

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

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~~; *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.

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, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$2,985,000,000 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, statewide general 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

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
16 rich diversity of outdoor experiences afforded to this state and its
17 citizens.

18 ~~(2) There has not been a “true” park and outdoors bond approved~~
19 ~~by the voters of this state since 2002.~~

20 ~~(3)~~
21 (2) Demand for local parks has exceeded available funding by
22 a factor of 8 to 1, with particularly high demand in urban,
23 disadvantaged communities.

24 ~~(4)~~
25 (3) Many Californians across the state lack access to safe parks,
26 trails, and recreation areas, which limits their ability to experience
27 the outdoors, improve their physical and emotional health, exercise,
28 and connect with their communities.

29 ~~(5)~~

1 (4) Investments to create and improve parks and recreation
2 areas, and to create trail networks that provide access from
3 neighborhoods to parks and recreational opportunities, will help
4 ensure all Californians have access to safe places to exercise and
5 enjoy recreational activities.

6 ~~(6)~~

7 (5) The California Center for Public Health Advocacy estimates
8 that inactivity and obesity cost California over forty billion dollars
9 (\$40,000,000,000) annually, through increased health care costs
10 and lost productivity due to obesity-related illnesses, and that even
11 modest increases in physical activity would result in significant
12 savings. Investments in infrastructure improvements such as biking
13 and walking trails and pathways, whether in urban or natural areas,
14 are cost-effective ways to promote physical activity.

15 ~~(7)~~

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

20 ~~(8)~~

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

24 ~~(9)~~

25 (8) California's state, local, and regional park system
26 infrastructure and national park system infrastructure is aging-out
27 and a significant infusion of capital is required to protect this
28 investment.

29 ~~(10)~~

30 (9) There has been a historic underinvestment in parks, trails,
31 and outdoor infrastructure in disadvantaged areas and many
32 communities throughout California.

33 ~~(11)~~

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

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

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

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

5 ~~(3) The funding authorized by this chapter will support~~
6 ~~implementation of the recommendations contained in the Parks~~
7 ~~Forward Commission Plan released in February 2015.~~

8 (4)

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

14 (5)

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

21 5880.01. The following definitions govern the construction of
22 this chapter:

23 (a) “Committee” means the California Parks, Water, Climate,
24 Coastal Protection, and Outdoor Access For All Finance Committee
25 created by Section 5889.02.

26 (b) “Department” means the Department of Parks and
27 Recreation.

28 (c) “Disadvantaged community” has the same meaning set forth
29 in subdivision (g) of Section 75005.

30 ~~(d) “District” means any regional park district, regional park~~
31 ~~and open-space district, or regional open-space district formed~~
32 ~~pursuant to Article 3 (commencing with Section 5500) of Chapter~~
33 ~~3, any recreation and park district formed pursuant to Chapter 4~~
34 ~~(commencing with Section 5780), or an authority formed pursuant~~
35 ~~to Division 26 (commencing with Section 35100). With respect~~
36 ~~to any community or unincorporated region that is not included~~
37 ~~within a district, and in which no city or county provides parks or~~
38 ~~recreational areas or facilities, “district” also means any other~~
39 ~~entity that is authorized by statute to operate and manage parks or~~
40 ~~recreational areas or facilities, employs a full-time park and~~

1 ~~recreation director, offers year-round park and recreation services~~
2 ~~on land and facilities owned by the entity, and allocates a~~
3 ~~substantial portion of its annual operating budget to parks or~~
4 ~~recreation areas or facilities.~~

5 (e)

6 (d) “Fund” means the California Parks, Water, Climate, and
7 Coastal Protection and Outdoor Access For All Fund, created by
8 Section 5880.08.

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

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

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

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

36 (f)

37 (i) “Severely disadvantaged community” has the same meaning
38 set forth in subdivision (g) of Section 75005.

1 5880.02. An amount that equals not more than 5 percent of the
2 funds allocated for a grant program pursuant to this chapter may
3 be used to pay the administrative costs of that program.

4 5880.03. (a) Except as provided in subdivision (b), up to 10
5 percent of funds allocated for each program funded by this chapter
6 may be expended for planning and monitoring necessary for the
7 successful design, selection, and implementation of the projects
8 authorized under that program. This section shall not otherwise
9 restrict funds ordinarily used by an agency for “preliminary plans,”
10 “working drawings,” and “construction” as defined in the annual
11 Budget Act for a capital outlay project or grant project. Planning
12 may include feasibility studies for environmental site cleanup that
13 would further the purpose of a project that is eligible for funding
14 under this chapter.

