

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**

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**Introduced by Assembly Member Eduardo Garcia**  
**(Principal coauthors: Assembly Members Alejo and Levine)**  
**(Coauthors: Assembly Members Eggman, Gonzalez, and McCarty)**

February 19, 2016

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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.

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 an unspecified amount of \$2,000,000,000 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:*

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

CHAPTER 14. CALIFORNIA PARKS, WATER, CLIMATE, AND  
COASTAL PROTECTION AND OUTDOOR ACCESS FOR ALL ACT OF  
2016

Article 1. General Provisions

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

(1) From California's beautiful rivers, streams, coastal shorelines, and other waterways, to our federal, state, local, and regional parks and outdoor settings, to our vast network of trails connecting people with natural landscapes, Californians value the rich diversity of outdoor experiences afforded to this state and its citizens.

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

(3) Many Californians across the state lack access to safe parks, trails, and recreation areas, which limits their ability to experience

1 the outdoors, improve their physical and emotional health, exercise,  
2 and connect with their communities.

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

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

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

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

27 (9) There has been a historic underinvestment in parks, trails,  
28 and outdoor infrastructure in disadvantaged areas and many  
29 communities throughout California.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(h) “Restoration” means the improvement of physical structures or facilities and, in the case of natural systems and landscape

1 features, includes, but is not limited to, projects for the control of  
2 erosion, the control and elimination of exotic species, removal of  
3 waste and debris, prescribed burning, fuel hazard reduction, fencing  
4 out threats to existing or restored natural resources, road  
5 elimination, and other plant and wildlife habitat improvement to  
6 increase the natural system value of the property. Restoration  
7 projects shall include the planning, monitoring, and reporting  
8 necessary to ensure successful implementation of the project  
9 objectives.

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

12 5880.02. An amount that equals not more than 5 percent of the  
13 funds allocated for a grant program pursuant to this chapter may  
14 be used to pay the administrative costs of that program.

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

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

30 5880.04. (a) At least 20 percent of the funds available pursuant  
31 to each article of this chapter shall be allocated for projects serving  
32 severely disadvantaged communities.

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

39 (c) Funds used for providing technical assistance to  
40 disadvantaged communities may exceed 10 percent of the funds

1 allocated if the state agency administering the moneys determines  
2 that there is a need for the additional funding.

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

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

13 (b) Conduct three public meetings to consider public comments  
14 before finalizing the guidelines. The state agency shall publish the  
15 draft solicitation and evaluation guidelines on its Internet Web site  
16 at least 30 days before the public meetings. One meeting shall be  
17 conducted at a location in northern California, one meeting shall  
18 be conducted at a location in the central valley of California, and  
19 one meeting shall be conducted at a location in southern California.

20 (c) Submit the guidelines to the Secretary of the Natural  
21 Resources Agency. The Secretary of the Natural Resources Agency  
22 shall verify that the guidelines are consistent with applicable  
23 statutes and for all the purposes enumerated in this chapter. The  
24 Secretary of the Natural Resources Agency shall post an electronic  
25 form of the guidelines submitted by state agencies and the  
26 subsequent verifications on the Natural Resources Agency's  
27 Internet Web site.

28 (d) Upon adoption, transmit copies of the guidelines to the fiscal  
29 committees and the appropriate policy committees of the  
30 Legislature.

31 5880.06. (a) The Department of Finance shall provide for an  
32 independent audit of expenditures pursuant to this chapter. The  
33 Secretary of the Natural Resources Agency shall publish a list of  
34 all program and project expenditures pursuant to this chapter not  
35 less than annually, in written form, and shall post an electronic  
36 form of the list on the agency's Internet Web site.

37 (b) If an audit, required by statute, of any entity that receives  
38 funding authorized by this chapter is conducted pursuant to state  
39 law and reveals any impropriety, the California State Auditor or

1 the Controller may conduct a full audit of any or all of the activities  
2 of that entity.

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

6 5880.07. To the extent feasible, a project whose application  
7 includes the use of services of the California Conservation Corps,  
8 certified community conservation corps, as defined in Section  
9 14507.5, or other nonprofit entities that provide job training and  
10 education opportunities for veterans, foster care recipients,  
11 farmworkers, or local youth in conservation or restoration projects  
12 shall be given preference for receipt of a grant under this chapter.

