

AMENDED IN SENATE SEPTEMBER 5, 2007

AMENDED IN SENATE JULY 3, 2007

AMENDED IN ASSEMBLY APRIL 10, 2007

CALIFORNIA LEGISLATURE—2007—08 REGULAR SESSION

**ASSEMBLY BILL**

**No. 31**

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**Introduced by Assembly Member De Leon**  
**(Coauthors: Assembly Members Bass, Coto, Hernandez, Mendoza,**  
**Nunez, Saldana, Solorio, Soto, and Torrico)**  
(Coauthors: Senators Cedillo and Padilla)

December 4, 2006

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An act to amend Sections 5640, 5641, 5642, 5643, 5644, 5645, 5646, 5647, 5648, 5649, 5650, 5651, and 5653 of, to amend the heading of Chapter 3.3 (commencing with Section 5640) of Division 5 of, and to add Sections ~~5643.5, 5643.6, 5652.5, 5655, 5656, and 5657~~ 5643.6 and 5652.5 to, the Public Resources Code, relating to parks and recreation.

LEGISLATIVE COUNSEL'S DIGEST

AB 31, as amended, De Leon. Statewide Park Development and Community Revitalization Act of 2007.

The Urban Park Act of 2006 (*act*) requires the Department of Parks and Recreation (*department*) to establish a local assistance program to offer grants, on a competitive basis, to various local entities and nonprofit organizations, as defined, for the acquisition or development, or both, of urban parks and recreational areas and facilities. Heavily urbanized counties are authorized to apply for these grants.

This bill would change the name of the act to the Statewide Park Development and Community Revitalization Act of 2007-(~~act~~). A city, *regional park district*, district, joint powers authority, or county, in

addition to specified nonprofit organizations, would be authorized to apply for local assistance program grants. The term “critically underserved community” would replace the term “heavily urbanized county” for purposes of the act and would be defined to include a ~~census tract community~~ *community with less than 2 3 acres of usable parkland per 1,000 residents based on the most recent verifiable census data or is a disadvantaged community, as defined, and can demonstrate to the Department of Parks and Recreation that the community has insufficient or no park and recreation facilities.* ~~The Project Development and Technical Assistance Fund would be established for the purpose of awarding project development and technical assistance grants to a city, district, joint powers authority, county, or nonprofit organization to assess potential projects or develop and prepare project grant applications, or both, for projects serving a critically underserved community. The department would be required to administer the fund. The department also would be required, The bill would revise the criteria for awarding grants, and require the department on or before April 1, 2009, to adopt guidelines to amplify or clarify the grant criteria or develop a procedural guide for the administration of the act and the guidance of applicants. The act would be implemented only in a fiscal year for which funding is provided in the annual Budget Act. The department would be required to offer technical assistance to all applicants and potential applicants for both grant preparation and project development to encourage full participation in the grant program.~~

The bill ~~also~~ would make clarifying and conforming changes to other provisions of the act.

*The bill would provide that it would be operative only if SB 732 of the 2007–08 Regular Session is enacted and becomes effective on or before January 1, 2008.*

Vote: majority. Appropriation: no. Fiscal committee: yes.  
 State-mandated local program: no.

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

- 1 SECTION 1. It is the intent of the Legislature to make available
- 2 to the Department of Parks and Recreation, upon appropriation,
- 3 four hundred million dollars (\$400,000,000) that shall be used to
- 4 award competitive grants pursuant to the Statewide Park
- 5 Development and Community Revitalization Act of 2007 (Chapter

1 3.3 (commencing with Section 5640) of Division 5 of the Public  
2 Resources Code).

3 SEC. 2. The heading of Chapter 3.3 (commencing with Section  
4 5640) of Division 5 of the Public Resources Code is amended to  
5 read:

6  
7 CHAPTER 3.3. THE STATEWIDE PARK DEVELOPMENT AND  
8 COMMUNITY REVITALIZATION ACT OF 2007  
9

10 SEC. 3. Section 5640 of the Public Resources Code is amended  
11 to read:

12 5640. This chapter shall be known, and may be cited, as the  
13 Statewide Park Development and Community Revitalization Act  
14 of 2007.

