

Assembly Bill No. 2150

Passed the Assembly August 25, 2014

Chief Clerk of the Assembly

Passed the Senate August 21, 2014

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 2014, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to amend Section 541.5 of, to add Section 535.4 to, and to add Chapter 14 (commencing with Section 5880) to Division 5 of, the Public Resources Code, relating to the Department of Parks and Recreation.

LEGISLATIVE COUNSEL'S DIGEST

AB 2150, Rendon. Department of Parks and Recreation.

(1) Existing law places responsibility of the state park system, which includes all parks, public campgrounds, monument sites, landmark sites, and sites of historical interest established or acquired by the state, with the Department of Parks and Recreation. Existing law requires the department to administer, protect, develop, and interpret the property under its jurisdiction for the use and enjoyment of the public. Existing law authorizes the department to expend all moneys of the department for the care, protection, supervision, extension, and improvement or development of the property under its jurisdiction. Existing law requires the State Park and Recreation Commission to evaluate and assess the department's deferred obligations, as specified.

This bill would state the intent of the Legislature that the department, as a means of increasing convenience to the public and overall park visitation, expedite the use of certain technologies, where feasible, for the purchase of park passes and the payment of day use fees or other park fees. The bill would require the department to identify and develop a priority list of deferred state park maintenance projects, as specified. The bill would require the department to apply specified factors when prioritizing and identifying projects for the deferred maintenance list including, among others, projects that are necessary to prevent a state park from closing and, to the extent feasible and practicable, projects that will increase park access to underserved communities.

This bill would rename the department's Division of External Affairs as the Division of Community Initiatives and Park Access, and would specify that the purposes and objectives of the division include convening and developing strategic partnerships and coalitions to facilitate, promote, and enhance access to, and

relevancy of, state parks for underserved communities. The bill would require, on or before June 30, 2017, the division, in consultation with certain agencies and organizations, to develop a strategic action plan, as specified, for improving park access and relevancy for urban and traditionally underserved populations.

(2) Existing law prohibits the department from closing or proposing to close a state park in the 2012–13 or 2013–14 fiscal year. Existing law provides that this prohibition does not limit or affect the department’s authority to enter into an operating agreement during those fiscal years, as specified.

This bill would extend this prohibition against closing or proposing to close a state park to the 2014–15 fiscal year and would similarly not limit or affect the department’s authority to enter into an operating agreement during that fiscal year, as specified.

The people of the State of California do enact as follows:

SECTION 1. (a) The Legislature finds and declares that various agencies charged with public lands recreation and management have developed systems that enable visitors to purchase and print appropriate passes either in advance through the use of Internet-based secured transactions or onsite through the use of smartphones or other mobile telephone technologies or credit card transactions.

(b) It is the intent of the Legislature that the Department of Parks and Recreation, as a means of increasing convenience to the public and overall park visitation, expedite the use of such technologies, where feasible, for the purchase of park passes and the payment of day use fees or other park fees.

SEC. 2. Section 535.4 is added to the Public Resources Code, to read:

535.4. (a) The department shall identify and develop a priority list of deferred state park maintenance projects. The list shall only include projects for which the initial design, scoping, and planning necessary to develop verifiable project cost estimates have been completed.

(b) In addition to the requirements described in subdivision (a), the department shall apply the following factors when prioritizing and identifying projects for inclusion on the deferred maintenance priority list:

(1) Projects that are necessary to prevent a state park from closing.

(2) Projects that are necessary to avoid violations of state law and potential assessment of regulatory fines against the department, including, but not limited to, projects to address water quality and waste discharge requirements.

(3) Projects that are necessary to address imminent public safety hazards.

(4) Projects that are necessary to maintain revenue or have the potential to increase revenue generation in state parks.

(5) To the extent feasible and practicable, projects that will increase park access to underserved communities.

(6) Projects that are necessary to protect significant natural or cultural resources.

SEC. 3. Section 541.5 of the Public Resources Code is amended to read:

541.5. (a) The department shall not close, or propose to close, a state park in the 2012–13, 2013–14, or 2014–15 fiscal year. The commission and the department shall recommend all necessary steps to establish a sustainable funding strategy for the department to the Legislature on or before January 1, 2015.