13 5880.075. To the extent feasible, a project that includes water  
14 efficiencies, stormwater capture, or carbon sequestration features  
15 in the project design may be given priority for grant funding under  
16 this chapter.

17 5880.076. Moneys allocated pursuant to this chapter shall not  
18 be used to fulfill any mitigation requirements imposed by law.

19 5880.077. (a) To the extent feasible in implementing this  
20 chapter and except as provided in subdivision (b), a state agency  
21 receiving funding under this chapter shall seek to achieve wildlife  
22 conservation objectives through projects on public lands or  
23 voluntary projects on private lands. Funds may be used for  
24 payments for the creation of measurable habitat improvements or  
25 other improvements to the condition of endangered or threatened  
26 species, including through the development and implementation  
27 of habitat credit exchanges.

28 (b) This section shall not apply to Article 2 (commencing with  
29 Section 5881).

30 5880.08. 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 dollars~~  
5 ~~(\$995,000,000)~~ \_\_\_\_ dollars (\$\_\_\_\_) shall be available to the  
6 department, upon appropriation by the Legislature, for the creation  
7 and expansion of safe neighborhood parks in park-poor  
8 neighborhoods in accordance with the Statewide Park Development  
9 and 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.  
16

17 Article 3. Investments in Protecting, Enhancing, and Accessing  
18 California's Local and Regional Outdoor Spaces  
19

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

38 5882.01. (a) The sum of ~~four hundred fifty million dollars~~  
39 ~~(\$450,000,000)~~ \_\_\_\_ dollars (\$\_\_\_\_) shall be available to the  
40 department, upon appropriation by the Legislature, for local park



1 rehabilitation and improvement grants to local governments on a  
2 per capita basis. Grant recipients shall be encouraged to utilize  
3 awards to rehabilitate existing infrastructure and to address  
4 deficiencies in neighborhoods lacking access to the outdoors.

5 (b) Pursuant to Section 5880.08, the sum of ~~thirty-five million~~  
6 ~~dollars (\$35,000,000)~~ \_\_\_\_ *dollars* (\$) shall be available to  
7 the department, upon appropriation by the Legislature, for grants  
8 to cities and districts in urbanized counties providing park and  
9 recreation services within jurisdictions of 200,000 or less in  
10 population. For purposes of this subdivision, “urbanized county”  
11 means a county with a population for 500,000 or greater. An entity  
12 eligible to receive funds under this subdivision shall also be eligible  
13 to receive funds available under subdivision (a).

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

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

35 (2) On or before April 1, 2018, a city and a district that are  
36 subject to paragraph (1), and whose boundaries overlap, shall  
37 collaboratively develop and submit to the department a specific  
38 plan for allocating the grant funds in accordance with the formula  
39 specified in paragraph (1). If, by that date, the plan has not been  
40 developed and submitted to the department, the director shall

1 determine the allocation of the grant funds between the affected  
2 jurisdiction.

3 (b) (1) The department shall allocate 40 percent of the funds  
4 available pursuant to subdivision (a) of Section 5882.01 to counties  
5 and regional park districts, regional park and open-space districts,  
6 open-space authorities formed pursuant to Division 26  
7 (commencing with Section 35100), and regional open-space  
8 districts formed pursuant to Article 3 (commencing with Section  
9 5500) of Chapter 3.

10 (2) Each county's allocation under paragraph (1) shall be in the  
11 same ratio that the county's population is to the total state  
12 population, except that each county shall be entitled to a minimum  
13 allocation of ~~five hundred thousand dollars (\$500,000)~~. \_\_\_\_  
14 dollars (\$\_\_\_\_).

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

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

29 (d) The Legislature intends all recipients of funds pursuant to  
30 subdivision (a) of Section 5882.01 to use those funds to supplement  
31 local revenues in existence on the effective date of the act adding  
32 this chapter. To receive an allocation pursuant to subdivision (a)  
33 of Section 5882.01, the recipient shall not reduce the amount of  
34 funding otherwise available to be spent on parks or other projects  
35 eligible for funds under this chapter in its jurisdiction. A one-time  
36 allocation of other funding that has been expended for parks or  
37 other projects, but which is not available on an ongoing basis, shall  
38 not be considered when calculating a recipient's annual  
39 expenditures. For purposes of this subdivision, the Controller may  
40 request fiscal data from recipients for the preceding three fiscal

1 years. Each recipient shall furnish the data to the Controller no  
2 later than 120 days after receiving the request from the Controller.