15 SEC. 4. Section 5641 of the Public Resources Code is amended  
16 to read:

17 5641. The Legislature hereby finds and declares as follows:

18 (a) The program created by this chapter will finance the  
19 acquisition and development of parks and recreation areas and  
20 facilities in the communities that are currently least served by park  
21 and recreation ~~providers~~ *facilities* by emphasizing the creation of  
22 opportunities and the expansion of park accessibility to underserved  
23 communities. These underserved communities are often the same  
24 areas that suffer most from high unemployment and destructive  
25 or unlawful conduct by youth.

26 (b) The program established by this chapter will encourage  
27 community participation in, and a greater sense of responsibility  
28 toward, new parks and recreation areas and facilities, which will  
29 help keep them clean and safe and which will enhance community  
30 pride and sustain neighborhood vitality.

31 (c) New parks and facilities will provide safe recreational  
32 opportunities for children, positive outlets, and secure sites for  
33 youth, while also meeting the special recreational and social needs  
34 of senior citizens and other population groups.

35 ~~(d) Easily accessible parks are critical to improving the overall  
36 physical health of children and are necessary to combat the  
37 epidemic of obesity.~~

38 ~~(e) Parks also deliver significant environmental benefits by  
39 filtering pollutants from water and the air and helping to prevent  
40 emerging respiratory illnesses, such as asthma and bronchitis.~~

1 ~~(f) Access to public parks and recreational facilities has been~~  
 2 ~~strongly linked to reductions in crime and in particular to reduced~~  
 3 ~~rates of juvenile delinquency. Parks and recreational facilities~~  
 4 ~~provide at-risk youth with enrichment or recreational activities,~~  
 5 ~~give them a safe environment to interact with their peers, and~~  
 6 ~~occupy time in which they could otherwise engage in crime and~~  
 7 ~~delinquency-related behavior.~~

8 ~~(g)~~  
 9 ~~(d) California suffers from an acute shortage of parks throughout~~  
 10 ~~the state, particularly in poor communities.~~

11 ~~(h)~~  
 12 ~~(e) It is therefore the intent of the Legislature that the funds~~  
 13 ~~made available through the Statewide Park Development and~~  
 14 ~~Community Revitalization Act of 2007 be used to award~~  
 15 ~~competitive grants statewide to advance certain goals and policies,~~  
 16 ~~including, but not limited to, protecting the public health of children~~  
 17 ~~and assisting in the development of park and recreation~~  
 18 ~~opportunities to critically underserved communities. It is further~~  
 19 ~~the intent of the Legislature that this be accomplished by delivering~~  
 20 ~~project funds to neighborhood and regional park projects in areas~~  
 21 ~~of highest need, particularly a project’s service area with higher~~  
 22 ~~than average rates of children under the age of 18 years, at-risk~~  
 23 ~~youth, and health and social problems, including, but not limited~~  
 24 ~~to, poverty, unemployment, obesity, and asthma. highest need.~~

25 SEC. 5. Section 5642 of the Public Resources Code is amended  
 26 to read:

27 5642. As used in this article, the following terms shall have  
 28 the following meanings:

29 (a) “City” means a city or ~~a city and county~~ *the City and County*  
 30 *of San Francisco.*

31 ~~(b) “Critically underserved community” means a census tract~~  
 32 ~~with less than two acres of parkland per 1,000 residents based on~~  
 33 ~~the most recent verifiable census data.~~

34 ~~(c) “District” means a regional park district, regional park and~~  
 35 ~~open-space district, or regional open-space district formed pursuant~~  
 36 ~~to Article 3 (commencing with Section 5500) of Chapter 3, or a~~  
 37 ~~recreation and park district formed pursuant to Chapter 4~~  
 38 ~~(commencing with Section 5780).~~

39 ~~(b) “Critically underserved community” means a community~~  
 40 ~~that meets either of the following:~~

1 (1) *Has less than three acres of usable parkland per 1,000*  
2 *residents.*

3 (2) *Is a disadvantaged community, as defined by subdivision*  
4 *(g) of Section 75005, and can demonstrate to the department that*  
5 *the community has insufficient or no park and recreation facilities.*

