

ASSEMBLY BILL 18 (KEELEY)

12/7/98

Watershed, Wildlife, and Parks Improvement Bond Act of 2000

\$1.5 Billion to Improve Parks-and Protect Wildlife Areas

I. Department of Parks and Recreation (DPR) \$377,000,000

- | | | |
|----|---|---------------|
| A. | State Parks Projects | \$355,000,000 |
| | 1.Rehabilitate State Park facilities and lands | |
| | 2.Develop park facilities, trails and interpretive facilities | |
| | 3.Acquire lands that are adjacent to or in the immediate vicinity of existing State Park properties | |
| B. | Natural & Cultural Resource Stewardship Projects | \$18,000,000 |
| C. | Volunteer Facility Projects | \$4,000,000 |

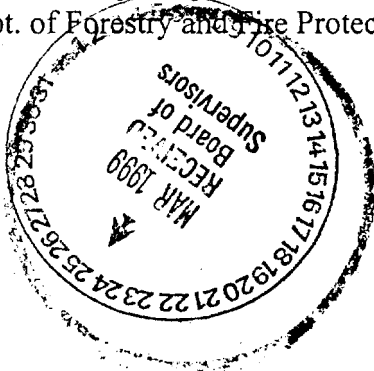
II II. DPR Grants to Local Agencies \$540,000,000

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|----|--|---------------|
| A. | Grants to cities, counties and park districts based on population | \$275,000,000 |
| B. | Grants to cities, counties and park districts under the Roberti-Z'Berg-Harris Program Urban Open-Space | \$167,500,000 |
| C. | State Park Facilities administered by local agencies | \$20,000,000 |
| D. | California Heritage Fund | \$30,000,000 |
| E. | Lake, river, and reservoirs access | \$1 0,000,000 |
| F. | Non-motorized trail projects | \$1 0,000,000 |
| G. | Zoos, museums, aquariums, and wildlife education | \$20,000,000 |
| H. | Regional youth soccer facilities | \$7,500,000 |

III. California Conservation Corps \$5,500,000

- | | |
|--|-------------|
| Local Conservation Corps capital outlay projects | \$2,500,000 |
| State Conservation Corps projects | \$3,000,000 |

IV. Wildlife Conservation Board	<u>\$245,000,000</u>
A. Wetlands	\$10,000,000
Central Valley Habitat Joint Venture (\$5,000,000)	
Wetlands outside of the Central Valley (\$5,000,000)	
B. Riparian and watershed lands	\$1 0,000,000
C. Threatened & endangered species	\$40,000,000
D. Ancient redwoods and oak woodlands	\$5,000,000
E. Wildlife Conservation Partnership Projects (Habitat projects involving matching funds)	\$180,000,000
V. Department of Fish & Game	<u>\$10,000,000</u>
A. Waterfowl habitat projects	\$5,000,000
B. Wildlife area improvement projects	\$5,000,000
VI. Tahoe Conservancy	<u>\$50,000,000</u>
VII. State Coastal Conservancy	<u>\$200,000,000</u>
A. San Francisco Bay Area projects	\$25,000,000
B. Coastal areas and watersheds	\$175,000,000
VIII. Santa Monica Mountains Conservancy	<u>\$45,000,000</u>
A. Park, wildlife & natural area projects	\$25,000,000
B. Los Angeles and San Gabriel Rivers	\$20,000,000
IX. Coachella Valley Mountains Conservancy	<u>\$5,000,000</u>
X. San Joaquin River Conservancy	<u>\$7,500,000</u>
XI. Agricultural Land Conservation Projects (Department of Conservation)	<u>\$5,000,000</u>
XII. Urban Forestry Projects (Dept. of Forestry and Fire Protection)	<u>\$10,000,000</u>



AMENDED IN ASSEMBLY MARCH 23, 1999

CALIFORNIA LEGISLATURE—1999–2000 REGULAR SESSION

ASSEMBLY BILL

No. 18

Introduced by Assembly ~~Member Keeley~~ Members
Villaraigosa and Keeley

(Principal coauthor: Assembly Member Shelley)

(Coauthors: Assembly Members Alquist, Aroner, Calderon, Cardoza, Cedillo, Cunneen, Dutra, Firebaugh, Gallegos, Hertzberg, Honda, Jackson, Kuehl, Lempert, Longville, Lowenthal, Mazzoni, Migden, Reyes, Romero, Scott, Soto, Steinberg, Strom-Martin, Thomson, Torlakson, Wesson, Wiggins, and Wildman)

December 7, 1998

An act to add Chapter 1.692 (commencing with Section 5096.300) to Division 5 of the Public Resources Code, relating to financing a program for the acquisition, development, improvement, rehabilitation, restoration, enhancement, and protection of park, recreational, cultural, historical, fish and wildlife, lake, riparian, reservoir, and coastal resources, by providing the funds necessary therefor through the issuance and sale of bonds of the State of California and by providing for the handling and disposition of those funds, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 18, as amended, ~~Keeley~~ Villaraigosa. Parks, water, and resources improvement: bond act.

(1) 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 Watershed~~^{x 7} : - ~~Improvement~~ *Villaraigosa-Keeley Urban Parks, Clean Water, and Coastal Protection* Bond Act of 2000 which, if adopted, would authorize, for the purpose of financing a program for the acquisition, development, improvement, rehabilitation, restoration, enhancement, and protection of park, recreational, cultural, historical, fish and wildlife, lake, riparian, reservoir, river, and coastal resources, as specified, the issuance, pursuant to the State General Obligation Bond Law, of bonds in the amount of \$1,500,000,000.

(2) The bill would require the Secretary of State to submit the bond act to the voters at the March 7, 2000, statewide general election.

(3) The bill would declare that it is to take effect immediately as an urgency statute.

Vote: 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 1.692 (commencing with Section 5096.300) is added to Division 5 of the Public Resources Code, to read:

~~CHAPTER 1.692. WATERSHED, WILDLIFE, AND PARKS
IMPROVEMENT BOND ACT OF 2000~~

~~Article 1. General Provisions~~

~~5096.300. This chapter shall be known, and may be cited, as the Watershed, Wildlife, and Parks Improvement Bond Act of 2000.~~

~~5096.301. The Legislature urgently recommends and respectfully requests that the people of California approve the Watershed, Wildlife, and Parks Improvement Bond Act of 2000, as set forth in this~~

1 ~~chapter. This chapter, among other things, addresses the~~
2 ~~critical need for park, recreation, and conservation area~~
3 ~~and facility funding by authorizing the sale of general~~
4 ~~obligation bonds that must be used judiciously for the~~
5 ~~purposes of this chapter.~~

6 ~~5096.302. The Legislature hereby finds and declares~~
7 ~~all of the following:~~

8 ~~(a) Californians are very proud of the excellent system~~
9 ~~of local, regional, and state parks that they have~~
10 ~~established, providing places for families to enjoy quality~~
11 ~~time together and enjoy our state's rich outdoor~~
12 ~~experiences.~~

13 ~~(b) Parks and scenic areas are essential to maintaining~~
14 ~~strong communities, improving the quality of life for~~
15 ~~California's residents, protecting our natural and cultural~~
16 ~~resources, and attracting visitors who contribute to the~~
17 ~~state's vibrant tourism economy.~~

18 ~~(c) For more than 60 years, generations of Californians~~
19 ~~have taken the responsibility to invest in our proud~~
20 ~~system of state, regional, and local parks by establishing~~
21 ~~excellent recreational and scenic facilities.~~

22 ~~(d) In recent years, budgetary and economic concerns~~
23 ~~have prevented Californians from protecting these~~
24 ~~critical investments and providing for our state's growing~~
25 ~~needs, resulting in disrepair and overcrowding of many~~
26 ~~park facilities.~~

27 ~~(e) By taking responsibility today to protect our~~
28 ~~investments, we can repair and improve our parks and~~
29 ~~recreation and conservation areas and facilities to make~~
30 ~~sure that families have safe places to enjoy and that~~
31 ~~tourists will continue to enrich our economy by visiting~~
32 ~~those areas and facilities.~~

33 ~~(f) As homeowners and business persons well~~
34 ~~understand, we can save money in the long run by~~
35 ~~making the necessary investments today to repair park~~
36 ~~and recreational facilities, thereby avoiding more~~
37 ~~expensive repairs than will be necessary if those facilities~~
38 ~~continue to degrade.~~

39 ~~(g) Our park and recreational and conservation areas~~
40 ~~and facilities are also an investment in establishing a~~