3 5882.04. (a) The director of the department shall prepare and  
4 adopt criteria and procedures for evaluating applications for grants  
5 allocated pursuant to subdivision (a) of Section 5882.01. The  
6 application shall be accompanied by certification that the project  
7 is consistent with the park and recreation element of the applicable  
8 city or county general plan or the district park recreation plan, as  
9 the case may be.

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

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

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

28 5882.06. The sum of ~~one hundred twenty million dollars~~  
29 ~~(\$120,000,000)~~ \_\_\_\_ dollars (\$\_\_\_\_) shall be available to the  
30 department, upon appropriation by the Legislature, for grants to  
31 regional park districts, counties, regional open-space districts,  
32 open-space authorities formed pursuant to Division 26  
33 (commencing with Section 35100), and eligible nonprofit  
34 organizations on a competitive grant basis to expand, rehabilitate,  
35 or restore parks and park facilities, including trails, that facilitate  
36 new or enhanced use and enhanced user experiences.

Article 4. Restoring California's Natural, Historic, and Cultural  
Legacy

5883. (a) The sum of ~~three hundred fifty million dollars~~  
(\$350,000,000) \_\_\_\_ dollars (\$\_\_\_\_) shall be available to the  
department, upon appropriation by the Legislature, for restoration  
and preservation of existing state park facilities and units to  
preserve and increase public access to those facilities and units  
and to protect the natural, cultural, and historic resources of those  
facilities and units. Not less than 80 percent of these funds shall  
be available for capital improvements that address the department's  
backlog of deferred maintenance or that enhance park access and  
user experiences.

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

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

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

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

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

(3) ~~Fifteen million dollars (\$15,000,000)~~ *The sum of \_\_\_\_ dollars (\$\_\_\_\_) to implement an East Bay State Park Program.*

(4) ~~Ten million dollars (\$10,000,000)~~ *The sum of \_\_\_\_ dollars (\$\_\_\_\_) to implement a High Desert-Coachella Valley State Park Program.*

(5) ~~Ten million dollars (\$10,000,000)~~ *The sum of \_\_\_\_ dollars (\$\_\_\_\_) to implement an Inland Empire State Park Program.*

(6) ~~Fifteen million dollars (\$15,000,000)~~ *The sum of \_\_\_\_ dollars (\$\_\_\_\_) to implement a San Diego State Park Program. Priority may be given to projects bordering a national estuary.*

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

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

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

#### Article 5. Trails and Waterfront Greenway Investment

5884. (a) The sum of ~~fifty million dollars (\$50,000,000)~~ \_\_\_\_ dollars (\$\_\_\_\_) shall be available to the Natural Resources Agency, upon appropriation by the Legislature, for competitive grants to local agencies, state conservancies, federally recognized Native American tribes, nonfederally recognized California Native American tribes listed on the California Tribal Consultation List maintained by the Native American Heritage Commission, and nonprofit organizations to provide nonmotorized infrastructure development and enhancements that promote new or alternate access to parks, waterways, outdoor recreational pursuits, and

1 forested or other natural environments to encourage health-related  
2 commuting and opportunities for Californians to reconnect with  
3 nature.

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

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

11 (d) The Natural Resources Agency is encouraged, when  
12 designing guidelines, for grants awarded under this article, to utilize  
13 existing program guidelines including, if applicable, guidelines  
14 that have been established for the California Recreational Trails  
15 Act (Article 6 (commencing with Section 5070) of Chapter 1).

16 5884.01. Unless the entity has been identified as a  
17 disadvantaged community, an entity that receives an award under  
18 this article shall be required to provide a match of 20 percent.