6 (c) *“District” means one of the following:*

7 (1) *A recreation and park district formed under Chapter 4*  
8 *(commencing with Section 5780).*

9 (2) *A public utility district formed under Division 7 (commencing*  
10 *with Section 15501) of the Public Utilities Code in a nonurbanized*  
11 *area that employs a full-time park and recreation director and*  
12 *offers year-round park and recreation services on lands and*  
13 *facilities owned by that district.*

14 (3) *A memorial district formed under Chapter 1 (commencing*  
15 *with Section 1170) of Division 6 of the Military and Veterans Code*  
16 *that employs a full-time park and recreation director and offers*  
17 *year-round park and recreation services on lands and facilities*  
18 *owned by that district.*

19 (4) *The Malaga County Water District exercising powers*  
20 *authorized under Section 31133 of the Water Code.*

21 (5) *A community service district formed under Division 3*  
22 *(commencing with Section 61000) of Title 6 of the Government*  
23 *Code in a nonurbanized area that is authorized to provide public*  
24 *recreation as specified in subdivision (e) of Section 61100 of the*  
25 *Government Code.*

26 (6) *A county service area or zone in the county service area,*  
27 *within the County of San Bernardino that is empowered to provide*  
28 *public park and recreation services pursuant to Chapter 2.2*  
29 *(commencing with Section 25210.1) of Part 2 of Division 2 of Title*  
30 *3 of the Government Code, that is actually providing public park*  
31 *and recreation services that was reorganized prior to January 1,*  
32 *1987, from a park and recreation district to a county service area*  
33 *or zone.*

34 (7) *A regional park district formed pursuant to Article 3*  
35 *(commencing with Section 5500) of Chapter 3.*

36 (d) *“Facilities” includes, but is not limited to, places for*  
37 *organized team sports, outdoor recreation, and informal turf play;*  
38 *nonmotorized recreational trails; permanent play structures;*  
39 *landscaping; community gardens; places for passive recreation,*  
40 *enjoyment of scenic open space, nature appreciation and study,*

1 and outdoor education; multipurpose structures designed to meet  
2 the special recreational, educational, vocational, and social needs  
3 of youth, senior citizens, and other population groups; recreation  
4 areas created by the redesign and retrofit of urban freeways;  
5 *community swimcenters; regional recreational trails;* and  
6 infrastructure and other improvements that support these facilities.

7 ~~(e) “Neighborhood park” means a park project that is designed~~  
8 ~~to service residents approximately one-half mile or less from the~~  
9 ~~park location.~~

10 ~~(f)~~

11 ~~(e) “Nonprofit organization” means any nonprofit public benefit~~  
12 ~~corporation formed pursuant to the Nonprofit Corporation Law~~  
13 ~~(Division 2 (commencing with Section 5000) of the Corporations~~  
14 ~~Code), qualified to do business in California, qualified under~~  
15 ~~Section 501(c)(3) of Title 26 of the United States Code, and that~~  
16 ~~has among its primary purposes the preservation, protection, or~~  
17 ~~enhancement of land or water resources in their natural, scenic,~~  
18 ~~historical, agricultural, forested, or open-space condition or use,~~  
19 ~~or the provision of conservation and environmental education and~~  
20 ~~other recreational, vocational, and educational services to youth.~~

21 ~~(g) “Regional park or trail” means an existing or proposed park,~~  
22 ~~including parklands designed to serve multiple critically~~  
23 ~~underserved communities.~~

24 SEC. 6. Section 5643 of the Public Resources Code is amended  
25 to read:

26 5643. The Department of Parks and Recreation shall establish  
27 a local assistance program to distribute grants ~~equitably to the most~~  
28 ~~park needy communities~~ across the state, on a competitive basis,  
29 to eligible cities, counties, joint powers authorities, ~~any district~~  
30 ~~authorized to provide park, recreational, or open-space services,~~  
31 ~~or a combination of those services~~ *districts*, and nonprofit  
32 organizations for the acquisition or development, or both, of  
33 property for parks and recreation areas and facilities.

