

STAFF REPORT
84

A	Statewide	11/29/17
S	Statewide	S. Pemberton J. Lucchesi

**CONSIDER SUPPORTING A JUNE 5, 2018 STATEWIDE BALLOT MEASURE,
SB 5 (CHAPTER 852, STATUTES OF 2017) CALIFORNIA DROUGHT, WATER,
PARKS, CLIMATE, COASTAL PROTECTION, AND OUTDOOR ACCESS FOR ALL
ACT OF 2018**

SUMMARY:

On October 15, 2017, Governor Edmund G. Brown Jr. signed SB 5 (De Leon), Chapter 852, Statutes of 2017, into law, placing the Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Act of 2018 (Act) on the ballot. The Act, subject to voter approval in the June 5, 2018 statewide primary direct election, proposes to issue \$4 billion in general obligation bonds to finance a drought, water, parks, climate, coastal protection, and outdoor access for all program. The Act would also reallocate \$100 million of the unissued bonds authorized under Propositions 1, 40, and 84 to finance the program that the ballot measure, if passed, would establish.

BACKGROUND AND DISCUSSION:

The Commission's mission is to provide the people of California with effective stewardship of the lands, waterways, and resources entrusted to its care through preservation, restoration, enhancement, responsible economic development, and the promotion of public access. The Commission's vision statement aspires for the Commission to be a recognized leader that champions environmentally sustainable public land management and balanced resource protection for the benefit and enjoyment of all current and future generations of Californians.

Many of the Act's goals and provisions are consistent with the Commission's mission and vision. The Act would provide funding to enhance and protect coastal and ocean resources, and for parks, wildlife, trails, ecological areas, natural resources, and outdoor recreation areas, including creating trail networks that provide access from neighborhoods to parks, wildlife, and recreational opportunities. A central feature of the Act is protecting and restoring lakes, rivers, streams, and the State's diverse ecosystems, as well as coastal and ocean resources. The Act would also, by virtue of these and other investments, help mitigate the effects of climate change and protect California's natural resources for future generations.

STAFF REPORT NO. 84 (CONT'D)

Established in 1938, the Commission manages 4 million acres of tide and submerged lands and the beds of navigable rivers, streams, lakes, bays, estuaries, inlets, and straits. These lands, often referred to as sovereign or Public Trust lands, stretch from the Klamath River and Goose Lake in the north to the Tijuana Estuary in the south, and Lake Tahoe and the Colorado River in the east, and from the Pacific Coast 3 miles offshore in the west to world-famous Lake Tahoe in the east, and includes California's two longest rivers, the Sacramento and San Joaquin. The Commission also monitors sovereign land granted in trust by the California Legislature to approximately 70 local jurisdictions that generally consist of prime waterfront lands and coastal waters. The Commission protects and enhances these lands and natural resources by issuing leases for use or development, providing public access, resolving boundaries between public and private lands, and implementing regulatory programs to protect state waters from oil spills and invasive species introductions. Through its actions, the Commission secures and safeguards the public's access rights to navigable waterways and the coastline and preserves irreplaceable natural habitats for wildlife, vegetation, and biological communities.

Public access is core to the Commission's mission, vision, and statutory duty to manage California's sovereign tide and submerged lands and the beds of navigable rivers, streams, lakes, bays, estuaries, inlets, and straits. A key aspect of the Act is creating and maintaining public access to the lands and resources the Commission manages for the people of California.

The Act also seeks to ameliorate the perennial underinvestment in parks, trails, and outdoor infrastructure in disadvantaged areas and many communities throughout California. Over the past year, staff has reached out to disadvantaged communities in an effort to help ensure that environmental justice concerns are represented in the Commission's decision-making process and that disadvantaged communities' voices are heard. The Act's emphasis on fostering public access to natural resources and recreational amenities for disadvantaged communities aligns with the Commission's efforts to ensure that environmental justice concepts, values, and objectives are reflected in its decision-making process.

Another area where the Act and the Commission's goals and duties are aligned is climate change. The Commission is committed to preparing for climate change, because climate change is one of the biggest, and most daunting, threats to California's iconic and irreplaceable public lands and resources. The Act invests in and expands on California's important work to fight climate change, which is essential at a time when the federal government has withdrawn from the Paris Climate Accord.

STAFF REPORT NO. 84 (CONT'D)

Chapter 7 of the Act is especially beneficial to the lands and resources under the Commission's jurisdiction. Chapter 7 provides funding for projects supporting a comprehensive regional use management plan for the Russian River to reduce conflict and promote water supply improvements, habitat restoration and protection, cooperative public recreation, and commercial activity. It also provides funding for improvements in and around Clear Lake and its watershed that demonstrate a comprehensive local and regional approach to restoration, public recreation, and management of the lake and its surrounding resources and recreation areas. In 1973, the California Legislature granted the submerged lands in Clear Lake to the County of Lake for navigation, commerce, and fishery purposes. The Commission has residual oversight authority over the granted lands. Chapter 7 also prioritizes projects serving disadvantaged communities and projects that include partnerships among federal, state, and local agencies and projects proposed by nonprofit organizations, such as land trusts and grants that may complement a natural community conservation plan.

Chapter 8 of the Act, likewise, is particularly beneficial to the lands and resources under the Commission's jurisdiction. Chapter 8 provides funding for the Salton Sea and for many conservancies responsible for providing and maintaining public lands and providing access to public lands. This chapter also provides funding for the University of California Natural Reserve System for matching grants for acquisition of land, construction and development of research facilities to improve the management of natural lands, for preservation of California's wildlife resources, and to further research related to climate change. Funding would also be available to the Wildlife Conservation Board to, in coordination with the State Lands Commission, acquire an interest in federal public lands that may be proposed for sale or disposal.

Other Chapters in the Act particularly beneficial to the lands and resources under the Commission's jurisdiction are Chapters 9 and 10. Chapter 9 provides funding for ocean, bay, and coastal protection, which is central to the Commission's mission, vision, and public land management duties. This chapter also provides funding for marine protected areas and sustainable fisheries, as well as for lower cost coastal accommodations, which is essential to achieving more equitable public access.

Chapter 10 provides funding for climate change adaptation and sea-level rise preparedness. This includes funding for coastal communities, many of which include granted Public Trust lands where the Commission has residual oversight authority. Some of these communities are required, pursuant to AB 691, Chapter 592, Statutes of 2013, to submit a sea-level rise adaptation strategy assessment to the Commission. The funding the Act provides may assist with this effort and

STAFF REPORT NO. 84 (CONT'D)

with subsequent steps to protect Public Trust lands from the impacts of sea-level rise.

CONCLUSION:

Generally speaking, the Act's purpose and provisions benefit the lands and resources under the Commission's jurisdiction. They also advance many of the Commission's goals and support many of the Commission's statutory responsibilities for the State's Public Trust lands and resources. Staff believes that adoption of the Act will facilitate greater protection and management of the Public Trust lands and resources under the Commission's jurisdiction and will expand, in a more equitable manner, public access to these lands and resources.

STAFF RECOMMENDATION:

Staff believes that the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Act of 2018 benefits the Public Trust lands and resources under the Commission's jurisdiction. Staff thus recommends that the Commission support the June 5, 2018 statewide primary direct election measure, SB 5 (Chapter 852, Statutes of 2017), the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Act of 2018.

RECOMMENDED ACTION:

It is recommended that the Commission:

Support the June 5, 2018 statewide primary direct election ballot measure, SB 5 (Chapter 852, Statutes of 2017), the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Act of 2018.