19  
20 Article 6. Rural Recreation, Tourism, and Economic Enrichment  
21 Investment  
22

23 5885. (a) The sum of ~~fifty million dollars (\$50,000,000)~~ \_\_\_\_\_  
24 ~~dollars (\$\_\_\_\_\_)~~ shall be available to the department, upon  
25 appropriation by the Legislature, to administer a competitive grant  
26 program for cities, counties, and districts in nonurbanized areas,  
27 that are eligible for a grant under the Roberti-Z'berg-Harris Urban  
28 Open-Space and Recreation Program Act (Chapter 3.2  
29 (commencing with Section 5620)). Notwithstanding subdivisions  
30 (c) and (e) of Section 5621 and for the purposes of this section,  
31 the definition of nonurbanized area shall be updated by the  
32 department to reflect current population levels. A nonurbanized  
33 area shall include counties with populations of less than 500,000  
34 people and low population densities per square mile, as determined  
35 by the department. In awarding the grants, the department may  
36 consider the following factors:

37 (1) Whether the project would provide new recreational  
38 opportunities in rural communities that have demonstrated  
39 deficiencies and lack of outdoor infrastructure in support of  
40 economic and health-related goals.

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

7 (3) Whether the project includes collaboration between public  
8 and nonprofit organizations, including, but not limited to, nonprofit  
9 land trusts, to facilitate public access to privately-owned lands for  
10 regional trail development for wildlife viewing, recreation, or  
11 outdoor experiences for youth.

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

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

18  
19 Article 7. California Clean Water, Coastal, and Watershed  
20 Cobenefit Program  
21

22 5886. (a) The sum of ~~two hundred ten million dollars~~  
23 ~~(\$210,000,000)~~ \_\_\_\_ dollars (\$\_\_\_\_) shall be available to the  
24 Natural Resources Agency, upon appropriation by the Legislature,  
25 for grants pursuant to the California River Parkway Act of 2004  
26 (Chapter 3.8 (commencing with Section 5750)) and the Urban  
27 Streams Restoration Program pursuant to Section 7048 of the  
28 Water Code. Eligible projects shall include, but are not limited to,  
29 projects that protect and enhance urban creeks.

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

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

38 ~~(d) Notwithstanding any other provision of this division, not~~  
39 ~~less than 50 percent of the amount appropriated by the Legislature~~  
40 ~~pursuant to this section shall be for project grants for the protection~~

1 and enhancement of an urban creek, as defined in subdivision (e)  
2 of Section 7048 of the Water Code, and its tributaries, and  
3 expended pursuant to Division 22.8 (commencing with Section  
4 32600), Division 23 (commencing with Section 33000), and  
5 Section 79508 of the Water Code. Money appropriated pursuant  
6 to this subdivision shall be equally divided between projects in  
7 areas described in Division 22.8 (commencing with Section 32600)  
8 and projects in areas described in Division 23 (commencing with  
9 Section 33000). Projects serving disadvantaged communities shall  
10 have priority for funding under this subdivision.

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

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

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

25 5886.02. \_\_\_\_\_ dollars (\$\_\_\_\_) shall be available, upon  
26 appropriation by the Legislature, to implement the Urban Streams  
27 Restoration Program for streams not otherwise eligible for funding  
28 pursuant to this article.

29 5886.04. \_\_\_\_\_ dollars (\$\_\_\_\_) shall be available to the Natural  
30 Resources Agency, upon appropriation by the Legislature, for  
31 existing multi-benefit urban streams projects that are not otherwise  
32 eligible for funding pursuant to this article.

33 5886.06. The Natural Resources Agency is encouraged, when  
34 developing guidelines for grants awarded under this article, to  
35 utilize existing programs, including, but not limited to, the urban  
36 streams program through which communities enter into  
37 partnerships with state agencies for multibenefit projects to enhance  
38 and restore waterways.



Article 7.5. State Conservancy Funding

5887. The sum of \_\_\_\_ dollars (\$\_\_\_\_) 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)~~. \_\_\_\_ dollars (\$\_\_\_\_).

(b) California Tahoe Conservancy, ~~seventeen million five hundred thousand dollars (\$17,500,000)~~. \_\_\_\_ dollars (\$\_\_\_\_).

(c) Coachella Mountains Conservancy, ~~ten million dollars (\$10,000,000)~~. \_\_\_\_ dollars (\$\_\_\_\_).

(d) Sacramento-San Joaquin Delta Conservancy, ~~fifteen million dollars (\$15,000,000)~~. \_\_\_\_ dollars (\$\_\_\_\_).

