

Date of Hearing: March 28, 2023

ASSEMBLY COMMITTEE ON WATER, PARKS, AND WILDLIFE

Rebecca Bauer-Kahan, Chair

AB 1150 (Committee on Water, Parks, and Wildlife) – As Introduced February 16, 2023

SUBJECT: Department of Parks and Recreation: community access agreements: interpretive services and visitor services

SUMMARY: Authorizes the Department of Parks and Recreation (State Parks) to enter into community access agreements with certain eligible entities to provide interpretive services and visitor services at units of the state parks system to underserved populations. Specifically, **this bill:**

- 1) Authorizes State Parks, contingent upon the availability of its resources, to enter into community access agreements with eligible entities to provide interpretive services and visitor services at units of the state parks system to underserved populations.
- 2) Defines eligible entity as: a qualified nonprofit public benefit corporation; a federally recognized Native American tribe; or a California Native American tribe listed on the California Tribal Consultation List maintained by the Native American Heritage Commission.
- 3) Allows State Parks to provide personnel services and space, if available, for an organization's outdoor equipment, services, or both, within a unit or units of the state park system.
- 4) Allows a community access agreement to include free or reduced-cost access to the eligible entity and members of the public participating in interpretive services and visitor services offered by the eligible entity at a unit or units of the state park system in furtherance of the agreement.
- 5) Specifies that all moneys collected or received by an eligible entity from interpretive services and visitor services provided pursuant to a community access agreement at a unit or units of the state park system shall be retained by or returned to the eligible entity.
- 6) Stipulates that the term of a community access agreement shall not exceed five years or the inoperative date of the provisions of this bill, whichever occurs first.
- 7) Requires State Parks to submit a report to the Legislature on the implementation of this bill on or before December 31, 2028, containing all of the following information:
 - a) A list of units of the state park system with community access agreements;
 - b) A discussion of public benefits derived from community access agreements;
 - c) An accounting of the revenues and expenditures incurred pursuant to each community access agreement;
 - d) An assessment of the benefit to the state from community access agreements; and

- e) Any other relevant information or data collected during the operation of community access agreements.
- 8) Defines, for purposes of this bill, the following terms: “community access agreement,” “interpretive services,” and “visitor services.”
- 9) Sunsets the provisions of this bill on January 1, 2029.

EXISTING LAW:

- 1) Authorizes State Parks to enter into various agreements, including agreements with private, nonprofit public benefit corporations or other private entities, as may be appropriate, to assist State Parks in its efforts to secure long-term private funding sources for any and all units of the state park system and to ensure that they are preserved and open for public use and enjoyment. Provides that the authority to enter into those agreements shall include, but not be limited to, securing donations, memberships, corporate and individual sponsorships, and marketing and licensing agreements [Public Resources Code (PRC) § 5009.3; § 5080.44].
- 2) Authorizes State Parks, as a means of furthering the interpretive and educational functions of the state park system, to enter into an agreement to act cooperatively with a nonprofit cooperating association engaged in educational or interpretive work in a state park system unit, as the Director of State Parks may designate, whereby the cooperating association would furnish educational and interpretive materials, or educational and interpretive services, or educational and interpretative materials and services, for sale to the public (PRC § 513).

FISCAL EFFECT: Unknown. This bill is keyed fiscal.

COMMENTS:

- 1) **Purpose of this bill.** This bill seeks to give State Parks new authority to enter into agreements that allow for ongoing programming and reduce the cost of doing so for State Parks and the organizations offering those services. According to the author, “[this bill] creates a permissive new tool that allows State Parks the ability to enter into community access agreements with qualified nonprofits and tribes working to provide ongoing interpretive and visitor services to underserved populations at state park properties. This pilot program would sunset on January 1, 2029, and could be utilized by organizations providing services at all State Park units.”
- 2) **Background.** Access to parks and open/green spaces provides numerous benefits to the community, environment, and economy. The American Public Health Association’s policy statement on Improving Health and Wellness through Access to Nature states: “People of all ages and abilities enjoy higher levels of health and well-being when they have nature nearby in parks, gardens, greenways, naturalized schoolyards and playgrounds, and natural landscaping around homes and workplaces. Access to nature has been related to lower levels of mortality and illness, higher levels of outdoor physical activity, restoration from stress, a greater sense of well-being, and greater social capital.”¹

¹ <https://www.apha.org/policies-and-advocacy/public-health-policy-statements/policy-database/2014/07/08/09/18/improving-health-and-wellness-through-access-to-nature>

Inequitable access to parks. Historical and continuing inequities, lack of access to transportation, lack of safety, and physical condition/maintenance of spaces are just some of the barriers to parks and open space access. “Access” embodies both physical (e.g., distance to a park) and social (e.g., safety) aspects and varies widely throughout California. The Trust for Public Land’s (TPL) 2022 ParkScore index found that one in three Americans do not live within a 10 minute walk to a quality park. According to TPL, two California cities rank among the top 10 in the nation with parks access (San Francisco #7 and Irvine #8] while California cities like Riverside, Stockton, Los Angeles, Chula Vista, Bakersfield, Santa Ana, and Fresno rank among the bottom quarter for parks access of the 100 most populated cities in the United States.²

According to The Nature Gap: Confronting Racial and Economic Disparities in the Destruction and Protection of Nature in America, a 2020 Hispanic Access Foundation and Center for American Progress report, 55 percent of Hispanic or Latino populations in California lack access to open space, and significantly fewer acres of green space are present in many Black, Hispanic, and Latino neighborhoods when compared to predominantly white neighborhoods.³ The COVID-19 pandemic also appears to have exacerbated existing inequities in access to parks and open spaces with lower income and underserved communities experiencing an even greater lack of access.