34 ~~SEC. 7. Section 5643.5 is added to the Public Resources Code,~~  
35 ~~to read:~~

36 ~~5643.5. The local assistance program created by this chapter~~  
37 ~~shall fund projects throughout the state in a fair and equitable~~  
38 ~~manner.~~

1 ~~SEC. 8.~~

2 *SEC. 7.* Section 5643.6 is added to the Public Resources Code,  
3 to read:

4 5643.6. It is the intent of the Legislature that the local assistance  
5 program created by this chapter fund both neighborhood parks and  
6 regional parks and trails. ~~The local assistance program created by~~  
7 ~~this chapter shall not assign an application a priority on the basis~~  
8 ~~of the project's acreage or the type of service the project provides.~~

9 ~~SEC. 9.~~

10 *SEC. 8.* Section 5644 of the Public Resources Code is amended  
11 to read:

12 ~~5644. The following entities are eligible to apply for grants~~  
13 ~~pursuant to this chapter:~~

14 ~~(a) A city, district, joint powers authority, or county.~~

15 ~~(b) A nonprofit organization that is applying for a grant for a~~  
16 ~~project located within the jurisdiction of an entity that meets the~~  
17 ~~requirements of subdivision (a).~~

18 *5644. Eligible applicants for grants pursuant to this chapter*  
19 *are cities, counties, regional park districts, districts, joint powers*  
20 *authorities, and nonprofit organizations.*

21 ~~SEC. 10.~~

22 *SEC. 9.* Section 5645 of the Public Resources Code is amended  
23 to read:

24 5645. The department may award a grant pursuant to this  
25 chapter only for a project that meets all of the following criteria:

26 ~~(a) The proposed project is a neighborhood park within a~~  
27 ~~critically underserved community or a regional park or trail whose~~  
28 ~~primary service area includes residents of critically underserved~~  
29 ~~communities.~~

30 ~~(b) The project will result in the creation of a new park, new or~~  
31 ~~multipurpose facility, or new recreational opportunity.~~

32 ~~(a) The proposed project will create a new park where one~~  
33 ~~currently does not exist, a new or multipurpose facility, or new~~  
34 ~~recreational opportunity.~~

35 ~~(b) The project will serve a critically underserved community~~  
36 ~~or in the case of a regional park or trail, the project has a primary~~  
37 ~~service area that includes residents of critically underserved~~  
38 ~~communities.~~

39 ~~(c) The proposed project is designed to provide efficient use of~~  
40 ~~water and other natural resources.~~

1 (d) *The amount of the grant applied for, together with any*  
2 *matching contribution, will meet all the costs of acquiring or*  
3 *developing, or both, the new park or facilities, and when*  
4 *construction of the project is completed, the new park or facility*  
5 *will be fully usable by the residents of the project's service area.*

6 ~~SEC. 11.~~

7 *SEC. 10.* Section 5646 of the Public Resources Code is  
8 amended to read:

9 5646. In evaluating applications for grants that meet the  
10 requirements of Section 5645, the department shall assign higher  
11 priority to applications, for each of the following criteria satisfied:

12 ~~(a) The amount of the grant applied for, together with any~~  
13 ~~matching contribution, will meet all the costs of acquiring or~~  
14 ~~developing, or both, the new park or facilities, and when~~  
15 ~~construction of the project is completed, the new park or facility~~  
16 ~~will be fully usable by the residents of the critically underserved~~  
17 ~~community.~~

18 *(a) The project will acquire new parks, develop new parks, or*  
19 *expand overused parks in a community that has insufficient or no*  
20 *park and recreation facilities. In evaluating the deficiency level*  
21 *of park and recreation facilities in a service area, the department*  
22 *shall consider the number of acres of usable parkland per 1,000*  
23 *residents.*

24 (b) The project's service area has a ~~substantial~~ significant  
25 percent of persons living at or below the poverty level.

26 (c) The project's service area has a significant unemployment  
27 rate.

28 ~~(d) The project seeks to alleviate health problems in the project's~~  
29 ~~service area, such as asthma, obesity, or both.~~

30 *(d) The applicant has actively involved the public and*  
31 *community-based groups in the selection and planning of the*  
32 *project.*

33 (e) The project's service area has a significant number of  
34 children under the age of 18 years.