(e) Salton Sea Authority, ~~twenty-five million dollars (\$25,000,000)~~. \_\_\_\_ dollars (\$\_\_\_\_). These moneys shall be for capital outlay projects that provide air quality and habitat benefits and that implement the Natural Resources Agency's Salton Sea Management Program.

(f) San Diego River Conservancy, ~~fifteen million dollars (\$15,000,000)~~. \_\_\_\_ dollars (\$\_\_\_\_).

(g) San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy, ~~twenty-five million dollars (\$25,000,000)~~. \_\_\_\_ dollars (\$\_\_\_\_).

(h) San Joaquin River Conservancy, ~~ten million dollars (\$10,000,000)~~. \_\_\_\_ dollars (\$\_\_\_\_).

(i) Santa Monica Mountains Conservancy, ~~twenty-five million dollars (\$25,000,000)~~. \_\_\_\_ dollars (\$\_\_\_\_).

(j) Sierra Nevada Conservancy, ~~twenty-two million five hundred thousand dollars (\$22,500,000)~~. \_\_\_\_ dollars (\$\_\_\_\_).

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

~~5887.01. It is the intent of the Legislature to increase the funding specified in Section 5887 to an amount above two hundred fifty million dollars (\$250,000,000).~~

~~5887.02.~~

~~5887.01.~~ The Legislature shall strive to consider population size, land mass, and natural resource significance as factors when

1 determining the amount of any other funds to be made available  
2 to an entity listed in Section 5887.

3 ~~5887.03.~~

4 5887.02. A receiving entity in Section 5887 shall develop and  
5 adopt a strategic master plan that identifies priorities and specific  
6 criteria for selecting projects for funding. The strategic plan shall  
7 include strategies for providing public access to conserved lands  
8 wherever feasible and be consistent with project goals and  
9 objectives.

10 ~~5887.04.~~

11 5887.03. Conservancies, in expending the funding available  
12 under this article, shall endeavor, where practical, to partner with  
13 cities, counties, nonprofit organizations, and nongovernmental  
14 organizations to acquire open space and create urban greenway  
15 corridors.

16  
17 Article 8. Climate Preparedness and Habitat Resiliency  
18

19 5888. The sum of \_\_\_\_ dollars (\$\_\_\_\_) shall be available, upon  
20 appropriation by the Legislature, to plan, develop, and implement  
21 climate adaptation and resiliency projects that improve a  
22 community's ability to adapt to the unavoidable impacts of climate  
23 change. Projects shall improve and protect coastal and rural  
24 economies, agricultural viability, wildlife corridors, or habitat,  
25 develop future recreational opportunities, or enhance drought  
26 tolerance and water retention, in accordance with the following  
27 schedule:

28 (a) (1) \_\_\_\_ dollars (\$\_\_\_\_) shall be available to the Wildlife  
29 Conservation Board for grants for any of the following:

30 (A) Projects for the acquisition, development, rehabilitation,  
31 restoration, protection, and expansion of wildlife corridors and  
32 open space, including projects to improve connectivity and reduce  
33 barriers between habitat areas. In awarding grants pursuant to this  
34 subparagraph, special consideration may be given to projects that  
35 protect state-designated wildlife corridors and wildlife corridors  
36 threatened by urban development.

37 (B) Projects for the acquisition, development, rehabilitation,  
38 restoration, protection, and expansion of habitat that promote the  
39 recovery of threatened and endangered species.

1 (C) Projects to improve climate adaptation and resilience of  
2 natural systems.

3 (D) Projects to protect and improve existing open-space  
4 corridors and trail linkages related to utility or transportation  
5 infrastructure that provide habitat connectivity and public access  
6 or trails.

