



**APPENDIX D –
CURRENT LEGISLATIVE
PRIORITIES**

APPENDIX D: CURRENT LEGISLATIVE PRIORITIES

PNA+ COALITION RECOMMENDATIONS FOR LA COUNTY PARKS TO PROPOSE FOR THE 2024-2025 CALIFORNIA STATE LEGISLATIVE SESSION

About these Recommendations

The PNA+ Coalition was asked to provide recommendations for the County of Los Angeles Department of Parks and Recreation (LA County Parks) to propose to the Los Angeles County Chief Executive Office (CEO) Legislative Analyst Office for the 2024-2025 California state legislative session. Coalition members provided high-level direction to LA County Parks on legislative requests for the upcoming legislative session and beyond.

Context for the Recommendations

Each year, LA County Parks works with the department's CEO Legislative Analyst to develop specific language for state legislation and the County's policy goals. The process begins with LA County Parks submitting a form to the CEO's Legislative Analyst with a proposed legislative solution and how it would affect the State and County. Those recommendations are then reviewed and approved by the CEO and the Los Angeles County Board of Supervisors (BOS). Following approval, the recommendations move forward in one of two ways. First, individual state legislators are identified as potential supporters to introduce this language in the State Legislature. Secondly, the recommendations become part of the County's policy platform for use in advocacy settings.

For example, in advance of the 2023-2024 California state legislative session, LA County Parks proposed the policy goal of encouraging the California Natural Resources Agency (CNRA) to consider funding restoration of degraded lands as part of conservation funding. As a result, Assemblymember Rendon introduced AB 2285. This bill would *"require state funding agencies, including certain state conservancies and the Wildlife Conservation Board, when programming and awarding funds...to allow for urban nature-based projects on degraded lands to be eligible and competitive for state funds" and "ensure parity in allocations toward urban nature-based investments."*

RECOMMENDATIONS

DTSC Reform

The County's legislative platform should support changes to how the California Department of Toxic Substances Control (DTSC) funds and evaluates brownfield remediation projects. The regulatory framework surrounding environmental cleanup is complex, and DTSC's current procedures are focused almost exclusively on working with industry in a "polluter pays" model, resulting in local governments and non-profit organizations having to upfront costs to remediate brownfields. Furthermore, DTSC's grant processes do not promote meaningful or timely community engagement. In addition, with regard to the remediation of petroleum properties, there is currently no nexus between DTSC's thresholds for evaluating "cleanliness" of decommissioned oil fields and the decommissioning or remediation standards of other oversight agencies, such as California Geologic Energy Management Division (CalGEM), State Water Resources Control Board, and California Air Resources Board. Cross-agency coordination and clarity are needed to ensure that remediation performed by other oversight agencies will ultimately meet DTSC cleanliness standards related to open space and recreational use and/or residential use.

Changes to DTSC funding and evaluation procedures would enable local governments and nonprofits to more effectively clean up and repurpose contaminated sites while engaging communities more meaningfully in the remediation process.

The PNA+ Coalition has endorsed the following policy recommendations.

1. The State should allocate budget funds or prohibit DTSC from charging local governments or non-profit organizations for technical guidance and project support in remediation of brownfields for public benefit.
 - a. Technical guidance and financial support should be provided for local governments or non-profit organizations to investigate and remediate hazardous materials, soil and water contaminants, and air pollution emitters.

2. Support community-based planning by revising DTSC community engagement requirements to require high quality and meaningful community engagement that begins prior to project planning.
3. Align CalGEM, State Water Resources Control Board, and California Air Resources Board's standards related to oil field decommissioning and remediation with DTSC cleanliness thresholds for open space and recreational use and residential use.

State Budget Priorities

The County's legislative platform should support increased and dedicated funding streams from the California Natural Resources Agency and its departments, along with other climate resilience focused agencies. This includes funding for park and open space planning and development, urban forestry, green schoolyards and alleys, nature-based multi-benefit projects, and capacity building efforts. Within these areas, there are also policy changes needed to ensure taxpayer dollars address the needs of frontline communities facing climate change while continuing to meet the biodiversity crisis head on.

CNRA suffers from perpetual budget cuts, affecting early-stage and shovel-ready projects alike. The utilization of bond measure funding – rather than sustained General Fund dollars – limits the continued implementation of a comprehensive urban greening approach. Grantees will frequently finalize grant agreements, only to have their project's grant amounts reduced due to budget cuts. Meanwhile, the intermittent funding streams means many projects get planned, with deep community engagement, but remain unbuilt. For instance, there is currently no dedicated source for green schoolyard projects. Without regular and dependable funding, it is very challenging for agencies and non-profit organizations to plan and prepare for any significant project development dependent on state funding sources. Many of these observations may also be applied to other climate-focused agencies like the Strategic Growth Council, Office of Planning and Research, and more.

