

AMENDED IN ASSEMBLY APRIL 8, 2015

AMENDED IN ASSEMBLY MARCH 26, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 1205

Introduced by Assembly Member Gomez

February 27, 2015

An act to add ~~Section 39719.5 to the Health and Safety Code, Chapter 10.5 (commencing with Section 5845) to Division 5 of the Public Resources Code, relating to parks: rivers.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 1205, as amended, Gomez. ~~Park access.~~ *The California River Revitalization and Greenway Development Act of 2015.*

Existing law establishes various plans and programs to preserve, protect, and rehabilitate lands adjacent to rivers in the state.

The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The state board is required to adopt a statewide greenhouse gas emissions limit equivalent to the statewide greenhouse gas emissions level in 1990 to be achieved by 2020.

This bill would require the Natural Resources Agency to establish a grant program for eligible applicants to develop projects on or adjacent to riparian corridors that assist the state in implementing the California Global Warming Solutions Act of 2006 and that provide for specified cobenefits. The bill would create the CalRIVER Fund in the State Treasury, with moneys in the fund to be available upon appropriation to implement the grant program.

~~Existing law provides various sources of funds for community parks. Existing law creates the Active Transportation Program in the Department of Transportation for the purpose of encouraging increased use of active modes of transportation, including biking and walking, and provides for funding of various types of projects, including recreational trails, trailheads, and park projects that facilitate trail linkages or connectivity to nonmotorized corridors.~~

~~Existing law requires all moneys, except for fines and penalties, collected by the State Air Resources Board from the auction or sale of allowances as part of a market-based compliance mechanism relative to reduction of greenhouse gas emissions, commonly known as cap and trade revenues, to be deposited in the Greenhouse Gas Reduction Fund, and to be used, upon appropriation by the Legislature, for specified purposes.~~

~~This bill would create a program in the Department of Transportation to develop pathways between community parks, including local parks and state parks, and to connect those parks to public transportation systems, for the purpose of reducing greenhouse gas emissions. The bill would provide for moneys to be available to the department for the program from the Greenhouse Gas Reduction Fund. The bill would also state the intent of the Legislature to create a park access program to increase access to community parks.~~

~~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. The Legislature finds and declares all of the*
- 2 *following:*
- 3 *(a) Efforts to reduce greenhouse gas emissions and enhance*
- 4 *carbon sequestration on river systems will have significant*
- 5 *economic, social, and environmental cobenefits and can aid*
- 6 *progress on efforts to prepare for climate change risks.*
- 7 *(b) Investing in river systems allows for cobenefits, including*
- 8 *protection of water supply and water quality, air quality, species*
- 9 *habitat, recreation, jobs, flood protection, reduced heat-island*
- 10 *effects, and reduced energy use.*
- 11 *(c) To ensure resilience and proper carbon management of*
- 12 *these river systems, an integrated program must be developed to*

1 *maximize the carbon management of the systems as well as*
2 *effectively use existing state and regional funding.*

3 *SEC. 2. Chapter 10.5 (commencing with Section 5845) is added*
4 *to Division 5 of the Public Resources Code, to read:*

5
6 *CHAPTER 10.5. THE CALIFORNIA RIVER REVITALIZATION AND*
7 *GREENWAY DEVELOPMENT ACT OF 2015*
8

9 *5845. This chapter shall be known, and may be cited, as*
10 *CalRIVER.*

11 *5846. It is the intent of the Legislature that, in an effort to*
12 *reduce greenhouse gas emissions and increase greenhouse gas*
13 *sequestration, the state shall protect, restore, and enhance a*
14 *network of river systems and their riparian corridors to increase*
15 *water retention, improve water quality, improved urban greening*
16 *and urban reforestation, reduce the heat-island effect, and improve*
17 *mobility by decreasing vehicle miles traveled.*

18 *5847. (a) The Natural Resources Agency shall establish a*
19 *grant program for eligible applicants to develop projects on or*
20 *adjacent to riparian corridors that assist the state in implementing*
21 *the California Global Warming Solutions Act of 2006 (Division*
22 *25.5 (commencing with Section 38500) of the Health and Safety*
23 *Code) and that provide for the following cobenefits:*

24 *(1) Recreational access and improved human interactions,*
25 *especially in urban corridors and park-starved communities.*

26 *(2) Transportation mobility, especially pedestrian, bicycle, and*
27 *public transit.*

28 *(3) Economic viability by promoting appropriate development,*
29 *especially in an urban setting.*

30 *(4) Development of visitor-serving and interpretive facilities.*

31 *(5) Access and development of pocket parks, community gardens,*
32 *demonstration gardens, and other urban greening.*

33 *(6) Species protections and the protection of habitat strongholds,*
34 *including improved wildlife corridors.*

35 *(7) Improved resiliency in the face of unavoidable impacts from*
36 *climate change.*

37 *(8) Improved water supply and water quality.*

38 *(9) Job training and workforce development, especially projects*
39 *that involve disadvantaged youth and veterans.*

40 *(10) Improved stormwater retention.*

1 (11) *Improvements along impaired water bodies.*

2 (b) *Projects receiving funding pursuant to this chapter shall be*
3 *consistent with all of the following:*

4 (1) *The California Global Warming Solutions Act of 2006*
5 *(Division 25.5 (commencing with Section 38500) of the Health*
6 *and Safety Code).*

7 (2) *The California Water Action Plan published by the*
8 *Governor.*

9 (3) *The Safeguarding California Plan published by the Natural*
10 *Resources Agency.*

11 (4) *Chapter 830 of the Statutes of 2012.*

12 (c) *The Natural Resources Agency shall prioritize awarding*
13 *moneys to projects with the following characteristics:*

14 (1) *Are consistent with a parkway, greenway, or urban greening*
15 *plan.*

16 (2) *Leverage moneys from the Water Quality, Supply, and*
17 *Infrastructure Improvement Act of 2014, approved by the voters*
18 *as Proposition 1 at the November 4, 2014, statewide general*
19 *election.*

20 (3) *Provide recreational access to a major metropolitan area*
21 *of the state.*

22 5848. *The CalRIVER fund is hereby created in the State*
23 *Treasury to be administered by the Natural Resources Agency.*
24 *The moneys in the CalRIVER Fund, upon appropriation by the*
25 *Legislature, shall be expended by the Natural Resources Agency*
26 *in accordance with this chapter. The Legislature may transfer*
27 *moneys to the fund from bond proceeds and special funds,*
28 *including, but not limited to, river parkway and urban creek*
29 *programs and the Greenhouse Gas Reduction Fund, created by*
30 *Section 16428.8 of the Government Code.*

31 ~~SECTION 1.—Section 39719.5 is added to the Health and Safety~~
32 ~~Code, to read:~~

33 ~~39719.5. (a) It is the intent of the Legislature to create a park~~
34 ~~access program to increase access to community parks.~~

35 ~~(b) A program is hereby created in the Department of~~
36 ~~Transportation to develop pathways between community parks,~~
37 ~~including local parks and state parks, and to connect those parks~~
38 ~~to public transportation systems, for the purpose of reducing~~
39 ~~greenhouse gas emissions. Upon appropriation in the annual Budget~~

- 1 ~~Act, moneys from the fund shall be available to the department~~
- 2 ~~for the program.~~

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