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

19 5880.04. (a) At least 10 percent of the funds available pursuant
20 to each article of this chapter shall be allocated for projects serving
21 severely disadvantaged communities.

22 (b) Except as provided in subdivision (c), up to 10 percent of
23 the funds available pursuant to each article of this chapter may be
24 allocated for technical assistance to disadvantaged communities.
25 The agency administering the moneys shall operate a
26 multidisciplinary technical assistance program for small
27 disadvantaged communities.

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

32 5880.05. Before disbursing grants pursuant to this chapter,
33 each state agency that receives funding to administer a competitive
34 grant program under this chapter shall do the following:

35 (a) Develop and adopt project solicitation and evaluation
36 guidelines. The guidelines shall include monitoring and reporting
37 requirements and may include a limitation on the dollar amount
38 of grants to be awarded. If the state agency has previously
39 developed and adopted project solicitation and evaluation

1 guidelines that comply with the requirements of this subdivision,
2 it may use those guidelines.

3 (b) Conduct three public meetings to consider public comments
4 before finalizing the guidelines. The state agency shall publish the
5 draft solicitation and evaluation guidelines on its Internet Web site
6 at least 30 days before the public meetings. One meeting shall be
7 conducted at a location in northern California, one meeting shall
8 be conducted at a location in the central valley of California, and
9 one meeting shall be conducted at a location in southern California.

10 (c) Submit the guidelines to the Secretary of the Natural
11 Resources Agency. The Secretary of the Natural Resources Agency
12 shall verify that the guidelines are consistent with applicable
13 statutes and for all the purposes enumerated in this chapter. The
14 Secretary of the Natural Resources Agency shall post an electronic
15 form of the guidelines submitted by state agencies and the
16 subsequent verifications on the Natural Resources Agency's
17 Internet Web site.

18 (d) Upon adoption, transmit copies of the guidelines to the fiscal
19 committees and the appropriate policy committees of the
20 Legislature.

21 5880.06. (a) The Department of Finance shall provide for an
22 independent audit of expenditures pursuant to this chapter. The
23 Secretary of the Natural Resources Agency shall publish a list of
24 all program and project expenditures pursuant to this chapter not
25 less than annually, in written form, and shall post an electronic
26 form of the list on the agency's Internet Web site.

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

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

35 5880.07. A project whose application includes the use of
36 services of the California Conservation Corps or certified
37 community conservation corps, as defined in Section 14507.5,
38 shall be given preference for receipt of a grant under this ~~chapter.~~
39 *chapter whenever feasible.*

1 5880.075. A project that includes water efficiencies, stormwater
2 capture, or carbon sequestration features in the project design may
3 be given priority for grant funding under this chapter.

4 5880.08. (a) The proceeds of bonds issued and sold pursuant
5 to this chapter shall be deposited in the California Parks, Water,
6 Climate, and Coastal Protection and Outdoor Access For All Fund,
7 which is hereby created in the State Treasury.

8 (b) Proceeds of bonds issued and sold pursuant to this chapter
9 shall be allocated according to the following schedule:

10 (1) Nine hundred ninety-five million dollars (\$995,000,000) for
11 purposes of Article 2 (commencing with Section 5881).

12 (2) Nine hundred ninety-five million dollars (\$995,000,000) for
13 purposes of Article 3 (commencing with Section 5882), Article 4
14 (commencing with Section 5883), Article 5 (commencing with
15 Section 5884), and Article 6 (commencing with Section 5885).

16 (3) Nine hundred ninety-five million dollars (\$995,000,000) for
17 purposes of Article 7 (commencing with Section 5886), Article
18 7.5 (commencing with Section 5887), and Article 8 (commencing
19 with Section 5888).

20 5880.09. The Legislature may enact legislation necessary to
21 implement programs funded by this chapter.

22

23 Article 2. Investments in Environmental and Social Equity,
24 Enhancing California’s Disadvantaged Communities
25

26 5881. (a) Pursuant to Section 5880.08, the sum of nine hundred
27 ninety-five million dollars (\$995,000,000) shall be available to the
28 department, upon appropriation by the Legislature, for the creation
29 and expansion of safe neighborhood parks in park-poor
30 neighborhoods in accordance with the Statewide Park Development
31 and Community Revitalization Act of 2008’s competitive grant
32 program described in Chapter 3.3 (commencing with Section 5640).

33 (b) When developing or revising criteria or guidelines for the
34 grant program, the department may consider the population
35 densities of an applicant in relation to countywide populations,
36 comparative income levels, and other poverty-related factors that
37 are relative to regionwide statistics.