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

12 (3) Of the amount subject to this subdivision, \_\_\_\_ dollars  
13 (\$\_\_\_\_) shall be available for the acquisition, development,  
14 rehabilitation, restoration, protection, and expansion of habitat that  
15 furthers the implementation of adopted natural community  
16 conservation plans, as set forth in the Natural Community  
17 Conservation Planning Act (Chapter 10 (commencing with Section  
18 2800) of Division 3 of the Fish and Game Code), to help resolve  
19 resource conflicts by balancing communitywide conservation,  
20 planning, and economic activities. ~~It is the intent of the Legislature~~  
21 ~~to increase the funding specified in this paragraph to an amount~~  
22 ~~above fifty-five million dollars (\$55,000,000).~~

23 (4) Of the amount subject to this subdivision, ~~ten million dollars~~  
24 ~~(\$10,000,000)~~ \_\_\_\_ dollars (\$\_\_\_\_) shall be administered through  
25 the Department of Fish and Wildlife for competitive grants to  
26 wildlife rehabilitation facilities operated by nongovernmental  
27 entities.

28 ~~(5) It is the intent of the Legislature to increase the funding~~  
29 ~~specified in paragraph (1) to an amount above three hundred forty~~  
30 ~~million dollars (\$340,000,000).~~

31 ~~(b) Eighty million dollars (\$80,000,000)~~ *The sum of* \_\_\_\_ dollars  
32 ~~(\$\_\_\_\_)~~ shall be available for deposit into the California Climate  
33 Resilience Account, established pursuant to Section 31012, for  
34 projects that assist coastal communities, including those reliant on  
35 commercial fisheries, with adaptation to climate change, including  
36 projects that address ocean acidification, sea level rise, or the  
37 protection of habitat associated with the Pacific Flyway.

38 ~~(c) Fifteen million dollars (\$15,000,000)~~ *The sum of* \_\_\_\_  
39 ~~dollars (\$\_\_\_\_)~~ shall be available for projects that improve  
40 agricultural and open-space soil health, to improve carbon soil

1 sequestration, erosion control, water quality, and water retention,  
2 which may in part be allocated to the Department of Conservation  
3 for watershed restoration and conservation projects on agricultural  
4 lands pursuant to Section 9084.

5 ~~(d) (1) Sixty million dollars (\$60,000,000) The sum of \_\_\_\_\_~~  
6 ~~dollars (\$\_\_\_\_\_)~~ shall be available for projects that reduce fire risk,  
7 improve forest health, and provide feedstock for compost, energy,  
8 or alternative fuels facilities. Projects may include, but are not  
9 limited to, forest restoration projects that include hazardous fuel  
10 reduction, post-fire watershed rehabilitation, and forest  
11 management practices that promote forest resilience to wildfire,  
12 climate change, and other disturbances. Unless otherwise specified  
13 by the Legislature, project funds shall be equally administered by  
14 the Department of Forestry and Fire Protection and by the Sierra  
15 Nevada Conservancy.

16 (2) Of the amount subject to this subdivision, up to ~~five million~~  
17 ~~dollars (\$5,000,000) \_\_\_\_\_ dollars (\$\_\_\_\_\_)~~ shall be available from  
18 the Department of Forestry and Fire Protection to the California  
19 Tahoe Conservancy for projects consistent with this subdivision.

20 (e) \_\_\_\_\_ dollars (\$\_\_\_\_\_) shall be available to the Department  
21 of Forestry and Fire Protection for existing urban forestry programs  
22 and priority shall be given to local governments that have not  
23 previously been awarded a grant under an existing urban forestry  
24 program.

25 ~~(f) Forty million dollars (\$40,000,000) The sum of \_\_\_\_\_ dollars~~  
26 ~~(\$\_\_\_\_\_)~~ shall be available to the California Conservation Corps  
27 for projects to rehabilitate or improve parks and restore watersheds,  
28 including regional and community fuel load reduction projects on  
29 public lands, and stream and river restoration projects. Not less  
30 than 50 percent of these funds shall be in the form of grants to  
31 certified local community conservation corps, as defined in Section  
32 14507.5, including local community conservation corps that have  
33 secured certification within the last three to five years prior to the  
34 grant application date.

35 ~~(g) (1) Eighty million dollars (\$80,000,000) The sum of \_\_\_\_\_~~  
36 ~~dollars (\$\_\_\_\_\_)~~ shall be available to the Natural Resources Agency,  
37 upon appropriation by the Legislature, to award funding to projects  
38 identified by local agencies, nongovernmental land conservation  
39 organizations, federally recognized Native American tribes, or  
40 nonfederally recognized California Native American tribes listed

1 on the California Tribal Consultation list maintained by the Native  
2 American Heritage Commission for any of the following:

3 (A) Projects that involve the restoration, protection, and  
4 acquisition of natural, cultural, and historic resources within the  
5 state.