(b) There is hereby appropriated twenty million five hundred thousand dollars (\$20,500,000) to the department from the State Parks and Recreation Fund, which shall be available for encumbrance until June 30, 2016, and for liquidation until June 30, 2018, to be expended as follows:

(1) Ten million dollars (\$10,000,000) shall be available to provide for matching funds pursuant to subdivision (c).

(2) Ten million dollars (\$10,000,000) shall be available for the department to direct funds to parks that remain at risk of closure or that will keep parks open during the 2012–13 to 2015–16 fiscal years, inclusive. Priority may be given to parks subject to a donor or operating agreement or other contractual arrangement with the department.

(3) Up to five hundred thousand dollars (\$500,000) shall be available for the department to pay for ongoing audits and investigations as directed by the Joint Legislative Audit Committee, the office of the Attorney General, the Department of Finance, or other state agency.

(c) The department shall match on a dollar-for-dollar basis all financial contributions contributed by a donor pursuant to an agreement for the 2012–13 fiscal year for which the department received funds as of July 31, 2013, and for agreements entered into in the 2013–14 fiscal year. These matching funds shall be used exclusively in the park unit subject to those agreements.

(d) The department shall notify the Joint Legislative Budget Committee in writing not less than 30 days before the expenditure of funds under this section of the funding that shall be expended, the manner of the expenditure, and the recipient of the expenditure.

(e) The prohibition on the closure or proposed closure of a state park in the 2012–13, 2013–14, or 2014–15 fiscal year, pursuant to subdivision (a), does not limit or affect the department’s authority to enter into an operating agreement, pursuant to Section 5080.42, during any of those fiscal years, for purposes of the operation of the entirety of a state park during those fiscal years.

SEC. 4. Chapter 14 (commencing with Section 5880) is added to Division 5 of the Public Resources Code, to read:

CHAPTER 14. DIVISION OF COMMUNITY INITIATIVES AND PARK ACCESS

5880. (a) It is the intent of the Legislature that the department prioritize efforts to expand access to parks in underserved areas by, among other things, convening and developing strategic partnerships and coalitions to facilitate, promote, and enhance access to, and relevancy of, state parks for underserved communities.

(b) The department’s Division of External Affairs is hereby renamed the Division of Community Initiatives and Park Access. The purposes and objectives of the division shall include, but are not limited to, convening and developing strategic partnerships and coalitions to facilitate, promote, and enhance access to, and relevancy of, state parks for underserved communities.

5881. On or before June 30, 2017, the Division of Community Initiatives and Park Access, in consultation with other relevant state and local agencies, nonprofit organizations, schools, public health entities, and community-based organizations, shall develop a strategic action plan for improving park access and relevancy for urban and traditionally underserved populations. The strategic

action plan shall include, but need not be limited to, all of the following:

(a) Identification of one or more pilot projects in underserved regions to test and evaluate best management practices and strategies to enhance park access and to meet the park needs of underserved communities. It is the intent of the Legislature that the pilot projects include engagement of local communities and local park agencies in the planning process and an assessment of park assets and park needs of residents living in the designated underserved region of each pilot project.

(b) Identification and engagement of strategic partners, including, but not necessarily limited to, local, regional, and national park providers, local governments and special districts, other state agencies that serve disadvantaged communities, education and public health entities, and other community-based groups interested in working collaboratively to address the park and open-space needs of residents.

(c) Identification of strategies for developing and implementing partnerships, projects, programs, and other initiatives to facilitate all of the following:

(1) Increased visitation to state parks, particularly visitation by those in underserved communities in park poor areas.

(2) Improved transportation options to existing state parks.

(3) Opportunities for active recreation, multigenerational gatherings, and other culturally relevant amenities.

(d) Identification of partnerships, programs, and other initiatives to address the park and recreational needs of underserved youth and young adults, and to connect youth and young adults with nature and the outdoors, including, but not necessarily limited to, programs such as youth internships that focus on development of leadership skills and provide a pathway for young adults to pursue park-related careers.

(e) Identification of other barriers to state park access and development of strategies and recommendations to remove those barriers.

5882. Notwithstanding any other law, moneys allocated to the department from the State Parks Protection Fund pursuant to Section 18900.3 of the Revenue and Taxation Code, and other nongovernmental funds that may be made available for these purposes, may be used for purposes of implementing this chapter.

Approved _____, 2014

Governor