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

4 5882. *For purposes of this article, “district” means any*
5 *regional park district, regional park and open-space district, or*
6 *regional open-space district formed pursuant to Article 3*
7 *(commencing with Section 5500) of Chapter 3, any recreation and*
8 *park district formed pursuant to Chapter 4 (commencing with*
9 *Section 5780), or any authority formed pursuant to Division 26*
10 *(commencing with Section 35100). With respect to any community*
11 *or unincorporated region that is not included within a district,*
12 *and in which no city or county provides parks or recreational*
13 *areas or facilities, “district” also means any other entity that is*
14 *authorized by statute to operate and manage parks or recreational*
15 *areas or facilities, employs a full-time park and recreation director,*
16 *offers year-round park and recreation services on land and*
17 *facilities owned by the entity, and allocates a substantial portion*
18 *of its annual operating budget to parks or recreation areas or*
19 *facilities.*

20 ~~5882.~~

21 5882.01. (a) Pursuant to Section 5880.08, the sum of ~~_____~~
22 ~~four hundred fifty million dollars~~ (~~\$(_____)~~ (\$450,000,000) shall
23 be available to the department, upon appropriation by the
24 Legislature, for local park rehabilitation and improvement grants
25 to local governments on a per capita basis. Grant recipients shall
26 be encouraged to utilize awards to rehabilitate existing
27 infrastructure and to address deficiencies in neighborhoods lacking
28 access to the outdoors.

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

32 5882.02. (a) (1) The department shall allocate 60 percent of
33 the funds available pursuant to subdivision (a) of Section ~~5882~~
34 ~~5882.01~~ to cities and districts, other than a regional park district,
35 regional park and open-space district, *open-space authority*, or
36 regional open-space district. Each city’s and district’s allocation
37 shall be in the same ratio as the city’s or district’s population is to
38 the combined total of the state’s population that is included in
39 incorporated ~~areas~~ and unincorporated areas within the ~~district,~~
40 *county*, except that each city or district shall be entitled to a

1 minimum allocation of ~~_____~~ *two hundred fifty thousand* dollars
2 (~~\$_____~~): (*\$250,000*). If the boundary of a city overlaps the
3 boundary of a district, the population in the overlapping area shall
4 be attributed to each jurisdiction in proportion to the extent to
5 which each operates and manages parks and recreational areas and
6 facilities for that population. If the boundary of a city overlaps the
7 boundary of a district, and in the area of overlap the city does not
8 operate and manage parks and recreational areas and facilities, all
9 grant funds for that area shall be allocated to the district.

10 (2) On or before April 1, 2018, a city and a district that are
11 subject to paragraph (1), and whose boundaries overlap, shall
12 collaboratively develop and submit to the department a specific
13 plan for allocating the grant funds in accordance with the formula
14 specified in paragraph (1). If, by that date, the plan has not been
15 developed and submitted to the department, the director shall
16 determine the allocation of the grant funds between the affected
17 jurisdiction.

18 (b) (1) The department shall allocate 40 percent of the funds
19 available pursuant to subdivision (a) of Section ~~5882~~ *5882.01* to
20 counties and regional park districts, regional park and open-space
21 districts, *open-space authorities formed pursuant to Division 26*
22 (*commencing with Section 35100*), and regional open-space districts
23 formed pursuant to Article 3 (commencing with Section 5500) of
24 Chapter 3.

25 (2) Each county's allocation under paragraph (1) shall be in the
26 same ratio that the county's population is to the total state
27 population, except that each county shall be entitled to a minimum
28 allocation of ~~_____~~ *five hundred thousand* dollars (~~\$_____~~):
29 (*\$500,000*).

30 (3) In any county that embraces all or part of the territory of a
31 regional park district, regional park and open-space district,
32 *open-space authority*, or regional open-space district, and whose
33 board of directors is not the county board of supervisors, the
34 amount allocated to the county shall be apportioned between that
35 district and the county in proportion to the population of the county
36 that is included within the territory of the district and the population
37 of the county that is outside the territory of the district.

38 (c) For the purpose of making the calculations required by this
39 section, population shall be determined by the department, in
40 cooperation with the Department of Finance, on the basis of the

1 most recent verifiable census data and other verifiable population
2 data that the department may require to be furnished by the
3 applicant city, county, or district.