1 ~~healthier future for our youth. Not only can we help our~~
2 ~~local communities establish safer places for our children~~
3 ~~to play, but we can help instill a sense of responsibility and~~
4 ~~improve job skills by putting our youth to work improving~~
5 ~~our park and recreational and conservation areas and~~
6 ~~facilities.~~

7 ~~(h) There is a great need to make reasonable and~~
8 ~~cost-effective investments in our park and recreation and~~
9 ~~conservation areas, with emphasis on the following:~~

10 ~~(1) Making our parks safer.~~

11 ~~(2) Preparing and restoring wornout and damaged~~
12 ~~park and open-space facilities.~~

13 ~~(3) Providing Californians with greater access to enjoy~~
14 ~~park and recreational and conservation facilities by~~
15 ~~building and improving such facilities as restrooms,~~
16 ~~campgrounds, and trails.~~

17 ~~(4) Protecting scenic, conservation, historical, and~~
18 ~~archaeological resources, and water quality.~~

19 ~~(5) Taking the responsibility now to meet California's~~
20 ~~growing needs so that current and future generations~~
21 ~~have adequate park and recreational and conservation~~
22 ~~facilities to enjoy.~~

23 ~~(6) Promoting job opportunities that provide our~~
24 ~~youth with healthy alternatives to drugs, gangs, and other~~
25 ~~forms of delinquency.~~

26 ~~5096.303. The Legislature further finds and declares~~
27 ~~all of the following:~~

28 ~~(a) California's economy is significantly based on its~~
29 ~~natural and cultural resources. Protection of the~~
30 ~~environment is critical for California's tourism,~~
31 ~~recreation, and commercial fishing industries.~~

32 ~~(b) Modest but strategic investment in natural~~
33 ~~resource enhancement and restoration can help ensure~~
34 ~~that all of those industries will continue to contribute to~~
35 ~~the state's resurgent, vibrant economy. This investment~~
36 ~~should protect the natural, cultural, and scenic values of~~
37 ~~the state's most popular tourist areas and areas where~~
38 ~~tourism may flourish in the next decades, and develop~~
39 ~~public facilities, concessions, and partnerships to promote~~

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1 ~~local economic development in conjunction with tourism~~
2 ~~and other resource-dependent industries.~~

3 ~~(c) For over 60 years, the people of California have~~
4 ~~funded park and recreation improvements and natural~~
5 ~~and cultural resource conservation projects through the~~
6 ~~sale of general obligation bonds. Saving resources and~~
7 ~~building facilities is an obligation that must be fulfilled~~
8 ~~now to ensure that future generations can appreciate the~~
9 ~~natural beauty of this most unique and diverse state.~~
10 ~~Playgrounds and parks, clean air and water, historic,~~
11 ~~cultural, and archaeological preserves, beaches, forest,~~
12 ~~and conservation areas funded by bond acts last for many~~
13 ~~generations.~~

14 ~~5096.304. The Legislature hereby finds and declares~~
15 ~~that it is the policy of this state to provide needed local~~
16 ~~financial assistance for the development, expansion,~~
17 ~~restoration, and increased utilization of neighborhood~~
18 ~~parks and recreational facilities.~~

19 ~~5096.305. The Legislature further finds and declares~~
20 ~~that it is the responsibility of this state to do all of the~~
21 ~~following:~~

22 ~~(a) Provide and assist in the development of essential~~
23 ~~state and local parks and recreational facilities for the use~~
24 ~~of all citizens of California and visitors to the state, and to~~
25 ~~provide for the protection and preservation of essential~~
26 ~~park and recreational resources and historical resources.~~

27 ~~(b) Utilize the issuance of bonds under this chapter to~~
28 ~~develop, expand, restore, and increase the utilization of~~
29 ~~existing state and local park and recreational facilities and~~
30 ~~other public resources.~~

31 ~~(c) Recognize that recreation and tourism, with state~~
32 ~~and local public parks and natural lands and facilities~~
33 ~~serving as key infrastructure, are the foundation for a~~
34 ~~multibillion dollar industry in California. An investment~~
35 ~~in maintaining that infrastructure also enhances~~
36 ~~opportunities for new and continuous employment and~~
37 ~~economic growth throughout the state. Improving the~~
38 ~~development of, and access to, existing properties~~
39 ~~increases the recreational opportunities for the citizens of~~
40 ~~California.~~

~~(d) Recognize the need to invest in and support infrastructure development designed to provide facilities for youth enrichment and the prevention of youth crime and patterns of delinquency.~~

~~(e) Recognize that investing in the infrastructure of parks improves the quality of neighborhoods and, thus, benefits the quality of life for the residents of those neighborhoods.~~

~~(f) Recognize the need to invest in and support the employment of qualified at-risk youth for the improvement and maintenance of state and local parks through the use of the California Conservation Corps and certified local community conservation corps.~~

~~(g) Recognize that improving the development and restoration of, and access to, publicly owned properties increases the recreational opportunities for the citizens of California.~~

CHAPTER 1.692. VILLARAIGOSA-KEELEY URBAN PARKS,
CLEAN WATER, AND COASTAL PROTECTION BOND ACT OF
2000

Article 1. General Provisions

5096.300. This chapter shall be known, and may be cited, as the Villaraigosa-Keeley Urban Parks, Clean Water, and Coastal Protection Bond Act of 2000.

5096.301. Responding to the recreational and open-space needs of a growing population and expanding urban communities, this act will revive state stewardship of natural resources by investing in urban parks and state parks, clean water protection, and coastal beaches and scenic areas.

5096.302. The Legislature finds and declares all of the following:

(a) Historically, California's local and urban parks often serve as the recreational, social, and cultural centers for cities and communities, providing venues for youth enrichment, senior activities, and family recreation.

(b) Urban and state parks provide safe places to play in the urban neighborhoods, splendid scenic landscapes, exceptional experiences, and world-recognized recreational opportunities, and in so doing, are vital to California's quality **of** life and economy.

(c) For over a decade, the state's commitment to parks and natural resources has dwindled. California has not kept pace with the needed funding to adequately manage and maintain its multibillion dollar investment in local, urban, and state parks and natural areas resulting in disrepair and overcrowding **of** many park facilities and the degradation **of** wildlands.

(d) The magnificent Pacific Coast, outstanding mountain ranges, and unique scenic regions are the source **of** tremendous economic opportunity and contribute enormously to the quality **of** life **of** Californians.

(e) Continued economic success and enjoyment derived from California's natural resources depends on maintaining clean **water**, healthy ecosystems, and expanding public access **for a** growing state.

(f) The backlog **of** needs **for** repair and maintenance **of** local and urban parks exceeds \$2.5 billion and the need **for** maintenance **of** state parks exceeds \$2 billion. The state's conservancies and wildlife agencies report a need **for** habitat acquisition and restoration exceeding \$1.8 billion.

(g) This act will begin to address these critical urban park and natural resources needs.

5096.306. (a) It is the intent of the Legislature to strongly encourage every state or local government agency receiving the bond funds allocated pursuant to this chapter for an activity to give full and proper consideration to the use of recycled and reusable products whenever possible with regard to carrying out that activity.

(b) It is the further intent of the Legislature that no land shall be acquired for purposes of this chapter except from a willing seller of the land.

1 5096.307. Every proposed activity to be funded
2 pursuant to this chapter shall be in compliance with the
3 California Environmental Quality Act (Division 13
4 (commencing with Section 21000)).

5 5096.308. As used in this chapter, the following terms
6 have the following meaning:

7 (a) "Acquisition" means the acquisition from a willing
8 seller of a fee interest or any other interest, including
9 easements and development rights, in real property from
10 a willing seller.

11 (b) "Board" means the Secretary of the Resources
12 Agency designated in accordance with subdivision (b) of
13 Section 5096.362.

14 (c) "Certified local community conservation corps
15 programs" means programs operated by public or private
16 nonprofit agencies pursuant to Section 14406.

17 (d) "Commission" means the State Parks and
18 Recreation Commission.

19 ~~(e) "Committee" means the Watershed, Wildlife, and~~
20 ~~Parks Improvement Program Finance Committee~~

21 (e) "Committee" means the Villaraigosa-Keeley
22 Urban Parks, Clean Water, and Coastal Protection
23 Finance Committee created pursuant to subdivision (a)
24 of Section 5096.362.