35 ~~(f) The project will enhance workforce development and~~  
36 ~~employment opportunities for, but not limited to, green construction~~  
37 ~~projects, or will accommodate outdoor learning opportunities for~~  
38 ~~residents and school pupils, including at-risk youth, of the project's~~  
39 ~~service area, or of members of the California Conservation Corps,~~

1 ~~certified local conservation corps, or participants in a vocational~~  
2 ~~training program.~~

3 ~~(f) The project will enhance workforce development and~~  
4 ~~employment opportunities or accommodate outdoor learning~~  
5 ~~opportunities for school pupils, at-risk youth in the service area,~~  
6 ~~members of the California Conservation Corps, or members of a~~  
7 ~~certified local conservation corps.~~

8 ~~(g) The project will be usable by pupils from one or more public~~  
9 ~~schools in the project's service area assigning higher priority for~~  
10 ~~serving pupils from schools ranked in the lower deciles of the~~  
11 ~~Academic Performance Index (API), as determined by the State~~  
12 ~~Department of Education, at the time of the grant application~~  
13 ~~submission.~~

14 ~~(h) The project will serve communities with a high percentage~~  
15 ~~of youth crime.~~

16 ~~(i) The project will wholly or partly replace an area of blight,~~  
17 ~~recycle property, replace a brownfield, or will contribute~~  
18 ~~significantly to the economic revitalization of the area in the~~  
19 ~~project's service area.~~

20 ~~(j) The development and selection of the project was planned~~  
21 ~~with input from the public and nonprofit organizations from the~~  
22 ~~affected community.~~

23 ~~(k)~~

24 ~~(g) The project is a joint partnership project between two or~~  
25 ~~more agencies, including, but not limited to, school districts,~~  
26 ~~nonprofit organizations, and local governmental agencies that share~~  
27 ~~responsibility for ownership, development, and maintenance of~~  
28 ~~the project in order to enhance investment of public resources.~~

29 ~~(l) The project is a partnership in an infill, transit-oriented, or~~  
30 ~~an affordable housing development, or is easily accessible to~~  
31 ~~pedestrians, bicycles, and public transit, and encourages use by~~  
32 ~~local residents.~~

33 ~~(m) The project creates a new park in a location where none~~  
34 ~~currently exists.~~

35 ~~(n) The project provides efficient use of water and other natural~~  
36 ~~resources, including, but not limited to, projects that utilize green~~  
37 ~~construction methods, climate appropriate vegetation, management~~  
38 ~~techniques, such as stormwater capture and storage, and reductions~~  
39 ~~for both dry and wet runoff, minimizing the use of nonorganic~~  
40 ~~pesticides and fertilizers and impervious surfaces.~~

1 ~~SEC. 12.~~

2 *SEC. 11.* Section 5647 of the Public Resources Code is  
3 amended to read:

4 5647. (a) The department ~~may~~ *shall* adopt guidelines to  
5 amplify or clarify the criteria specified in Section 5646, and may  
6 adopt additional criteria, to supplement those criteria, but the scope  
7 of the additional criteria shall be limited to providing additional  
8 guidance in selecting projects in areas that have the greatest  
9 deficiencies in parks and facilities.

10 (b) The department ~~may~~ *shall* develop a procedural guide for  
11 the administration of this chapter and the guidance of applicants.

12 (c) The department shall solicit written comments and hold  
13 public hearings at convenient locations throughout the state on  
14 any guideline or procedural guide that is proposed to be adopted  
15 or developed pursuant to this section.

16 (d) *The department shall offer technical assistance to all*  
17 *applicants and potential applicants for both grant preparation*  
18 *and project development in order to encourage full participation*  
19 *in the grant program.*

20 (e) *The department shall allow grant awardees to spend a*  
21 *portion of their grant for project planning and other incidental,*  
22 *but directly related, construction or acquisition costs.*

23 ~~(f)~~

24 (f) The department shall adopt the guidelines or develop the  
25 procedural guide on or before April 1, 2009.

26 ~~(e)~~

27 (g) Any regulation or procedural guide adopted or developed  
28 pursuant to this section shall not be subject to the review or  
29 approval of the Office of Administrative Law or to any other  
30 requirement of Chapter 3.5 (commencing with Section 11340) of  
31 Division 3 of Title 2 of the Government Code.