4 (d) The Legislature intends all recipients of funds pursuant to
5 subdivision (a) of Section ~~5882~~ 5882.01 to use those funds to
6 supplement local revenues in existence on the effective date of the
7 act adding this chapter. To receive an allocation pursuant to
8 subdivision (a) of Section ~~5882~~, 5882.01, the recipient shall not
9 reduce the amount of funding otherwise available to be spent on
10 parks or other projects eligible for funds under this chapter in its
11 jurisdiction. A one-time allocation of other funding that has been
12 expended for parks or other projects, but which is not available on
13 an ongoing basis, shall not be considered when calculating a
14 recipient's annual expenditures. For purposes of this subdivision,
15 the Controller may request fiscal data from recipients for the
16 preceding three fiscal years. Each recipient shall furnish the data
17 to the Controller no later than 120 days after receiving the request
18 from the Controller.

19 5882.04. (a) The director of the department shall prepare and
20 adopt criteria and procedures for evaluating applications for grants
21 allocated pursuant to subdivision (a) of Section ~~5882~~. 5882.01.
22 The application shall be accompanied by certification that the
23 project is consistent with the park and recreation element of the
24 applicable city or county general plan or the district park recreation
25 plan, as the case may be.

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

31 (c) The director of the department shall annually forward a
32 statement of the total amount to be appropriated each fiscal year
33 for projects approved for grants pursuant to this article to the
34 Director of Finance for inclusion in the annual Budget Act. A list
35 of eligible jurisdictions and the amount of grant funds to be
36 allocated to each jurisdiction shall also be made available by the
37 department.

38 (d) Funds appropriated pursuant to this article shall be
39 encumbered by the recipient within three years from the date the
40 appropriation is effective. Regardless of the date of encumbrance

1 of the granted funds, the recipient is expected to complete all
2 funded projects within eight years of the effective date of the
3 appropriation.

4 5882.06. Pursuant to Section 5880.08, the sum of ~~_____~~ *one*
5 *hundred twenty million* dollars (~~\$_____~~) (*\$120,000,000*) shall be
6 available to the department, upon appropriation by the Legislature,
7 for grants to regional park districts, counties, *regional* open-space
8 districts, open-space ~~authorities~~; *authorities formed pursuant to*
9 *Division 26 (commencing with Section 35100)*, and eligible
10 nonprofit organizations on a competitive grant basis to expand,
11 rehabilitate, or restore parks and park facilities, including trails,
12 that facilitate new or enhanced use and enhanced user experiences.

13
14 Article 4. Restoring California’s Natural, Historic, and Cultural
15 Legacy
16

17 5883. ~~(a)~~ Pursuant to Section 5880.08, the sum of ~~_____~~ *three*
18 *hundred twenty-five million* dollars (~~\$_____~~) (*\$325,000,000*) shall
19 be available to the department, upon appropriation by the
20 Legislature, for restoration and preservation of existing state park
21 facilities and units to preserve and increase public access to those
22 facilities and units and to protect the natural, cultural, and historic
23 resources of those facilities and ~~units~~; *units as follows*:

24 ~~(b) Of the amount made available pursuant to this section, not~~
25 ~~(a) Not less than 80 percent shall be available for capital~~
26 ~~improvements that address the department’s backlog of deferred~~
27 ~~maintenance; maintenance or that enhance park access and user~~
28 ~~experiences.~~

29 ~~(c) The amount made available pursuant to subdivision (a), less~~
30 ~~the amount made available for capital improvements pursuant to~~
31 ~~subdivision (b), shall be allocated as follows:~~

32 ~~(1)~~
33 ~~(b) The sum of _____ twenty million dollars (_____)~~
34 ~~(\$20,000,000) shall be available to the department for enterprise~~
35 ~~projects that facilitate new or enhanced park use and user~~
36 ~~experiences and increase revenue generation to support operations~~
37 ~~of the department.~~

38 ~~(2)~~

1 (c) The sum of ~~_____~~ *twenty million* dollars (~~\$ _____~~) (*\$20,000,000*)
2 shall be available ~~to the department~~ for grants to local agencies
3 that operate a unit of the state park system.

4 (d) *The sum of five million dollars (\$5,000,000) shall be*
5 *available for the planning, development, and implementation of*
6 *climate adaptation projects within units of the state park system.*
7 *Priority shall be given to projects that use natural systems and*
8 *landscape features.*

9

10 Article 5. Trails and Waterfront Greenway Investment

11

12 5884. (a) Pursuant to Section 5880.08, the sum of ~~_____~~ *fifty*
13 *million* dollars (~~\$ _____~~) (*\$50,000,000*) shall be available to the
14 Natural Resources Agency, upon appropriation by the Legislature,
15 for competitive grants to local agencies, state conservancies,
16 federally recognized Native American tribes, nonfederally
17 recognized California Native American tribes listed on the
18 California Tribal Consultation List maintained by the Native
19 American Heritage Commission, and nonprofit organizations to
20 provide nonmotorized infrastructure development and
21 enhancements that promote new or alternate access to parks,
22 waterways, outdoor recreational pursuits, and forested or other
23 natural environments to encourage health-related commuting and
24 opportunities for Californians to reconnect with nature.

