collect that additional sum.

13 ~~5889.06.~~

14 *5891.06.* Notwithstanding Section 13340 of the Government
15 Code, there is hereby appropriated from the General Fund in the
16 State Treasury, for the purposes of this chapter, an amount that
17 will equal the total of the following:

18 (a) The sum annually necessary to pay the principal of, and
19 interest on, bonds issued and sold pursuant to this chapter, as the
20 principal and interest become due and payable.

21 (b) The sum that is necessary to carry out the provisions of
22 Section ~~5889.09~~, *5891.09*, appropriated without regard to fiscal
23 years.

24 ~~5889.07.~~

25 *5891.07.* The board may request the Pooled Money Investment
26 Board to make a loan from the Pooled Money Investment Account
27 in accordance with Section 16312 of the Government Code for the
28 purpose of carrying out this chapter less any amount withdrawn
29 pursuant to Section ~~5889.09~~. *5891.09*. The amount of the request
30 shall not exceed the amount of the unsold bonds that the committee
31 has, by resolution, authorized to be sold for the purpose of carrying
32 out this chapter. The board shall execute those documents required
33 by the Pooled Money Investment Board to obtain and repay the
34 loan. Any amounts loaned shall be deposited in the fund to be
35 allocated in accordance with this chapter.

36 ~~5889.08.~~

37 *5891.08.* Notwithstanding any other provision of this chapter,
38 or of the State General Obligation Bond Law, if the Treasurer sells
39 bonds that include a bond counsel opinion to the effect that the
40 interest on the bonds is excluded from gross income for federal

1 tax purposes under designated conditions or is otherwise entitled
2 to any federal tax advantage, the Treasurer may maintain separate
3 accounts for the bond proceeds invested and for the investment
4 earnings on those proceeds, and may use or direct the use of those
5 proceeds or earnings to pay any rebate, penalty, or other payment
6 required under federal law or take any other action with respect
7 to the investment and use of those bond proceeds, as may be
8 required or desirable under federal law in order to maintain the
9 tax-exempt status of those bonds and to obtain any other advantage
10 under federal law on behalf of the funds of this state.

11 ~~5889.09.~~

12 *5891.09.* For the purposes of carrying out this chapter, the
13 Director of Finance may authorize the withdrawal from the General
14 Fund of an amount or amounts not to exceed the amount of the
15 unsold bonds that have been authorized by the committee to be
16 sold for the purpose of carrying out this chapter less any amount
17 borrowed pursuant to Section ~~5889.09~~: *5891.07*. Any amounts
18 withdrawn shall be deposited in the fund. Any moneys made
19 available under this section shall be returned to the General Fund,
20 with interest at the rate earned by the moneys in the Pooled Money
21 Investment Account, from proceeds received from the sale of bonds
22 for the purpose of carrying out this chapter.

23 ~~5889.10.~~

24 *5891.10.* All moneys deposited in the fund that are derived
25 from premium and accrued interest on bonds sold pursuant to this
26 chapter shall be reserved in the fund and shall be available for
27 transfer to the General Fund as a credit to expenditures for bond
28 interest, except that amounts derived from premiums may be
29 reserved and used to pay the cost of bond issuance prior to any
30 transfer to the General Fund.

31 ~~5889.11.~~

32 *5891.11.* Pursuant to Chapter 4 (commencing with Section
33 16720) of Part 3 of Division 4 of Title 2 of the Government Code,
34 the cost of bond issuance shall be paid out of the bond proceeds,
35 including premiums, if any. To the extent the cost of bond issuance
36 is not paid from premiums received from the sale of bonds, these
37 costs shall be shared proportionately by each program funded
38 through this chapter by the applicable bond sale.

1 ~~5889.12.~~

2 ~~5891.12.~~ The bonds issued and sold pursuant to this chapter
3 may be refunded in accordance with Article 6 (commencing with
4 Section 16780) of Chapter 4 of Part 3 of Division 4 of Title 2 of
5 the Government Code, which is a part of the State General
6 Obligation Bond Law. Approval by the voters of the state for the
7 issuance of the bonds under this chapter shall include approval of
8 the issuance of any bonds issued to refund any bonds originally
9 issued under this chapter or any previously issued refunding bonds.

10 ~~5889.13.~~

11 ~~5891.13.~~ The proceeds from the sale of bonds authorized by
12 this chapter are not “proceeds of taxes” as that term is used in
13 Article XIII B of the California Constitution, and the disbursement
14 of these proceeds is not subject to the limitations imposed by that
15 article.

16 ~~SEC. 2. (a) Notwithstanding the requirements of Sections~~
17 ~~9040, 9043, 9044, 9061, and 9082 of the Elections Code, or any~~
18 ~~other law, the~~ *The* Secretary of State shall submit this act to the
19 voters at the ~~November 8, 2016, June 5, 2018,~~ statewide ~~general~~
20 *direct primary* election.

21 ~~(b) The Secretary of State shall include in the ballot pamphlets~~
22 ~~mailed pursuant to Section 9094 of the Elections Code the~~
23 ~~information specified in Section 9084 of the Elections Code~~
24 ~~regarding the bond act contained in this act. If that inclusion is not~~
25 ~~possible, the Secretary of State shall publish a supplemental ballot~~
26 ~~pamphlet regarding this act to be mailed with the ballot pamphlet.~~
27 ~~If the supplemental ballot pamphlet cannot be mailed with the~~
28 ~~ballot pamphlet, the supplemental ballot pamphlet shall be mailed~~
29 ~~separately.~~

30 ~~(c) Notwithstanding Section 9054 of the Elections Code or any~~
31 ~~other law, the translations of the ballot title and the condensed~~
32 ~~statement of the ballot title required pursuant to Section 9054 of~~
33 ~~the Elections Code may be made available for public examination~~
34 ~~at a later date than the start of the public examination period for~~
35 ~~the ballot pamphlet, provided that the translations of the ballot title~~
36 ~~and the condensed statement of the ballot title must remain~~
37 ~~available for public examination for eight days.~~

38 ~~(d) Notwithstanding Section 13282 of the Elections Code or~~
39 ~~any other law, the public shall be permitted to examine the~~
40 ~~condensed statement of the ballot title for not more than eight days.~~

1 ~~Any voter may seek a writ of mandate for the purpose of requiring~~
2 ~~the condensed statement of the ballot title, or portion thereof, to~~
3 ~~be amended or deleted only within that eight-day period.~~

4 SEC. 3. This act shall take effect upon approval by the voters
5 of the California Parks, Water, Climate, and Coastal Protection
6 and Outdoor Access For All Act, *Act of 2018*, as set forth in Section
7 1 of this act.

8 SEC. 4. This act is an urgency statute necessary for the
9 immediate preservation of the public peace, health, or safety within
10 the meaning of Article IV of the Constitution and shall go into
11 immediate effect. The facts constituting the necessity are:

12 In order to fund a California parks, water, climate, and coastal
13 protection and outdoor access for all program at the earliest
14 possible date, it is necessary that this act take effect immediately.