25 (f) "District" means any regional park district,
26 regional park and open-space district, or regional
27 open-space district formed pursuant to Article 3
28 (commencing with Section 5500) of Chapter 3, any
29 recreation and park district formed pursuant to Chapter
30 4 (commencing with Section 5780), or an authority
31 formed pursuant to Division 26 (commencing with
32 Section 35100). With respect to any community or
33 unincorporated region that is not included within a
34 district, and in which no city or county provides parks or
35 recreational areas or facilities, "district" also means any
36 other district that is authorized by statute to operate and
37 manage parks or recreational areas or facilities, employs
38 a full-time park and recreation director, offers year-round
39 park and recreation services on lands and facilities owned
40 by the district, and allocates a substantial portion of its

annual operating budget to parks or recreation areas or facilities.

~~(g) "Fund" means the Watershed, Wildlife, and Parks Improvement Bond Fund created pursuant to Section~~

(g) "Fund" means the Villaraigosa-Keeley Urban Parks, Clean Water, and Coastal Protection Bond Fund created pursuant to Section 5096.3 10.

(h) "Historical resource" includes, but is not limited to, any building, structure, site area, place, artifact, or collection of artifacts that is historically or archaeologically significant in the cultural annals of California.

~~(i) "Program" means the Watershed, Wildlife, and Parks Improvement Program established pursuant to this~~

(i) "Program" means the Villaraigosa-Keeley Urban Parks, Clean Water, and Coastal Protection Program established pursuant to this chapter.

(j) "Secretary" means the Secretary of the Resources Agency.

(k) (1) "Stewardship" means the development and implementation of projects for the protection, preservation, rehabilitation, restoration, and improvement of natural systems and outstanding features of the state park system and historical and cultural resources. Those efforts may not include activities that merely supplement normal park operations or that are usually funded from other sources.

(2) (A) "Cultural resources stewardship" may include, but is not limited to, stabilization and protection of historical resources, including archaeological resources, in the state park system. Those resources may include sites, features, ruins, archaeological deposits, historical landscape resources, rock art features, and artifacts making up the physical legacy of California's past.

(B) "Cultural resources stewardship" does not include the rehabilitation, restoration, reconstruction, interpretation, or mitigation of historical resources typically required as part of a development program.

(3) "Natural resources stewardship" may include, but is not limited to, such objectives as the control of major erosion and geologic hazards, the restoration and improvement of critical plant and animal habitat, the control and elimination of exotic species encroachment, the stabilization of coastal dunes and bluffs, and the planning necessary to implement those objectives.

(I) "Wildlife conservation partnership" means a cooperative acquisition, restoration, or management of wildlife habitat for which the Wildlife Conservation Board provides matching funds to leverage other public, private, or nonprofit resources to maximize the conservation benefits to wildlife and wildlife habitat.

~~Article 2. Watershed, Wildlife, and Parks
Improvement Program~~

*Article 2. Villaraigosa-Keeley Urban Parks, Clean
Water, and Coastal Protection Program*

5096.3 10. The proceeds of bonds issued and sold pursuant to this chapter shall be deposited in the ~~Watershed, Wildlife, and Parks Improvement Bond~~ *Villaraigosa-Keeley Urban Parks, Clean Water, and Coastal Protection Bond* Fund, which is hereby created. Unless otherwise specified and except as provided in subdivision (I), the money in the fund shall be available for appropriation by the Legislature, in the manner set forth in this chapter, only for parks and resources improvement and administrative costs allocable to the bond funded projects, in accordance with the following schedule:

~~(a) The sum of three hundred fifty-five million dollars (\$355,000,000)~~

(a) The sum of three hundred million dollars (\$300,000,000) to the department for the following purposes:

1 (1) To rehabilitate units of the state park system that
2 will ensure that state park system lands and facilities will
3 remain open and accessible for public use.

4 (2) To develop facilities and trails at existing units of
5 the state park system that will provide for optimal
6 recreational and educational use, activities, improved
7 access and safety, and the acquisition from a willing seller
8 of inholdings and adjacent lands. Adjacent lands are lands
9 contiguous to, or in the immediate vicinity of, existing
10 state park system lands and that directly benefit an
11 existing state park system unit.

12 (3) For stewardship of the public investment in the
13 preservation of the critical natural heritage and scenic
14 features, and cultural heritage stewardship projects that
15 will preserve vanishing remnants of California's
16 landscape, and protect and promote a greater
17 understanding of California's past, and the planning
18 necessary to implement those efforts.

19 (4) For facilities and improvements to enhance
20 volunteer participation in the state park system.

21 (5) To develop, improve, and expand interpretive
22 facilities at units of the state park system, including
23 educational exhibits and visitor orientation centers.

24 (6) To rehabilitate and repair aging facilities at winter
25 recreation facilities pursuant to the Sno-Park program, as
26 provided for in Chapter 1.27 (commencing with Section
27 5091.01), that provide for improved public safety.

28 (b) The sum of eighteen million dollars (\$18,000,000)
29 to the department to undertake stewardship projects,
30 including cultural resources stewardship and natural
31 resources stewardship projects, that will restore and
32 protect the natural treasures of the state park system,
33 preserve vanishing remnants of California's landscape,
34 and protect and promote a greater understanding of
35 California's past.

36 (c) The sum of four million dollars (\$4,000,000) to the
37 department for facilities and improvements to enhance
38 volunteer participation in the state park system.

39 (d) The sum of twenty million dollars (\$20,000,000) to
40 the department for grants to local agencies administering

1 units of the state park system under an operating
2 agreement with the department, for the development,
3 improvement, rehabilitation, restoration, enhancement,
4 protection, and interpretation of lands and facilities of,
5 and improved access to, those locally operated units.

6 ~~(e) The sum of thirty million dollars (\$30,000,000) to~~

7 *(e) The sum of ten million dollars (\$10,000,000) to the*
8 California Heritage Fund, created pursuant to Section
9 5079.10, for competitive grants, in accordance with
10 Section 5096.335.

11 ~~(f) The sum of two hundred seventy five million~~
12 ~~dollars (\$275,000,000)~~

13 *(f) The sum of three hundred fifty million dollars*
14 *(\$350,000,000) to the department for grants, in*
15 *accordance with Sections 5096.332, 5096.333, and*
16 *5096.336, on the basis of population, for the acquisition,*
17 *development, improvement, rehabilitation, restoration,*
18 *enhancement, and interpretation of local park and*
19 *recreational lands and facilities.*

20 ~~(g) The sum of one hundred sixty seven million five~~
21 ~~hundred thousand dollars (\$167,500,000) to the~~

22 *(g) The sum of two hundred fifty million dollars*
23 *(\$250,000,000) to the department for grants to cities,*
24 *counties, and districts for the acquisition, development,*
25 *rehabilitation, and restoration of park and recreation*
26 *areas and facilities pursuant to the Roberti-Z'berg-Harris*
27 *Urban Open-Space and Recreational Program Act*
28 *(Chapter 3.2 (commencing with Section 5620)).*

29 *(h) The sum of ten million dollars (\$10,000,000) to the*
30 *department for grants, in accordance with Section*
31 *5096.337, for the development, improvement,*
32 *rehabilitation, restoration, and enhancement of public*
33 *access to lakes, rivers, and reservoirs, and facilities related*
34 *thereto, to provide recreational opportunities, and for*
35 *purposes of Section 7048 of the Water Code.*

36 *(i) The sum of ten million dollars (\$10,000,000) to the*
37 *department for grants, in accordance with Section*
38 *5096.337, for the development, improvement,*
39 *rehabilitation, restoration, enhancement, and*
40 *interpretation of nonmotorized trails for the purpose of*

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1 increasing public access to, and enjoyment of, existing
2 public areas for increased recreational opportunities.