32 ~~(f)~~

33 (h) The department ~~may~~ *shall* not expend more than ~~2.5~~ 5  
34 percent of the amount annually appropriated for the purposes of  
35 this chapter for administrative costs, *with a minimum of 1 percent*  
36 *being used to support technical assistance.*

37 ~~(g)~~

38 (i) If funding is available, the department shall administer  
39 application requests for proposals and grant awards in no less than

1 two cycles in one year. The department shall maintain this  
2 application schedule as long as funding is available.

3 ~~SEC. 13.~~

4 *SEC. 12.* Section 5648 of the Public Resources Code is  
5 amended to read:

6 5648. (a) The local assistance program created by this chapter  
7 is intended to include grants for the acquisition or development,  
8 or both, of parcels of property of any size that will serve residents  
9 of a critically underserved community and otherwise meet the  
10 requirements of this chapter. The department shall not assign an  
11 application a lower priority on the basis that the application  
12 proposes the acquisition of a city lot or other small parcel.

13 (b) A grant may be expended to acquire the fee title, a leasehold,  
14 or other interest in real property. If an application proposes to  
15 acquire less than fee title, the applicant shall demonstrate in the  
16 application, to the satisfaction of the department, that the proposed  
17 project will provide public benefits that are commensurate with  
18 the type and duration of the interest in real property to be acquired.

19 ~~SEC. 14.~~

20 *SEC. 13.* Section 5649 of the Public Resources Code is  
21 amended to read:

22 5649. Any eligible nonprofit organization may apply for a grant  
23 on its own behalf or on behalf of an eligible city, county, or district  
24 pursuant to a contract with that city, county, or district to acquire  
25 and develop the park or recreation area. The application may  
26 include a copy of the contract and the resolution or other  
27 authorization for the contract. The contract shall specify  
28 arrangements for the long-term management and operation of the  
29 park or recreation area.

30 ~~SEC. 15.~~

31 *SEC. 14.* Section 5650 of the Public Resources Code is  
32 amended to read:

33 5650. (a) Every applicant for a grant pursuant to this chapter  
34 and the entity that will operate and maintain the property, if that  
35 entity is different than the applicant, shall agree to comply with  
36 all of the following requirements:

37 (1) To operate and maintain the property developed pursuant  
38 to this chapter so that it is usable by residents of the targeted  
39 critically underserved community. With the approval of the  
40 department, the grant recipient, or its successor in interest in the

1 property, may transfer its property interest and the responsibility  
 2 to operate and maintain the property, in accordance with the terms  
 3 of the grant and any applicable law, to a public agency or nonprofit  
 4 organization that is able to operate and maintain the property in  
 5 perpetuity. Any attempt to make a transfer in violation of this  
 6 subdivision is void.

7 (2) To use the property only for the purposes for which the grant  
 8 was made and to make no other use or sale or other disposition of  
 9 the property, except as authorized by specific act of the Legislature.  
 10 If the use of the property is changed to a use that is not permitted  
 11 by the terms of the grant, or if the property is sold or otherwise  
 12 disposed of, the grant recipient shall reimburse the state an amount  
 13 equal to the amount of the grant, the fair market value of the land  
 14 and any improvements constructed with the grant, or the proceeds  
 15 from the sale or other disposition, whichever amount is greatest.  
 16 If the property that is sold or otherwise disposed of is less than the  
 17 entire interest in the property funded with the grant, the grant  
 18 recipient shall reimburse the state an amount equal to either the  
 19 proceeds from the sale or other disposition of the interest or the  
 20 fair market value of the interest sold or otherwise disposed of,  
 21 whichever amount is greater.

22 (b) In lieu of seeking reimbursement pursuant to paragraph (2)  
 23 of subdivision (a), the department may impose restrictions on the  
 24 use of public park property identical to the requirements for the  
 25 preservation of public parks set forth in the Public Park  
 26 Preservation Act of 1971 (Chapter 2.5 (commencing with Section  
 27 5400)) with respect to any property used, sold, or otherwise  
 28 disposed of in a manner not permitted by the terms of the grant.