6 (B) Projects that convert and repurpose properties formerly  
7 operating as fossil fuel power plants to create permanently  
8 protected open space, tourism, and park opportunities through fee  
9 title and conservation easements.

10 (C) Projects that enhance water and natural resource values or  
11 promote economic activity through improved recreation, tourism,  
12 and natural resource investment in those areas of the state not  
13 within the jurisdiction of a state conservancy.

14 (2) Before a grant is awarded pursuant to this subdivision, a  
15 project applicant shall demonstrate availability to the applicant of  
16 a minimum 20 percent match from other funds. Project applicants  
17 shall be encouraged to leverage all available local, federal, and  
18 nongovernmental sources to maximize funding distribution.

19 (h) \_\_\_\_\_ dollars (\$\_\_\_\_\_) shall be available to the Ocean  
20 Protection Council for purposes of carrying out its duties.

21  
22 *Article 8.5. Advance Payment for Water Projects*

23  
24 5888.5. (a) *Within 90 days of notice that a grant under this*  
25 *division for projects included and implemented in an integrated*  
26 *regional water management plan has been awarded, the regional*  
27 *water management group shall provide the department with a list*  
28 *of projects to be funded with the grant funds where the project*  
29 *proponent is a nonprofit organization or a disadvantaged*  
30 *community, or the project benefits a disadvantaged community.*  
31 *The list shall specify how the projects are consistent with the*  
32 *adopted integrated regional water management plan and shall*  
33 *include all of the following information:*

34 (1) *Descriptive information concerning each project identified.*

35 (2) *The names of the entities that will receive the funding for*  
36 *each project, including, but not limited to, an identification as to*  
37 *whether the project proponent or proponents are nonprofit*  
38 *organizations or a disadvantaged community.*

39 (3) *The budget of each project.*

40 (4) *The anticipated schedule for each project.*

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

5     (1) The project proponent is a nonprofit organization or a  
6     disadvantaged community, or the project benefits a disadvantaged  
7     community.

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

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

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

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

16    (3) The recipient shall, on a quarterly basis, provide an  
17    accountability report to the department regarding the expenditure  
18    and use of any advance grant funds that provides, at a minimum,  
19    the following information:

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

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

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

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

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

35    (d) As used in this section:

36    (1) “Disadvantaged community” has the same meaning as  
37    defined in subdivision (c) of Section 5880.01.

38    (2) “Nonprofit organization” has the same meaning as defined  
39    in subdivision (k) of Section 75005.

Article 9. Fiscal Provisions

5889. (a) Bonds in the total amount of \_\_\_\_\_ dollars (\$ \_\_\_\_\_), *two billion dollars (\$2,000,000,000)*, not including the amount of any refunding bonds issued in accordance with Section 5889.12, may be issued and sold to provide a fund to be used for carrying out the purposes expressed in this chapter and to reimburse the General Obligation Bond Expense Revolving Fund pursuant to Section 16724.5 of the Government Code. The bonds, when sold, shall be and constitute a valid and binding obligation of the State of California, and the full faith and credit of the State of California is hereby pledged for the punctual payment of both the principal of, and interest on, the bonds as the principal and interest become due and payable.

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

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

5889.02. (a) Solely for the purpose of authorizing the issuance and sale, pursuant to the State General Obligation Bond Law (Chapter 4 (commencing with Section 16720) of Part 3 of Division 4 of Title 2 of the Government Code), of the bonds authorized by this chapter, the California Parks, Water, Climate, and Coastal Protection and Outdoor Access For All Finance Committee is hereby created. For purposes of this chapter, the California Parks, Water, Climate, and Coastal Protection and Outdoor Access For All Finance Committee is the “committee” as that term is used in the State General Obligation Bond Law.

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

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

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

3 5889.03. The committee shall determine whether or not it is  
4 necessary or desirable to issue bonds authorized by this chapter in  
5 order to carry out the actions specified in this chapter and, if so,  
6 the amount of bonds to be issued and sold. Successive issues of  
7 bonds may be authorized and sold to carry out those actions  
8 progressively, and it is not necessary that all of the bonds  
9 authorized to be issued be sold at any one time.