3 ~~(j) The sum of three million dollars (\$3,000,000) to the~~

4 *(j) The sum of two million five hundred thousand*
5 *dollars (\$2,500,000) to the California Conservation Corps*
6 *to complete capital outlay and resource conservation*
7 *projects and administrative costs allocable to the bond*
8 *funded projects.*

9 ~~(k) The sum of twenty-seven million five hundred~~
10 ~~thousand dollars (\$27,500,000) to the department for the~~
11 ~~following purposes:~~

12 ~~(1) The sum of twenty million dollars (\$20,000,000) for~~

13 *(k) The sum of forty-five million' five hundred*
14 *thousand dollars (\$45,500,000) to the department for the*
15 *following purposes:*

16 *(1) The sum of thirty-eight million dollars*
17 *(\$38,000,000) for grants, in accordance with Sections*
18 *5096.339 and 5096.340, for urban recreational and cultural*
19 *centers, including, but not limited to, zoos, museums,*
20 *aquariums, and facilities for wildlife education.*

21 *(2) The sum of seven million five hundred thousand*
22 *dollars (\$7,500,000) for grants for regional youth soccer*
23 *facilities operated by nonprofit organizations. Priority*
24 *shall be given to those grant projects that utilize existing*
25 *school facilities or recreation facilities and serve*
26 *disadvantaged youth.*

27 *(l) Notwithstanding Section 13340 of the Government*
28 ~~*Code, the sum of two hundred forty-five million dollars*~~
29 ~~*(\$245,000,000) Code, the sum of one hundred forty-seven*~~
30 ~~*million five hundred thousand dollars (\$147,500,000) is*~~
31 *hereby continuously appropriated to the Wildlife*
32 *Conservation Board, without regard to fiscal years, in*
33 *accordance with Section 5096.350.*

34 *(m) The sum of fifty million dollars (\$50,000,000) to*
35 *the California Tahoe Conservancy, in accordance with*
36 *Section 5096.35 1.*

37 *(n) The sum of two hundred million dollars*
38 *(\$200,000,000) to the State Coastal Conservancy, in*
39 *accordance with Section 5096.352.*

(o) The sum of forty-five million dollars (\$45,000,000) to the Santa Monica Mountains Conservancy, in accordance with Section 5096.353.

~~(p) The sum of five million dollars (\$5,000,000) to the~~

(p) *The sum of two million five hundred thousand dollars (\$2,500,000) to the Coachella Valley Mountains Conservancy, in accordance with Section 5096.354.*

(q) The sum of seven million five hundred thousand dollars (\$7,500,000) to the San Joaquin River Conservancy, in accordance with Section 5096.355.

(r) The sum of two million five hundred thousand dollars (\$2,500,000) to the California Conservation Corps for grants for the certified local community conservation corps program to complete capital outlay and resource conservation projects.

(s) The sum of five million dollars (\$5,000,000) to the Department of Conservation in accordance with Section 5096.356.

(t) The sum of ten million dollars (\$10,000,000) to the Department of Forestry and Fire Protection for urban forestry programs in accordance with Section 4799.12. The grants made pursuant to this subdivision shall be for costs associated with the purchase and planting of trees, and up to three years of care which ensures the long-term viability of those trees. Not more than 5 percent of these funds may be used for related administrative costs.

(u) The sum of ten million dollars (\$10,000,000) to the Department of Fish and Game for the following purposes:

(1) The sum of five million dollars (\$5,000,000) for expenditure in accordance with subdivision (a) of Section 5096.357.

(2) The sum of five million dollars (\$5,000,000) for expenditure in accordance with subdivision (b) of Section 5096.357.

Article 3. State Park System Program

5096.320. The Legislature hereby recognizes that public financial resources are inadequate to meet all capital outlay needs of the state park system and that the

1 need for the acquisition, development, restoration,
2 rehabilitation, improvement, and protection of state park
3 system lands and facilities has increased to the point that
4 their continued well-being and the realization of their full
5 public benefit is ~~jeopardized~~ *in jeopardy*.

6 5096.321. (a) Any Member of the Legislature, the
7 commission, or the secretary may nominate any state
8 park system project for funding under this chapter, for
9 study by the department. The commission shall nominate
10 projects only after holding at least one public hearing to
11 seek project proposals from individuals, citizen groups,
12 the department, and other public agencies. The
13 commission shall make those nominations by majority
14 vote of its members.

15 (b) The department shall study any state park system
16 project nominated pursuant to subdivision (a). The
17 department shall annually submit to the Legislature and
18 to the secretary a report, consisting of a prioritized listing
19 and comparative evaluation of those nominated projects,
20 in accordance with the following schedule:

21 (1) Not later than March 1, 2001, for state park system
22 projects nominated prior to January 1, 2001.

23 (2) Not later than November 1, 2001, for state park
24 system projects nominated after January 1, 2001, but prior
25 to June 30, 2001.

26 (3) Not later than November 1, 2002, and not later than
27 each November 1 thereafter, for state park system
28 projects nominated during the 12 months ending June 30,
29 2002, and each June 30 thereafter.

30 (c) Nominated state park system projects shall be
31 subject to approval by the secretary and approved
32 projects shall be forwarded by the secretary to the
33 Director of Finance for inclusion in the Budget Bill.

34
35 Article 4. Grant Program
36

37 5096.33 1. The Legislature hereby recognizes that
38 public financial resources are inadequate to meet all of
39 the funding needs of local public park and recreation
40 providers and that there is an urgent need for safe, open,

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1 and accessible local park and recreational facilities and
2 for the increased recreational opportunities that provide
3 positive alternatives to social problems. Accordingly, it is
4 declared to be the policy of this state that the funds
5 allocated pursuant to subdivisions (f) and (g) of Section
6 5096.310 to local agencies shall be appropriated primarily
7 for projects that accomplish all of the following:

8 (a) Rehabilitate facilities at existing local parks that
9 will provide for more efficient management and reduced
10 operational costs.

11 (b) Develop facilities that promote positive
12 alternatives for youth and that promote cooperation
13 between local park and recreation service providers and
14 youth-serving nonprofit organizations.

15 (c) Promote family oriented recreation activities.

16 (d) Provide for open, safe, and accessible local park
17 lands and facilities.

18 5096.332. (a) (1) Sixty percent of the total funds
19 available for grants pursuant to subdivision (f) of Section
20 5096.310 shall be allocated to cities and to districts other
21 than a regional park district, regional park and
22 open-space district, or regional open-space district. Each
23 city's and district's allocation shall be in the same ratio as
24 the city's or district's population is to the combined total
25 of the state's population that is included in incorporated
26 areas and unincorporated areas within the district, except
27 that each city or district shall be entitled to a minimum
28 allocation of twenty thousand dollars (\$20,000). In any
29 instance in which the boundary of a city overlaps the
30 boundary of such a district, the population in the area of
31 overlapping jurisdictions shall be attributed to each
32 jurisdiction in proportion to the extent to which each
33 operates and manages parks and recreational areas and
34 facilities for that population. In any instance in which the
35 boundary of a city overlaps the boundary of such a
36 district, and in the area of overlap the city does not
37 operate and manage parks and recreational areas and
38 facilities, all grant funds shall be allocated to the district.

39 (2) *One-half of the total amount of funds allocated*
40 *pursuant to paragraph (1) shall be used for local parks.*

(b) Each city and each district subject to subdivision (a) whose boundaries overlap shall develop a specific plan for allocating the grant funds in accordance with the formula specified in subdivision (a). If, by April 1, 2001, the plan has not been agreed to by the city and district and submitted to the department, the director shall determine the allocation of the grant funds among the affected jurisdictions.

5096.333. (a) Forty percent of the total funds available for grants pursuant to subdivision (f) of Section 5096.310 shall be allocated to counties and regional park districts, regional park and open-space districts, or regional open-space districts formed pursuant to Article 3 (commencing with Section 5500) of Chapter 3.

(b) Each county's allocation under subdivision (a) shall be in the same ratio as the county's population, except that each county shall be entitled to a minimum allocation of one hundred thousand dollars (\$100,000).

(c) In any county that embraces all or part of the territory of a regional park district, regional park and open-space district, or regional open-space district, whose board of directors is not the county board of supervisors, the amount allocated the county shall be apportioned between that district and the county in proportion to the population of the county that is included within the territory of the district and the population of the county that is outside the territory of the district.

(d) In any county that currently embraces all or a part of the territory of a regional open-space district and an authority formed pursuant to Division 26 (commencing with Section 35100), the allocation shall be distributed between the county and these entities as follows:

(1) First, the funds shall be apportioned between the district and the county in proportion to the population of the county that is included within the territory of the district, and the proportion of the population of the county that is outside the district. The amounts resulting from this calculation shall be known as the district's share, and the county's first balance. The district's share shall be

1 allocated to the district. The county's first balance shall be
2 further apportioned as provided in paragraph (2).

3 (2) The county's first balance, as determined in
4 accordance with paragraph (1), shall be further
5 apportioned between the authority and the county in
6 proportion to the population of the county that is
7 included within the territory of the authority, and the
8 proportion of the population of the county that is outside
9 the authority. The amounts resulting from this calculation
10 shall be known as the authority's share, and the county's
11 second balance.

12 (3) The authority's share shall be divided equally
13 between the county and the authority. The county shall
14 receive all of the county's second balance.