29 ~~SEC. 16.~~

30 *SEC. 15.* Section 5651 of the Public Resources Code is  
 31 amended to read:

32 5651. (a) The recipient of a grant pursuant to this chapter may  
 33 use the grant funds to pay for any portion of the cost of cleaning  
 34 up, removing, or remediating any toxic materials or hazardous  
 35 substances, if the amount used for cleanup, removal, or remediation  
 36 does not exceed 20 percent of the grant allocated to the project.

37 (b) *To ensure that the park needs of critically underserved*  
 38 *communities across the state have an opportunity to be assisted*  
 39 *by this program, all funds appropriated for use pursuant to this*  
 40 *chapter shall be divided so that projects in counties with*

1 *populations larger than 1,000,000, projects in counties with*  
2 *populations between 200,000 and 1,000,000, and projects in*  
3 *counties with populations of less than 200,000 people receive a*  
4 *portion of funds equal to the proportion of the state's population*  
5 *found in each of these categories as determined by the Department*  
6 *of Finance on the basis of the most recent verifiable census data.*

7 *(1) The department may establish individual grant size*  
8 *limitations for projects in each of these county groups.*

9 *(2) If the jurisdiction of an applicant encompasses more than*  
10 *one county, as in the case of some regional park districts, an*  
11 *application shall be considered under the program where the*  
12 *proposed project is located.*

13 ~~SEC. 17.~~

14 *SEC. 16.* Section 5652.5 is added to the Public Resources Code,  
15 to read:

16 5652.5. A grant recipient shall encumber grant moneys within  
17 three years of the date of the approval of the grant *and shall be*  
18 *liquidated within eight years from the date of appropriation.*

19 ~~SEC. 18.~~

20 *SEC. 17.* Section 5653 of the Public Resources Code is  
21 amended to read:

22 5653. ~~(a)~~ On or before April 30, 2010, and on or before April  
23 30 annually thereafter, the department shall submit a report to the  
24 Legislature on the ~~status of each grant~~ *grants* made pursuant to  
25 this chapter, including, but not limited to, ~~how each project met~~  
26 ~~the criteria outlined in Section 5646, how the project affected the~~  
27 ~~project's service area, descriptions of park usage by residents of~~  
28 ~~the project's service area, and demographic information regarding~~  
29 ~~the surrounding project's census tracts.~~ *the status of the awarded*  
30 *project, the project's service area, and the project's benefits. The*  
31 *report shall also include how the department has given technical*  
32 *assistance in project development and grant preparation to*  
33 *underserved communities.*

34 ~~(b) The Legislature shall review the department's submitted~~  
35 ~~report and shall make any appropriate and necessary changes to~~  
36 ~~Section 5646 for all subsequent disbursement of funds.~~

37 *SEC. 18.* *This bill shall become operative only if Senate Bill*  
38 *732 is enacted and becomes effective on or before January 1, 2008.*

39 ~~SEC. 19.~~ Section 5655 is added to the Public Resources Code,  
40 to read:

1     ~~5655. For purposes of this chapter, the Project Development~~  
2 ~~and Technical Assistance Fund is hereby established and shall be~~  
3 ~~administered by the Department of Parks and Recreation. All~~  
4 ~~moneys in the fund shall be used as specified in Section 5657.~~

5     ~~SEC. 20. Section 5656 is added to the Public Resources Code,~~  
6 ~~to read:~~

7     ~~5656. It is the intent of the Legislature to make available to the~~  
8 ~~Department of Parks and Recreation, upon appropriation,~~  
9 ~~twenty-five million dollars (\$25,000,000) that shall be deposited~~  
10 ~~into the Project Development and Technical Assistance Fund.~~

11     ~~SEC. 21. Section 5657 is added to the Public Resources Code,~~  
12 ~~to read:~~

13     ~~5657. The Project Development and Technical Assistance Fund~~  
14 ~~shall be used to award project development and technical assistance~~  
15 ~~grants to a city, district, joint powers authority, county, or nonprofit~~  
16 ~~organization. The grants shall be used to assess potential projects~~  
17 ~~or develop and prepare project grant applications, or both, for~~  
18 ~~projects serving a critically underserved community.~~