10 5889.04. For purposes of the State General Obligation Bond  
11 Law, “board,” as defined in Section 16722 of the Government  
12 Code, means the Secretary of the Natural Resources Agency.

13 5889.05. There shall be collected each year and in the same  
14 manner and at the same time as other state revenue is collected,  
15 in addition to the ordinary revenues of the state, a sum in an amount  
16 required to pay the principal of, and interest on, the bonds each  
17 year. It is the duty of all officers charged by law with any duty in  
18 regard to the collection of the revenue to do and perform each and  
19 every act that is necessary to collect that additional sum.

20 5889.06. Notwithstanding Section 13340 of the Government  
21 Code, there is hereby appropriated from the General Fund in the  
22 State Treasury, for the purposes of this chapter, an amount that  
23 will equal the total of the following:

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

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

29 5889.07. The board may request the Pooled Money Investment  
30 Board to make a loan from the Pooled Money Investment Account  
31 in accordance with Section 16312 of the Government Code for the  
32 purpose of carrying out this chapter less any amount withdrawn  
33 pursuant to Section 5889.09. The amount of the request shall not  
34 exceed the amount of the unsold bonds that the committee has, by  
35 resolution, authorized to be sold for the purpose of carrying out  
36 this chapter. The board shall execute those documents required by  
37 the Pooled Money Investment Board to obtain and repay the loan.  
38 Any amounts loaned shall be deposited in the fund to be allocated  
39 in accordance with this chapter.



1     5889.08. Notwithstanding any other provision of this chapter,  
2 or of the State General Obligation Bond Law, if the Treasurer sells  
3 bonds that include a bond counsel opinion to the effect that the  
4 interest on the bonds is excluded from gross income for federal  
5 tax purposes under designated conditions or is otherwise entitled  
6 to any federal tax advantage, the Treasurer may maintain separate  
7 accounts for the bond proceeds invested and for the investment  
8 earnings on those proceeds, and may use or direct the use of those  
9 proceeds or earnings to pay any rebate, penalty, or other payment  
10 required under federal law or take any other action with respect  
11 to the investment and use of those bond proceeds, as may be  
12 required or desirable under federal law in order to maintain the  
13 tax-exempt status of those bonds and to obtain any other advantage  
14 under federal law on behalf of the funds of this state.

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

26     5889.10. All moneys deposited in the fund that are derived  
27 from premium and accrued interest on bonds sold pursuant to this  
28 chapter shall be reserved in the fund and shall be available for  
29 transfer to the General Fund as a credit to expenditures for bond  
30 interest, except that amounts derived from premiums may be  
31 reserved and used to pay the cost of bond issuance prior to any  
32 transfer to the General Fund.

33     5889.11. Pursuant to Chapter 4 (commencing with Section  
34 16720) of Part 3 of Division 4 of Title 2 of the Government Code,  
35 the cost of bond issuance shall be paid out of the bond proceeds,  
36 including premiums, if any. To the extent the cost of bond issuance  
37 is not paid from premiums received from the sale of bonds, these  
38 costs shall be shared proportionately by each program funded  
39 through this chapter by the applicable bond sale.

1 5889.12. The bonds issued and sold pursuant to this chapter  
2 may be refunded in accordance with Article 6 (commencing with  
3 Section 16780) of Chapter 4 of Part 3 of Division 4 of Title 2 of  
4 the Government Code, which is a part of the State General  
5 Obligation Bond Law. Approval by the voters of the state for the  
6 issuance of the bonds under this chapter shall include approval of  
7 the issuance of any bonds issued to refund any bonds originally  
8 issued under this chapter or any previously issued refunding bonds.

9 5889.13. The proceeds from the sale of bonds authorized by  
10 this chapter are not “proceeds of taxes” as that term is used in  
11 Article XIII B of the California Constitution, and the disbursement  
12 of these proceeds is not subject to the limitations imposed by that  
13 article.

14 SEC. 2. (a) Notwithstanding the requirements of Sections  
15 9040, 9043, 9044, 9061, and 9082 of the Elections Code, or any  
16 other law, the Secretary of State shall submit this act to the voters  
17 at the November 8, 2016, statewide general election.

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

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

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

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

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

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