15 5096.334. Of the funds allocated on the basis of
16 population, pursuant to subdivision (f) of Section
17 5096.310, within counties with a population of five million
18 persons or more, not less than ~~44~~70 percent of the total
19 amount shall be available as follows:

20 (a) Not less than J-4-20 percent for land acquisition,
21 construction, development, and rehabilitation of at-risk
22 youth recreation facilities. As used in this section, "at-risk
23 youth" means persons who have not attained the age of
24 21 years and are at high risk of being involved in, or are
25 involved in, one or more of the following: gangs, juvenile
26 delinquency, criminal activity, substance abuse,
27 adolescent pregnancy, or school failure or dropout.

28 (b) Not less than ~~27~~40 percent for projects within the
29 most economically disadvantaged areas, which may
30 include projects along river parkways, conservation
31 corridors, and parkways along corridors of economic
32 significance. *Priority shall be given to urban river*
33 *parkway habitat enhancement projects, wetland*
34 *restoration, nonstructural erosion control, and watershed*
35 *pollution prevention projects where joint powers*
36 *agreements provide for effective management,*
37 *restoration, and protection of the river corridor in its*
38 *natural state.*

39 (c) Not less than ~~3~~10 percent for urban reforestation
40 projects.

1 5096.335. Funds authorized pursuant to subdivision
2 (e) of Section 5096.310 shall be administered by the State
3 Office of Historic Preservation and shall be available as
4 grants, on a competitive basis, to cities, counties, districts,
5 local agencies formed for park purposes pursuant to a
6 joint powers agreement between two or more local
7 entities, and nonprofit organizations for the acquisition,
8 development, rehabilitation, restoration, and
9 interpretation of historical resources. The amount of each
10 grant shall not exceed one million dollars (\$1,000,000).

11 5096.336. Funds authorized pursuant to subdivision
12 (f) of Section 5096.310 shall be available for grants to
13 cities, counties, and districts on the basis of their
14 populations, as determined by the department in
15 cooperation with the Department of Finance, on the basis
16 of the most recent verifiable census data and other
17 population data that the department may require to be
18 furnished by the applicant city, county, or district.

19 5096.337. (a) Funds authorized pursuant to
20 subdivisions (h) and (i) of Section 5096.310 shall be
21 available as grants, on a competitive basis, to cities,
22 counties, districts, local agencies formed for park
23 purposes pursuant to a joint powers agreement as defined
24 in subdivision (b), and other districts, as defined in
25 subdivision (c).

26 (b) For purposes of this section, "local agency" means
27 any local agency formed for park purposes pursuant to a
28 joint powers agreement between two or more local
29 entities.

30 (c) For purposes of this section, "other districts"
31 include any district authorized to provide park,
32 recreational, or open-space services, or a combination of
33 those services, except a school district.

34 5096.339. Not less than 50 percent of the funds
35 authorized in paragraph (1) of subdivision (k) of Section
36 5096.310 shall be available as grants administered by the
37 department to cities, counties, and nonprofit
38 organizations for the development, rehabilitation, or
39 restoration of facilities accredited by the American Zoo
40 and Aquarium Association (AZA) and operated by cities,

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1 counties, and nonprofit organizations, and to cities,
2 counties, and nonprofit organizations for the
3 development, rehabilitation, or restoration of zoos and
4 aquariums operated by cities, counties, and nonprofit
5 organizations, but not yet accredited by the AZA. This
6 program shall be known, and may be cited, as the Dr. Paul
7 Chaffee Zoological Program. Allocation in awarding
8 grants pursuant to this section shall be in accordance with
9 the following schedule:

10 (a) Individual grants of up to one million dollars
11 (\$1,000,000), or an amount to be determined by dividing
12 95 percent of the total zoo and aquarium funds available
13 pursuant to this section by the number of AZA accredited
14 institutions at the time of enactment of this section, shall
15 be made available to zoos and aquariums that are AZA
16 accredited.

17 (b) Not less than 10 percent or two million dollars
18 (\$2,000,000), whichever is greater, of the funds available
19 pursuant to subdivision (a) shall be reserved for
20 institutions with annual operating budgets of less than
21 one million dollars (\$1,000,000).

22 (c) Not more than 5 percent of the total funds
23 available pursuant to this section, shall be made available
24 as grants to zoos and aquariums that have initiated the
25 AZA accreditation process but are not yet accredited at
26 the time of the enactment of this section. Grants awarded
27 under this subdivision shall be dedicated to projects
28 which will enhance the institution's ability to meet
29 standards of AZA accreditation.

30 (d) *At least ten million dollars (\$10,000,000) shall be*
31 *provided to the California Science Center for*
32 *implementation of the Exposition Master Plan. Three*
33 *million dollars (\$3,000,000) of this amount shall be made*
34 *available to the California African-American Museum for*
35 *completion of its education and visitor facility in*
36 *Exposition Park.*

37 5096.340. (a) Not less than 25 percent of the funds
38 authorized in paragraph (1) of subdivision (k) of Section
39 5096.310 shall be available as grants on a competitive basis
40 to cities, counties, and nonprofit organizations for the

1 development or rehabilitation of real property consisting
2 of urban recreational and cultural centers, museums, and
3 facilities for wildlife education *or environmental*
4 *education*.

5 (b) To be eligible for funding, a project shall initially
6 be nominated by a Member of the Legislature for study
7 by the department. The department shall study each
8 project so nominated and, prior to the April 1 preceding
9 the fiscal year in which funds are proposed to be
10 appropriated, shall submit to the Legislature a prioritized
11 listing and comparative evaluation of all projects
12 nominated prior to the preceding July 1.

13 (c) In establishing priorities of projects, the
14 department shall consider any favorable project
15 characteristics, including, but not limited to, all of the
16 following:

17 (1) The project will interpret one or more important
18 California historical, cultural, economic, or resource
19 themes or an important historical, cultural, economic,
20 technological, or resource theme in a major region of
21 California. Higher priority shall be assigned to projects
22 whose themes are not interpreted in any existing
23 museum or have demonstrable deficiencies in their
24 presentation in an existing museum.

25 (2) The project is proposed to be operated on lands
26 that are already in public ownership or on lands that will
27 be acquired and used for the project in conjunction with
28 adjoining public lands.

29 (3) Projects that are closely related geographically to
30 the resources, activity, structure, place, or collection of
31 objects to be interpreted, and are close to population
32 centers and access routes.

33 (4) Projects that are in, or close to, population centers
34 or are adjacent to, or readily served by, a state highway
35 or other mode of public transportation.

36 (5) Projects for which there are commitments, or the
37 serious likelihood of commitments, of funds or the
38 donation of land or other property suitable for the
39 project.

1 (d) The department shall annually forward a list of the
2 highest priority projects to the Department of Finance
3 for inclusion in the Budget Bill.

4 (e) An application for a grant for a cooperative
5 museum project shall be submitted jointly by the city,
6 county, or other public agency, an institute of higher
7 learning, or a nonprofit organization that cooperatively
8 is operating, or will operate, the project.

9 5096.341. (a) The director shall prepare and adopt
10 criteria and procedures for evaluating applications for
11 grants allocated pursuant to subdivisions (f), (g), (h), (i),
12 and (k) of Section 5096.310. Individual applications for
13 funds shall be submitted to the department for approval
14 as to their conformity with the requirements of this
15 chapter. The application shall be accompanied by
16 certification from the planning agency of the applicant
17 that the project for which the grant is requested is
18 consistent with the park and recreation element of the
19 applicable city or county general plan or the district park
20 and recreation plan, as the case may be, and will satisfy
21 a high priority need. To utilize available grant funds as
22 effectively as possible, overlapping or adjoining
23 jurisdictions are encouraged to combine projects and
24 submit a joint application.

25 (b) The minimum grant amount that an applicant
26 may request is twenty thousand dollars (\$20,000). Any
27 applicant may allocate all or a portion of its per capita
28 share for a regional or state project.

29 (c) The director shall annually forward a statement of
30 the total amount to be appropriated in each fiscal year for
31 projects approved for grants pursuant to subdivisions (f),
32 (g), (h), (i), and (k) of Section 5096.310 to the Director
33 of Finance for inclusion in the Budget Bill. A list of eligible
34 jurisdictions and the amount of grant funds to be
35 allocated to each shall also be made available by the
36 department.

37 (d) (1) Funds appropriated for grants pursuant to
38 subdivisions (f), (g), (h), (i), and (k) of Section 5096.310
39 shall be encumbered by the recipient within three years
40 from the date that the appropriation became effective.