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

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

32 (d) The Natural Resources Agency is encouraged, when
33 designing guidelines, for grants awarded under this article, to utilize
34 existing program guidelines including, if applicable, guidelines
35 that have been established for the California Recreational Trails
36 Act (Article 6 (commencing with Section 5070) of Chapter 1) and
37 the Active Transportation Program (Chapter 8 (commencing with
38 Section 2380) of Division 3 of the Streets and Highway Code).

1 Article 6. Rural Recreation, Tourism, and Economic Enrichment
 2 Investment

3
 4 5885. (a) Pursuant to Section 5880.08, the sum of ~~_____~~ *fifty*
 5 *million* dollars (~~\$_____~~) (*\$50,000,000*) shall be available to the
 6 department, upon appropriation by the Legislature, to administer
 7 a competitive grant program for cities, counties, and districts in
 8 nonurbanized areas, ~~as defined in subdivision (c) of Section 5621,~~
 9 that are eligible for a grant under the Roberti-Z'berg-Harris Urban
 10 Open-Space and Recreation Program Act (Chapter 3.2
 11 (commencing with Section 5620)). *Notwithstanding subdivisions*
 12 *(c) and (e) of Section 5621 and for the purposes of this section,*
 13 *the definition of nonurbanized area shall be updated by the*
 14 *department to reflect current population levels. A nonurbanized*
 15 *area shall include counties with populations of less than 500,000*
 16 *people and low population densities per square mile, as determined*
 17 *by the department.* In awarding the grants, the department may
 18 consider the following factors:

19 (1) Whether the project would provide new recreational
 20 opportunities in rural communities that have demonstrated
 21 deficiencies and lack of outdoor infrastructure in support of
 22 economic and health-related goals.

23 (2) Whether the project proposes to acquire and develop lands
 24 to enhance residential recreation while promoting the quality of
 25 tourism experiences and the economic vitality of the community.
 26 These enhancements may include *accessibility for individuals with*
 27 *disabilities*, trails, bikeways, regional or destination-oriented
 28 recreational amenities, and visitor centers.

29 (3) Whether the project includes collaboration between public
 30 and nonprofit organizations, including, but not limited to, nonprofit
 31 land trusts, to facilitate public access to privately-owned lands for
 32 regional trail development for wildlife viewing, recreation, or
 33 outdoor experiences for youth.

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

37 (c) *In addition to entities described in subdivision (a), an*
 38 *irrigation district exercising powers authorized under Section*
 39 *22185 of the Water Code is eligible for a grant under this article.*

Article 7. California Clean Water, Coastal, and Watershed
Cobenefit Program

5886. (a) Pursuant to Section 5880.08, the sum of ~~_____~~ *two hundred million* dollars (~~\$_____~~) (*\$200,000,000*) shall be available to the Natural Resources Agency, upon appropriation by the Legislature, for grants pursuant to the California River Parkway Act of 2004 (Chapter 3.8 (commencing with Section 5750)). *Eligible projects shall include, but are not limited to, projects that protect and enhance urban creeks.*

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

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

(d) Not less than ~~___~~ 50 percent of the amount made available pursuant to this section shall be allocated for project grants to protect and enhance an urban creek, as defined in subdivision (e) of Section 7048 of the Water Code, and its tributaries, pursuant to Division 22.8 (commencing with Section 32600), Division 23 (commencing with Section 33000), and Section 79508 of the Water Code. Money allocated pursuant to this subdivision shall be equally divided between projects in areas described in Division 22.8 (commencing with Section 32600) and projects in areas described in Division 23 (commencing with Section 33000).

Article 7.5. State Conservancy Funding

5887. Pursuant to Section 5880.08, the sum of ~~_____~~ *two hundred fifty million* dollars (~~\$_____~~) (*\$250,000,000*) shall be available, upon appropriation by the Legislature, in accordance with the following schedule, to fulfill the purposes of the specified entity:

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

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

1 (c) Coachella Mountains Conservancy, _____ *ten million* dollars
2 (~~_____~~): (~~\$10,000,000~~).

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

5 (e) Salton Sea Authority, _____ *twenty-five million* dollars
6 (~~_____~~): (~~\$25,000,000~~).

7 (f) San Diego River Conservancy, _____ *fifteen million* dollars
8 (~~_____~~): (~~\$15,000,000~~).