The PNA+ Coalition has endorsed the following policy recommendations:

1. Amend conservation grant guidelines to include new criteria that evaluates the impact of new projects on disadvantaged communities and urban areas. This recommendation affects all CNRA departments, including Wildlife Conservation Board (WCB), California Department of Forestry and Fire Protection (CalFire), State Parks, and the State Conservancies. This may include:
 - a. Setting aside funds for or incentivizing via scoring criteria projects located in "Disadvantaged communities" per CalEnviroScreen 4.0 or another state approved index. LA County's Measure A grant guidelines provide an exemplary precedent for this kind of program design.
 - b. Develop new scoring criteria to quantify biodiversity and habitat benefits for projects located in urban areas.
2. Increase the proportion of funding for CNRA's access-focused grant programs.

Other budget and funding focused recommendations include:

 3. Support the allocation of \$1 billion for green schoolyards funding in AB-247 Education finance: school facilities: *Transitional Kindergarten Through Community College Public Education Facilities Bond Act of 2024*.
 4. Using the precedent of the state and federal *Reconnecting Communities* grant program, Caltrans should be required to fund a "restorative justice" grant program. Among other things, this program could fund greenways and active transportation on, or connected to, Caltrans rights-of-way.

Procedural Reforms

Within these funding programs, changing administrative and reimbursement processes can increase procedural equity and support capacity-strapped organizations to succeed.

Some but not all agencies offer a portion of the grant as an advanced payment, creating inconsistencies as organizations operate across multiple funding streams. This inconsistency is also replicated in the grant reporting and reimbursement accounting process. An array of different forms, reporting requirements, and timelines contribute to further organizational instability.

1. Offering advanced payment from grants and contracts, as well as prompt payments on reimbursements, will lessen the financial strain on small non-profit and community-based organizations. Organizations would be able to take on less up-front debt to accept a grant and reduce the interest costs on the debt while waiting for reimbursement.
2. Streamline the reporting and reimbursement processes between State agencies. Unifying the different templates and processes required for reimbursement would support the operation and technical capacity of small organizations.

3. Some portion of grant funding should be unrestricted to support the necessary staff time to complete grant obligations. Indirect costs should be included in every grant funding mechanism to allow project staff dedicated effort for the funded project, as opposed to diluted efforts needed by project staff to raise additional funds during the funded project to cover indirect costs.
4. State funding programs that encourage or require community engagement should allow the costs of certain goods and services that are critical to community engagement activities. Costs include the provision of food (meeting refreshments, meals); child care services; transportation (provided vehicles, reimbursement of travel costs, vouchers for public transit, gas cards); and honoraria for time, especially for Tribal governmental representatives and staff and leadership of small community-based organizations.

Promoting Nature-Based Solutions in MS4 Permitting

The California State Water Resources Control Board administers the Municipal Storm Water Program, which regulates stormwater discharges from municipal separate storm sewer systems (MS4s). MS4 permits require permittees to control the quality of stormwater discharged to storm drains through pollution prevention measures, treatment or removal techniques, monitoring, and other measures. Currently, compliance with MS4 permit requirements typically favors gray infrastructure over nature-based solutions, leading to missed opportunities to develop and implement multi-benefit nature-based solutions that treat stormwater while providing habitat, recreational access, and climate resilience benefits.

Consider changes to the MS4 permitting process to incorporate alternative compliance provisions for nature-based solutions and/or require the use of nature-based solutions, such as requirements for greater stormwater retention on urban projects in multi-use swales or basins with native flood-resilient vegetation.

Amendments to AB-1167

As currently interpreted and implemented by CalGEM, *AB-1167: Oil and gas: acquisition: bonding requirements* (2023) requires any buyer, transferee, or lessee of marginal or inactive wells to file a bond commensurate with the cost of plugging such wells, even if the entity is a non-operator such as a local government agency or non-profit organization. As a result, non-operator entities face a substantial financial barrier to acquiring oil wells and oil fields and preventing such spaces from entering public ownership and potential conversion to open space and recreational areas. Los Angeles County is home to the largest urban oil field in the country; oil fields represent opportunities for open space conversion in densely populated communities historically burdened by pollution from oil drilling. Furthermore, there is a lack of clarity about how non-producing wells, such as injector wells and line wells, are to be viewed with respect to AB-1167. Legislative fixes are needed for this bill to deliver its intended effect and to guard against harmful unintended effects.

Propose specific legislative language edits to AB-1167 to distinguish oil well operators and non-operators; exempt oil well non-operators from bond requirements; provide clarity on non-producing wells; and other edits as needed.