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

5 (2) Commencing with the Budget Bill for the
6 2009-2010 fiscal year, any grant funds appropriated
7 pursuant to subdivisions (f), (g), (h), (i), and (k) of
8 Section 5096.310 that have not been expended by the
9 grantee shall revert to the fund and be available for
10 appropriation by the Legislature for one or more of the
11 categories specified in Section 5096.310 that the
12 Legislature determines to be of the highest priority
13 statewide.

14 5096.342. (a) Grant funds appropriated pursuant to
15 subdivisions (f), (g), (h), (i), and (k) of Section 5096.310
16 may be expended by the grantee only for projects on
17 lands owned by, or subject to a lease or other interest held
18 by, the grantee.

19 (b) If a grant applicant does not have fee title to the
20 lands, the applicant shall demonstrate to the satisfaction
21 of the department that the proposed project will provide
22 public benefits that are commensurate with the type and
23 duration of the interest in land that is held by the
24 applicant.

25 5096.343. (a) Except as provided in subdivision (c),
26 no grant funds authorized pursuant to subdivisions (f),
27 (g), (h), (i), and (k) of Section 5096.310 may be disbursed
28 unless the applicant has agreed, in writing, to both of the
29 following:

30 (1) To maintain and operate the property funded
31 pursuant to this chapter for a period that is
32 commensurate with the type of project and the
33 proportion of state funds and local matching funds or
34 property allocated to the capital costs of the project. With
35 the approval of the department, the grantee, or the
36 grantee's successor in interest in the property, may
37 transfer the responsibility to maintain and operate the
38 property in accordance with this section.

39 (2) To use the property only for the purposes for which
40 the grant was made and to make no other use or sale or

1 other disposition of the property, except as authorized by
2 specific act of the Legislature.

3 (b) The agreements specified in subdivision (a) shall
4 not prevent the transfer of the property from the
5 applicant to a public agency, if the successor public
6 agency assumes the obligations imposed by those
7 agreements.

8 (c) If the use of the property is changed to a use that
9 is not permitted by the category from which the grant
10 funds were appropriated, or if the property is sold or
11 otherwise disposed of, an amount equal to (1) the amount
12 of the grant, (2) the fair market value of the real property,
13 or (3) the proceeds from the sale or other disposition,
14 whichever is greater, shall be used by the grantee for a
15 purpose authorized by that category, pursuant to
16 agreement with the department as specified in
17 subdivision (a), or shall be reimbursed to the fund and be
18 available for appropriation by the Legislature only for a
19 purpose authorized by that category. If the property sold
20 or otherwise disposed of is less than the entire interest in
21 the property funded with the grant, an amount equal to
22 either the proceeds from the sale or other disposition of
23 the interest or the fair market value of the interest sold
24 or otherwise disposed of, whichever is greater, shall be
25 used by the grantee for a purpose authorized by the
26 category from which the funds were appropriated,
27 pursuant to agreement with the department as specified
28 in subdivision (a), or shall be reimbursed to the fund and
29 be available for appropriation by the Legislature only for
30 a use authorized by that category.

31 5096.344. All grants, gifts, devises, or bequests to the
32 state, that are conditioned upon being used for park,
33 conservation, recreational, agricultural, or other such
34 purposes, may be accepted and received on behalf of the
35 state by the appropriate departmental director, with the
36 approval of the Director of Finance, and those grants,
37 gifts, devises, or bequests shall be available, upon
38 appropriation by the Legislature, for expenditure for the
39 purposes specified in Section 5096.310.

5096.345. Except for funds continuously appropriated by this chapter, all appropriations of funds pursuant to Section 5096.310 for purposes of the program shall be included in a section of the Budget Bill for the 2001-2002 fiscal year, and each succeeding fiscal year, for consideration by the Legislature, and shall bear the caption "Watershed, Wildlife, and Parks Improvement Program." The section shall contain separate items for each project, each class of project, or each element of the program for which an appropriation is made.

Article 5. Wildlife Program

5096.350. (a) Funds appropriated pursuant to subdivision (I) of Section 5096.310 shall be available for expenditure by the Wildlife Conservation Board for the acquisition, development, rehabilitation, restoration, enhancement, and protection of real property benefiting fish and wildlife, and for grants and related state administrative costs pursuant to the Wildlife Conservation Law of 1947 (Chapter 4 (commencing with Section 1300) of Division 2 of the Fish and Game Code), for the following purposes:

(1) Ten million dollars (\$10,000,000) for the acquisition, restoration, or enhancement of wetland habitat, as follows:

(A) Five million dollars (\$5,000,000) for the acquisition, preservation, restoration, enhancement, and establishment, or any combination thereof, of habitat for waterfowl or other wetlands-associated wildlife, as provided for in the Central Valley Habitat Joint Venture Component of the North American Waterfowl Management Plan and the Inland Wetlands Conservation Program. Preference shall be given to projects involving the acquisition of perpetual conservation easements; habitat development projects on lands which will be managed primarily as waterfowl habitat in perpetuity; waterfowl habitat development projects on agricultural lands; the reduction of fishery impacts resulting from supply diversions that have a direct benefit to wetlands

1 and waterfowl habitat; or programs to establish
2 permanent buffer areas, including, but not limited to,
3 agricultural lands that are necessary to preserve the
4 acreage and habitat values of existing wetlands.

5 (B) Five million dollars (\$5,000,000) for the
6 acquisition, development, restoration, enhancement, and
7 protection of wetlands and adjacent lands, or any
8 combination thereof, located outside the Sacramento-San
9 Joaquin Valley.

10 (2) Ten million dollars (\$10,000,000) for the
11 enhancement, development, acquisition from a willing
12 seller, or restoration of riparian habitat and watershed
13 conservation programs.

14 (3) Forty million dollars (\$40,000,000) for the
15 restoration, acquisition from a willing seller, or
16 enhancement of habitat for threatened and endangered
17 species and significant natural areas and natural
18 communities. Preference for funding shall be given to
19 plans that have achieved a local match.

20 (4) Five million dollars (\$5,000,000) for the acquisition
21 from a willing seller, enhancement, or restoration of
22 forest lands, including, but not limited to, ancient
23 redwoods and oak woodlands.

24 ~~(5) One hundred eighty million dollars (\$180,000,000)~~

25 (5) *Eighty-two million five hundred thousand dollars*
26 *(\$82,500,000)* for wildlife conservation partnerships that
27 provide for the acquisition, restoration, enhancement, or
28 protection of habitat for threatened, endangered, or fully
29 protected species, the preservation of natural
30 communities or unique habitat types, or the preservation
31 or restoration of wildlife corridors. Preference shall be
32 given to projects that promote the recovery of threatened
33 and endangered species or that protect habitat linkages
34 and wildlife corridors to prevent habitat fragmentation.
35 The board shall require matching contributions in
36 funding, real property, or other resources from other
37 public agencies, private parties, or nonprofit
38 organizations, at a level designed to obtain the maximum
39 conservation benefits to wildlife and wildlife habitat.

(b) "Enhancement," for purposes of this section, includes the construction or development of facilities to provide public access to lands or water open to the public for wildlife-oriented public use.

(c) Notwithstanding subdivision (d) of Section 5096.310, no allocation for acquisition of the real property pursuant to a natural community conservation plan prepared pursuant to Chapter 10 (commencing with Section 2800) of Division 3 of the Fish and Game Code shall be made unless the acquisition of the real property is specifically authorized by statute.

Article 6. Lake Tahoe Program

5096.351. (a) The Legislature has recognized the need to protect and restore the fragile environment at Lake Tahoe; and the Tahoe Regional Planning Agency has prepared an Environmental Improvement Program that outlines a capital outlay approach to help achieve environmental thresholds in the Lake Tahoe Basin, which allocates funding responsibilities over the first 10 years of the program in the amounts of approximately two hundred seventy-four million dollars (\$274,000,000) to the State of California, two hundred ninety-seven million dollars (\$297,000,000) to the federal government, eighty-two million dollars (\$82,000,000) to the State of Nevada, one hundred one million dollars (\$101,000,000) to local governments, and one hundred fifty-three million dollars (\$153,000,000) to the private sector.

(b) Funds allocated pursuant to subdivision (m) of Section 5096.310 shall be available for expenditure for the development, restoration, acquisition from a willing seller, and enhancement of real property, by the California Tahoe Conservancy within the Lake Tahoe region pursuant to Title 7.42 (commencing with Section 66905) of the Government Code for the following purposes:

(1) Protecting the natural environment through preservation of environmentally sensitive lands, soil erosion control, restoration or enhancement of watershed

1 lands, and restoration or enhancement of streams and
2 other natural areas.

3 (2) Providing public access and public recreation
4 opportunities.