9 (g) San Gabriel and Lower Los Angeles Rivers and Mountains
10 Conservancy, _____ *twenty million* dollars (~~_____~~):
11 (~~\$20,000,000~~).

12 (h) San Joaquin River Conservancy, _____ *fifteen million* dollars
13 (~~_____~~): (~~\$15,000,000~~).

14 (i) Santa Monica Mountains Conservancy, _____ *twenty million*
15 *dollars* (~~_____~~): (~~\$20,000,000~~).

16 (j) Sierra Nevada Conservancy, _____ *twenty-five million* dollars
17 (~~_____~~): (~~\$25,000,000~~).

18 (k) State Coastal Conservancy, _____ *eighty million* dollars
19 (~~_____~~): (~~\$80,000,000~~). Of this amount, not less than 40 percent
20 shall go toward the San Francisco Bay Area Conservancy Program
21 (Chapter 4.5 (commencing with Section 31160) of Division 21).

22 5887.02. The Legislature shall strive to consider population
23 size, land mass, and natural resource significance as factors when
24 determining the amount of any other funds to be ~~given~~ *made*
25 *available* to an entity ~~described~~ *listed* in Section 5887.

26 5887.03. A receiving entity in Section 5887 shall develop and
27 adopt a strategic master plan that identifies priorities and specific
28 criteria for selecting projects for funding. The strategic plan shall
29 include strategies for providing public access to conserved lands
30 wherever feasible and be consistent with project goals and
31 objectives.

32

33 Article 8. Climate Preparedness and Habitat Resiliency

34

35 5888. Pursuant to Section 5880.08, the sum of _____ *five*
36 *hundred forty-five million* dollars (~~_____~~) (~~\$545,000,000~~) shall
37 be available to plan, develop, and implement climate adaptation
38 and resiliency projects that improve a community’s ability to adapt
39 to the unavoidable impacts of climate change. Projects shall
40 improve and protect coastal and rural economies, agricultural

1 viability, wildlife corridors, or habitat, develop future recreational
2 opportunities, or enhance drought tolerance and water retention,
3 in accordance with the following schedule:

4 (a) ~~Three hundred million dollars~~ (~~\$~~) (*\$300,000,000*)
5 shall be available to the Wildlife Conservation Board for grants
6 for ~~any of the following:~~ ~~the~~

7 (1) *Projects for the acquisition, development, rehabilitation,*
8 *restoration,* ~~protection~~ *protection,* and expansion of wildlife
9 ~~corridors,~~ *corridors and open space,* including projects to improve
10 connectivity ~~and reduce barriers between habitat areas,~~ ~~for projects~~
11 *areas.*

12 (2) *Projects for the acquisition, development, rehabilitation,*
13 *restoration, protection, and expansion of habitat that promote the*
14 *recovery of threatened and endangered species.*

15 (3) *Projects to improve climate adaptation and resilience of*
16 *natural systems,* ~~and for projects~~ *systems.*

17 (4) *Projects to protect and improve existing open-space corridors*
18 *and trail linkages related to utility or transportation infrastructure*
19 *that provide habitat connectivity and public access or trails.*

20 (b) ~~One hundred million dollars~~ (~~\$~~) (*\$100,000,000*)
21 shall be available for deposit into the California Climate Resilience
22 Account, established pursuant to Section 31012, for projects that
23 assist coastal communities, ~~especially~~ *including* those reliant on
24 commercial fisheries, with adaptation to climate change, including
25 projects that address ocean acidification, sea level rise, or the
26 protection of habitat associated with the Pacific Flyway.

27 (c) ~~Twenty-five million dollars~~ (~~\$~~) (*\$25,000,000*) shall
28 be available for projects that improve agricultural and open-space
29 soil health, to improve carbon soil sequestration, *erosion control,*
30 water quality, and water ~~retention,~~ ~~or projects that replace~~
31 ~~inefficient groundwater pumps.~~ *retention.*

32 (d) ~~Fifty million dollars~~ (~~\$~~) (*\$50,000,000*) shall be
33 available for projects that reduce fire risk, improve forest health,
34 and provide feedstock for compost, energy, or alternative fuels
35 facilities. *Projects may include, but are not limited to, forest*
36 *restoration projects that include hazardous fuel reduction, post-fire*
37 *watershed rehabilitation, and forest management practices that*
38 *promote forest resilience to wildfire, climate change, and other*
39 *disturbances. Unless otherwise specified by the Legislature, project*

1 *funds shall be equally administered by the Department of Forestry*
2 *and Fire Protection and by the Sierra Nevada Conservancy.*

3 (e) ~~Thirty million dollars~~ (~~\$~~) (\$30,000,000) shall
4 be available to the California Conservation Corps for projects to
5 rehabilitate or improve parks and restore watersheds, including
6 regional and community fuel load reduction projects on public
7 lands, and stream and river restoration projects. Not less than 50
8 percent of these funds shall be in the form of grants to certified
9 local community conservation corps, as defined in Section 14507.5.