5 (3) Enhancing and restoring wildlife areas.

6 (c) The provision of these funds is to meet applicable
7 state responsibilities pursuant to the Tahoe Regional
8 Planning Agency's Environmental Improvement
9 Program.

10 (d) The allocation of these funds has been made in the
11 expectation that the federal government, the State of
12 Nevada, local jurisdictions, and the private sector will
13 fulfill their respective obligations pursuant to the
14 Environmental Improvement Program. The secretary
15 shall report annually to the Legislature on the progress of
16 the development and implementation of the
17 Environmental Improvement Program, and the
18 provision of these funds may be restricted in the event
19 that the parties are found to be making inadequate
20 progress or are not making good faith efforts towards
21 fulfilling their respective obligations.

22

23 Article 7. Coastal *Protection* Program

24

25 5096.352. Funds allocated pursuant to subdivision (n)
26 of Section 5096.310 shall be available for expenditure by
27 the State Coastal Conservancy pursuant to Division 21
28 (commencing with Section 31000) for the acquisition
29 from a willing seller, preservation, restoration, and
30 enhancement of real property or an interest in real
31 property in coastal areas and watersheds within its
32 jurisdiction and the development of public use facilities
33 in those areas in accordance with the following schedule:

34 (a) Twenty-five million dollars (\$25,000,000) for
35 projects funded pursuant to the San Francisco Bay Area
36 Conservancy Program established pursuant to Chapter
37 4.5 (commencing with Section 31160) of Division 21;
38 ~~including at least five million dollars (\$5,000,000) for~~
39 ~~projects consistent with the goals of the San Francisco Bay~~
40 ~~Joint Venture..~~

(b) One hundred seventy-five million dollars (\$175,000,000) for projects in coastal areas and watersheds utilizing the following priorities:

~~(1) Perfection and development of offers to dedicate.~~

~~(2) Coastal trail completion.~~

~~(3)–~~

(1) *To the conservancy directly or as grants to governmental entities and nonprofit organizations for purposes of Division 21 (commencing with Section 31000), and for administrative costs in connection therewith, upon appropriation by the Legislature, including, but not limited to, the following and related purposes.**

(A) *Access to public beaches.*

(B) *Acquisition, enhancement, restoration, protection, and development of coastal resources, beaches, and waterfronts.*

(2) Acquisition from a willing seller, development, preservation or restoration of real property, including unique, historic, or scenic lands and other properties needed for public accessways and trails, urban waterfront facilities, and economic development, tourism, or agricultural land preservation.

Article 8. Mountain Resource Program

5096.353. Funds allocated pursuant to subdivision (o) of Section 5096.310 shall be available to the Santa Monica Mountains Conservancy for capital outlay and grants for the acquisition from a willing seller, enhancement, and restoration of natural lands, improvement of public recreation facilities, and for grants to local agencies and nonprofit organizations to increase access to parks and recreational opportunities for underserved urban communities, in accordance with the following schedule:

(a) Twenty-five million dollars (\$25,000,000) to acquire, improve, or restore park, wildlife, or natural areas, including areas near or adjacent to units of the state park system wherever such units may be situated within

1 a local jurisdiction within the Santa Monica Mountains
2 Zone or Rim of the Valley Trail Corridor.

3 (b) Twenty million dollars (\$20,000,000) for projects to
4 acquire, improve, or restore park, wildlife, or natural
5 areas along the Los Angeles and San Gabriel River
6 corridors and their tributaries, including the Arroyo Seco
7 and Rio Hondo, and the contiguous rights-of-way, access
8 routes, pathways, parkways, greenways, and open spaces
9 adjacent thereto.

10 5096.354. Funds allocated pursuant to subdivision (p)
11 of Section 5096.310 shall be available to the Coachella
12 Valley Mountains Conservancy for expenditure for the
13 acquisition, development, enhancement, and protection
14 of land, and for administrative costs incurred in
15 connection therewith, in accordance with Division 23.5
16 (commencing with Section 33500).

17
18 Article 9. San Joaquin River Program
19

20 5096.355. Funds allocated pursuant to subdivision (q)
21 of Section 5096.310 shall be available to the San Joaquin
22 River Conservancy for expenditure of the acquisition,
23 development, enhancement, and protection of land, and
24 for administrative costs incurred in connection
25 therewith, in accordance with Division 22.5
26 (commencing with Section 32500).

27
28 Article 10. Agriculture Program
29

30 5096.356. Funds allocated pursuant to subdivision (s)
31 of Section 5096.310 shall be available to the Department
32 of Conservation for grants, on a competitive basis, to state
33 and local agencies and nonprofit organizations for
34 farmland protection and administration of the
35 Agricultural Land Stewardship Program Act of 1995
36 (Division 10.2 (commencing with Section 10200)). This
37 purpose shall include, but not be limited to, the
38 placement of improvements and acquisition of
39 agricultural conservation easements and other interests

1 in land pursuant to the Agricultural Land Stewardship
2 Program.

3

4

Article 11. Fish and Game Program

5

6 5096.357. (a) Funds allocated pursuant to paragraph
7 (1) of subdivision (u) of Section 5096.310 shall be
8 available to the Department of Fish and Game for the
9 development, enhancement, restoration, and
10 preservation of land pursuant to Sections 1580 and 10503
11 of, and subdivision (b) of Section 1525 of, the Fish and
12 Game Code. The provision of these funds shall be in
13 accordance with an expenditure plan developed by the
14 Department of Fish and Game and approved by the
15 Department of Finance.

16 (b) Funds allocated pursuant to paragraph (2) of
17 subdivision (u) of Section 5096.310 shall be deposited in
18 the State Duck Stamp Account of the Fish and Game
19 Preservation Fund and shall be available for expenditure
20 by the Department of Fish and Game for the exclusive
21 purpose of acquiring habitat preservation and
22 enhancement agreements on private wetlands pursuant
23 to the California Waterfowl Habitat Program-Phase II
24 and administrative costs incurred in connection
25 therewith.

26

27

Article 12. California Indian Tribe Participation

28

29 5096.358. To the extent funds authorized pursuant to
30 this chapter are available for grants to local government
31 entities, federally recognized California Indian tribes
32 may apply for those grants, the tribe's application shall be
33 considered on its merits, and the tribes shall expend any
34 funds received for the purpose authorized by this chapter
35 for which the funds are made available.

36

37

Article 13. Fiscal Provisions

38

39 5096.360. Bonds in the total amount of one billion five
40 hundred million dollars (\$1,500,000,000), not including

1 the amount of any refunding bonds issued in accordance
2 with Section 5096.370, or so much thereof as is necessary,
3 may be issued and sold to provide a fund to be used for
4 carrying out the purposes set forth in Section 5096.310 and
5 to be used to reimburse the General Obligation Bond
6 Expense Revolving Fund pursuant to Section 16724.5 of
7 the Government Code. The bonds, when sold, shall be
8 and constitute a valid and binding obligation of the State
9 of California, and the full faith and credit of the State of
10 California is hereby pledged for the punctual payment of
11 the principal of, and interest on, the bonds as the principal
12 and interest become due and payable.

13 5096.361. The bonds authorized by this chapter shall
14 be prepared, executed, issued, sold, paid, and redeemed
15 as provided in the State General Obligation Bond Law
16 (Chapter 4 (commencing with Section 16720) of Part 3 of
17 Division 4 of Title 2 of the Government Code), and all of
18 the provisions of that law apply to the bonds and to this
19 chapter and are hereby incorporated in this chapter as
20 though set forth in full in this chapter.

21 5096.362. (a) Solely for the purpose of authorizing
22 the issuance and sale, pursuant to the State General
23 Obligation Bond Law, of the bonds authorized by this
24 chapter, the Watershed, Wildlife, and Parks
25 Improvement Program Finance Committee is hereby
26 created. For purposes of this chapter, the ~~Watershed,~~
27 ~~Wildlife, and Parks Improvement Program Finance~~
28 ~~Villaraigosa-Keeley Urban Parks, Clean Water, and~~
29 ~~Coastal Protection Finance~~ Committee is "the
30 committee" as that term is used in the State General
31 Obligation Bond Law. The committee consists of the
32 Governor, the Controller, the Director of Finance, the
33 Treasurer, and the secretary, or their designated
34 representatives. The Treasurer shall serve as chairperson
35 of the committee. A majority of the committee may act
36 for the committee.

37 (b) For purposes of the State General Obligation Bond
38 Law, the secretary is designated the "board."