10 (f) *Forty million dollars (\$40,000,000) shall be available to the*
11 *Natural Resources Agency, upon appropriation by the Legislation,*
12 *to award funding to projects identified by local agencies,*
13 *nongovernmental land conservation organizations, federally*
14 *recognized Native American tribes, or nonfederally recognized*
15 *California Native American tribes listed on the California Tribal*
16 *Consultation list maintained by the Native American Heritage*
17 *Commission for any of the following:*

18 (1) *Projects that involve the restoration, protection, and*
19 *acquisition of natural, cultural, and historic resources within the*
20 *state.*

21 (2) *Projects that promote carbon sequestration through*
22 *conversion of blighted or industrial properties to green spaces*
23 *within the coastal zone.*

24 (3) *Projects that enhance water and natural resource values or*
25 *promote economic activity through improved recreation, tourism,*
26 *and natural resource investment in those areas of the state not*
27 *within the jurisdiction of a state conservancy.*

28

29

Article 9. Fiscal Provisions

30

31 5889. (a) Bonds in the total amount of two billion nine hundred
32 eighty-five million dollars (\$2,985,000,000), not including the
33 amount of any refunding bonds issued in accordance with Section
34 5889.12, may be issued and sold to provide a fund to be used for
35 carrying out the purposes expressed in this chapter and to reimburse
36 the General Obligation Bond Expense Revolving Fund pursuant
37 to Section 16724.5 of the Government Code. The bonds, when
38 sold, shall be and constitute a valid and binding obligation of the
39 State of California, and the full faith and credit of the State of
40 California is hereby pledged for the punctual payment of both the

1 principal of, and interest on, the bonds as the principal and interest
2 become due and payable.

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

8 5889.01. The bonds authorized by this chapter shall be
9 prepared, executed, issued, sold, paid, and redeemed as provided
10 in the State General Obligation Bond Law (Chapter 4 (commencing
11 with Section 16720) of Part 3 of Division 4 of Title 2 of the
12 Government Code), and all of the provisions of that law apply to
13 the bonds and to this chapter.

14 5889.02. (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. The committee shall determine whether or not it is
32 necessary or desirable to issue bonds authorized by this chapter in
33 order to carry out the actions specified in this chapter and, if so,
34 the amount of bonds to be issued and sold. Successive issues of
35 bonds may be authorized and sold to carry out those actions
36 progressively, and it is not necessary that all of the bonds
37 authorized to be issued be sold at any one time.

38 5889.04. For purposes of the State General Obligation Bond
39 Law, “board,” as defined in Section 16722 of the Government
40 Code, means the Secretary of the Natural Resources Agency.

1 5889.05. There shall be collected each year and in the same
2 manner and at the same time as other state revenue is collected,
3 in addition to the ordinary revenues of the state, a sum in an amount
4 required to pay the principal of, and interest on, the bonds each
5 year. It is the duty of all officers charged by law with any duty in
6 regard to the collection of the revenue to do and perform each and
7 every act that is necessary to collect that additional sum.

8 5889.06. Notwithstanding Section 13340 of the Government
9 Code, there is hereby appropriated from the General Fund in the
10 State Treasury, for the purposes of this chapter, an amount that
11 will equal the total of the following:

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

15 (b) The sum that is necessary to carry out the provisions of
16 Section 5889.09, appropriated without regard to fiscal years.

17 5889.07. The board may request the Pooled Money Investment
18 Board to make a loan from the Pooled Money Investment Account
19 in accordance with Section 16312 of the Government Code for the
20 purpose of carrying out this chapter less any amount withdrawn
21 pursuant to Section 5889.09. The amount of the request shall not
22 exceed the amount of the unsold bonds that the committee has, by
23 resolution, authorized to be sold for the purpose of carrying out
24 this chapter. The board shall execute those documents required by
25 the Pooled Money Investment Board to obtain and repay the loan.
26 Any amounts loaned shall be deposited in the fund to be allocated
27 in accordance with this chapter.

28 5889.08. Notwithstanding any other provision of this chapter,
29 or of the State General Obligation Bond Law, if the Treasurer sells
30 bonds that include a bond counsel opinion to the effect that the
31 interest on the bonds is excluded from gross income for federal
32 tax purposes under designated conditions or is otherwise entitled
33 to any federal tax advantage, the Treasurer may maintain separate
34 accounts for the bond proceeds invested and for the investment
35 earnings on those proceeds, and may use or direct the use of those
36 proceeds or earnings to pay any rebate, penalty, or other payment
37 required under federal law or take any other action with respect
38 to the investment and use of those bond proceeds, as may be
39 required or desirable under federal law in order to maintain the

1 tax-exempt status of those bonds and to obtain any other advantage
2 under federal law on behalf of the funds of this state.

3 5889.09. For the purposes of carrying out this chapter, the
4 Director of Finance may authorize the withdrawal from the General
5 Fund of an amount or amounts not to exceed the amount of the
6 unsold bonds that have been authorized by the committee to be
7 sold for the purpose of carrying out this chapter less any amount
8 borrowed pursuant to Section 5889.09. Any amounts withdrawn
9 shall be deposited in the fund. Any moneys made available under
10 this section shall be returned to the General Fund, with interest at
11 the rate earned by the moneys in the Pooled Money Investment
12 Account, from proceeds received from the sale of bonds for the
13 purpose of carrying out this chapter.

14 5889.10. All moneys deposited in the fund that are derived
15 from premium and accrued interest on bonds sold pursuant to this
16 chapter shall be reserved in the fund and shall be available for
17 transfer to the General Fund as a credit to expenditures for bond
18 interest, except that amounts derived from premiums may be
19 reserved and used to pay the cost of bond issuance prior to any
20 transfer to the General Fund.

21 5889.11. Pursuant to Chapter 4 (commencing with Section
22 16720) of Part 3 of Division 4 of Title 2 of the Government Code,
23 the cost of bond issuance shall be paid out of the bond proceeds,
24 including premiums, if any. To the extent the cost of bond issuance
25 is not paid from premiums received from the sale of bonds, these
26 costs shall be shared proportionately by each program funded
27 through this chapter by the applicable bond sale.

28 5889.12. The bonds issued and sold pursuant to this chapter
29 may be refunded in accordance with Article 6 (commencing with
30 Section 16780) of Chapter 4 of Part 3 of Division 4 of Title 2 of
31 the Government Code, which is a part of the State General
32 Obligation Bond Law. Approval by the voters of the state for the
33 issuance of the bonds under this chapter shall include approval of
34 the issuance of any bonds issued to refund any bonds originally
35 issued under this chapter or any previously issued refunding bonds.

36 5889.13. The proceeds from the sale of bonds authorized by
37 this chapter are not “proceeds of taxes” as that term is used in
38 Article XIII B of the California Constitution, and the disbursement
39 of these proceeds is not subject to the limitations imposed by that
40 article.

1 SEC. 2. (a) Notwithstanding the requirements of Sections
2 9040, 9043, 9044, 9061, and 9082 of the Elections Code, or any
3 other law, the Secretary of State shall submit this act to the voters
4 at the November 8, 2016, statewide general election.

5 (b) The Secretary of State shall include in the ballot pamphlets
6 mailed pursuant to Section 9094 of the Elections Code the
7 information specified in Section 9084 of the Elections Code
8 regarding the bond act contained in this act. If that inclusion is not
9 possible, the Secretary of State shall publish a supplemental ballot
10 pamphlet regarding this act to be mailed with the ballot pamphlet.
11 If the supplemental ballot pamphlet cannot be mailed with the
12 ballot pamphlet, the supplemental ballot pamphlet shall be mailed
13 separately.

14 (c) Notwithstanding Section 9054 of the Elections Code or any
15 other law, the translations of the ballot title and the condensed
16 statement of the ballot title required pursuant to Section 9054 of
17 the Elections Code may be made available for public examination
18 at a later date than the start of the public examination period for
19 the ballot pamphlet, provided that the translations of the ballot title
20 and the condensed statement of the ballot title must remain
21 available for public examination for eight days.

22 (d) Notwithstanding Section 13282 of the Elections Code or
23 any other law, the public shall be permitted to examine the
24 condensed statement of the ballot title for not more than eight days.
25 Any voter may seek a writ of mandate for the purpose of requiring
26 the condensed statement of the ballot title, or portion thereof, to
27 be amended or deleted only within that eight-day period.

28 SEC. 3. This act shall take effect upon approval by the voters
29 of the California Parks, Water, Climate, and Coastal Protection
30 and Outdoor Access For All Act, as set forth in Section 1 of this
31 act.

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

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

O