39 5096.363. The committee shall determine whether or
40 not it is necessary or desirable to issue bonds authorized

1 pursuant to this chapter to carry out Section 5096.310 and,
2 if so, the amount of bonds to be issued and sold. Successive
3 issues of bonds may be authorized and sold to carry out
4 those actions progressively, and it is not necessary that all
5 of the bonds authorized to be issued be sold at any one
6 time.

7 5096.364. There shall be collected each year and in the
8 same manner and at the same time as other state revenue
9 is collected, in addition to the ordinary revenues of the
10 state, a sum in an amount required to pay the principal
11 of, and interest on, the bonds maturing each year. It is the
12 duty of all officers charged by law with any duty in regard
13 to the collection of the revenue to do and perform each
14 and every act which is necessary to collect that additional
15 sum.

16 5096.365. Notwithstanding Section 13340 of the
17 Government Code, there is hereby appropriated from
18 the General Fund in the State Treasury, for the purposes
19 of this chapter, an amount that will equal the total of the
20 following:

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

25 (b) The sum necessary to carry out Section 5096.366,
26 appropriated without regard to fiscal years.

27 5096.366. For purposes of carrying out this chapter,
28 the Director of Finance may authorize the withdrawal
29 from the General Fund of an amount or amounts not to
30 exceed the amount of the unsold bonds that have been
31 authorized to be sold for the purpose of carrying out this
32 chapter. Any amount withdrawn shall be deposited in the
33 fund. Any money made available under this section shall
34 be returned to the General Fund from proceeds received
35 from the sale of bonds for the purpose of carrying out this
36 chapter.

37 5096.367. Pursuant to Chapter 4 (commencing with
38 Section 16720) of Part 3 of Division 4 of Title 2 of the
39 Government Code, the cost of bond issuance shall be paid
40 out of the bond proceeds. These costs shall be shared

1 proportionally by each program funded through this
2 bond act.

3 5096.367.5. Actual costs incurred in connection with
4 administering programs authorized under the categories
5 specified in Section 5096.310 shall be paid from the funds
6 authorized by this act.

7 5096.368. The secretary may request the Pooled
8 Money Investment Board to make a loan from the Pooled
9 Money Investment Account, in accordance with Section
10 163 12 of the Government Code, for purposes of carrying
11 out this chapter. The amount of the request shall not
12 exceed the amount of the unsold bonds that the
13 committee, by resolution, has authorized to be sold for the
14 purpose of carrying out this chapter. The secretary shall
15 execute any documents required by the Pooled Money
16 Investment Board to obtain and repay the loan. Any
17 amounts loaned shall be deposited in the fund to be
18 allocated by the board in accordance with this chapter.

19 5096.369. All money deposited in the fund that is
20 derived from premium and accrued interest on bonds
21 sold shall be reserved in the fund and shall be available for
22 transfer to the General Fund as a credit to expenditures
23 for bond interest.

24 5096.370. The bonds may be refunded in accordance
25 with Article 6 (commencing with Section 16780) of
26 Chapter 4 of Part 3 of Division 4 of Title 2 of the
27 Government Code, which is a part of the State General
28 Obligation Bond Law. Approval by the voters of the state
29 of the issuance of the bonds described in this chapter
30 includes the approval of the issuance of any bonds to
31 refund any bonds originally issued under this chapter or
32 any previously issued refunding bonds.

33 5096.371. Notwithstanding any provision of this
34 chapter or the State General Obligation Bond Law, if the
35 Treasurer sells bonds pursuant to this chapter that
36 include a bond counsel opinion to the effect that the
37 interest on the bonds is excluded from gross income for
38 federal tax purposes, subject to designated conditions, the
39 Treasurer may maintain separate accounts for the
40 investment of bond proceeds and the investment

1 earnings on those proceeds. The Treasurer may use or
2 direct the use of those proceeds or earnings to pay any
3 rebate, penalty, or other payment required under federal
4 law or to take any other action with respect to the
5 investment and use of bond proceeds required or
6 desirable under federal law to maintain the tax-exempt
7 status of those bonds and to obtain any other advantage
8 under federal law on behalf of the funds of this state.

9 5096.372. The Legislature hereby finds and declares
10 that, inasmuch as the proceeds from the sale of bonds
11 authorized by this chapter are not “proceeds of taxes” as
12 that term is used in Article XIII B of the California
13 Constitution, the disbursement of these proceeds is not
14 subject to the limitations imposed by that article.

15 SEC. 2. Section 1 of this act shall take effect upon
16 adoption by the voters of the Watershed, Wildlife, and
17 Parks Improvement Bond Act of 2000, as set forth in
18 Section 1 of this act.

19 SEC. 3. (a) Notwithstanding the requirements of
20 any other provision of law, the Secretary of State shall
21 submit Section 1 of this act to the voters at the March 7,
22 2000, statewide general election.

23 (b) Notwithstanding Section 13 115 of the Elections
24 Code, if Section 1 of this act is placed on the ballot by the
25 Legislature for the March 7, 2000, statewide general
26 election after the 131-day deadline set forth in Section
27 9040 of the Elections Code, it shall be placed on the ballot
28 following all other ballot measures in the order in which
29 it qualified as determined by chapter number.

30 (c) The Secretary of State shall include, in the ballot
31 pamphlets mailed pursuant to Section 9094 of the
32 Elections Code, the information specified in Section 9084
33 of the Elections Code regarding the bond act contained
34 in Section 1 of this act. If that inclusion is not possible, the
35 Secretary of State shall publish a supplemental ballot
36 pamphlet regarding this act to be mailed with the ballot
37 pamphlet. If the supplemental ballot pamphlet cannot be
38 mailed with the ballot pamphlet, the supplemental ballot
39 pamphlet shall be mailed separately.

1 SEC. 4. (a) Notwithstanding any other provision of
2 ~~law, with respect to the Watershed, Wildlife, and Parks~~
3 ~~Improvement Bond Act of 2000, all ballots of the election~~
4 ~~law, with respect to the Villaraigosa-Keeley Urban Parks,~~
5 ~~Clean Water, and Coastal Protection Bond Act of 2000, all~~
6 ~~ballots of the election~~ shall have printed thereon and in
7 a square thereof, exclusively the words: ~~“Watershed,~~
8 ~~Wildlife, and Parks Improvement Bond Act of 2000”~~
9 ~~“Villaraigosa-Keeley Urban Parks, Clean Water, and~~
10 ~~Coastal Protection Bond Act of 2000”~~ and in the same
11 square under those words, the following in 8-point type:
12 “This act provides one billion five hundred million dollars
13 (\$1,500,000,000) to protect watersheds, preserve wildlife
14 areas, repair damaged park facilities, preserve beaches
15 and coastal areas, protect old-growth redwood forests,
16 preserve farmlands threatened by urban sprawl, and
17 employ qualified at-risk youth to improve and repair state
18 and local parks. [At this point, the Attorney General shall
19 include the financial impact summary prepared pursuant
20 to Section 9087 of the Elections Code and Section 88003
21 of the Government Code].” Opposite the square, there
22 shall be left spaces in which the voters may place a cross
23 in the manner required by law to indicate whether they
24 vote for or against the act.

25 (b) Notwithstanding Sections 13247 and 13281 of the
26 Elections Code, the language in subdivision (a) shall be
27 the only language included in the ballot label for the
28 condensed statement of the ballot title, and the Attorney
29 General shall not supplement, subtract from, or revise
30 that language, except that the Attorney General may
31 include the financial impact summary prepared pursuant
32 to Section 9087 of the Elections Code and Section 88003
33 of the Government Code. The ballot label is the
34 condensed statement of the ballot title and the financial
35 impact summary.

36 (c) Notwithstanding Section 13282 of the Elections
37 Code, the public shall be permitted to examine the
38 condensed statement of the ballot title in subdivision (a)
39 for not more than eight days, and the financial impact
40 statement from the time it is received by the Secretary of

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1 State until the end of the eight days. Any voter may seek
2 a writ of mandate for the purpose of requiring any
3 statement of the ballot label, or portion thereof, to be
4 amended or deleted only within that eight-day period.

5 (d) Where the voting in the election is done by means
6 of voting machines used pursuant to law in a manner that
7 carries out the intent of this section, the use of the voting
8 machines and the expression of the voter's choice by
9 means thereof are in compliance with this section.

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

15 In order that the Watershed, Wildlife, and Parks
16 Improvement Bond Act of 2000, set forth in Section 1 of
17 this act, may be submitted for voter approval at the
18 earliest possible time, it is necessary that this act take
19 effect immediately.