Recent access initiatives. Numerous efforts have been made in recent years to increase access to parks and open spaces. Many of these efforts rely on grants to nonprofit organizations and other qualified entities that offer outdoor experiences to underserved populations. For example, the Outdoor Equity Grants Program at State Parks is intended to increase the ability of underserved and at-risk populations to participate in outdoor environmental educational experiences at state parks and other public lands where outdoor environmental education programs take place. State Parks announced \$57 million in grant funding to 125 communities in May 2022, and information on the second round of funding will be available in Spring 2023.⁴ The Youth Community Access Program at the California Natural Resources Agency (CNRA) is funded by Proposition 64 and provides grant awards to expand access to parks, nature, and places of cultural and historic significance for youth in underserved communities.⁵

Parks Forward report. In 2015, the Parks Forward Commission, established under Governor Brown, issued a report that made a number of recommendations to modernize and improve the state park system by 2025.⁶ This included recommendations to expand park access to underserved communities and seek partnerships with organizations to help State Parks advance its mission.

The report stated that State Parks should implement a sustainable structure for working

² <https://www.tpl.org/parkscore>

³ <https://hispanicaccess.org/news-resources/research-library/item/978-the-nature-gap-confronting-racial-and-economic-disparities-in-the-destruction-and-protection-of-nature-in-america>

⁴ See https://www.parks.ca.gov/?page_id=30443 for more information.

⁵ See <https://resources.ca.gov/grants/youth> for more information.

⁶ A New Vision for California State Parks – Recommendations of the Parks Forward Initiative. February 2015.

Accessed at

[http://parksforward.com/site/uploads/PFI%20Recommendations_Final_012915%20\(00278207xA1C15\)%20\(1\).pdf](http://parksforward.com/site/uploads/PFI%20Recommendations_Final_012915%20(00278207xA1C15)%20(1).pdf)

closely with a broad spectrum of partners, not only within the state park system, but across the landscape of local, state, tribal, and federal parks and protected lands. Some of the recommendations around partnerships included:

- Improving the organizational structure and capacity within State Parks to work closely with public agencies, California Indian tribes, nonprofit organizations, businesses, volunteers, civic leaders, and other partners and provide the resources necessary to facilitate, develop, and manage partnerships;
- Create incentives to reward innovation and partnerships, and provide flexibility and support to encourage State Parks to work effectively with partners; and
- Enhance State Parks' ability to accept services, temporary staffing, resources, and projects developed by partners

Current permit process. Currently, community-based nonprofit organizations seeking to provide programming on State Parks property must typically apply for a Special Event permit. Utilizing this existing mechanism imposes administrative costs on both State Parks and community partners and often limits the frequency of activities, which, in turn, can limit the impact of programs.

- 3) **Arguments in support.** A coalition of parks, access, and environmental organizations write in support, stating that this bill “provides a more equitable framework to increase access and support organizations that serve as trusted connectors to the outdoors for communities that have historically not had access to these spaces.”
- 4) **Related legislation.** AB 2975 (Water, Parks, and Wildlife Committee), 2021-22 Session, was substantially similar to this bill. AB 2975 was held in the Senate Appropriations Committee.

AB 209 (Limon), Chapter 675, Statutes of 2019, creates the Outdoor Equity Grant Program, which focuses on outdoor access programs at state parks and other public lands for underserved and at-risk youth.

AB 556 (Carrillo), 2019-20 Session, would have required the CNRA to develop and implement a community access program and authorized the CNRA to develop a transportation-based grant program. AB 556 was vetoed by the Governor.

AB 2614 (Carrillo), 2017-18 Session, would have required the CNRA to implement a program to increase participation in outdoor recreational activities, especially for people living in disadvantaged communities. AB 2614 was vetoed by the Governor.

SB 204 (Pavley), Chapter 573, Statutes of 2015, among other provisions, authorizes State Parks to accept donations from public or private sources to fund programs to benefit youth, and to enter into cooperative agreements with public or nonprofit organizations to provide service and learning opportunities for youth.

AB 2150 (Rendon), 2013-14 Session, among other provisions, proposed to create a new division of Community Initiatives and Park Access within State Parks, and called for the development of a strategic action plan for improving park access and relevancy for underserved populations. AB 2150 was vetoed by the Governor.

AB 988 (Mark Stone), 2015-16 Session, would have created the Outdoor Environmental

Education and Recreation Grants Program at State Parks to increase the ability of underserved and at-risk populations to participate in outdoor recreation and educational experiences. AB 988 was held in the Senate Appropriations Committee.

REGISTERED SUPPORT / OPPOSITION:

Support

California State Parks Foundation (Co-Sponsor)
Outdoor Outreach (Co-Sponsor)
Active San Gabriel Valley
Asian Pacific Islander Forward Movement
Brown Girl Surf
California Trout
Environmental Center of San Diego
Friends of Harbors, Beaches and Parks
Friends of The River
Groundwork San Diego Chollas Creek
Individuals (432)
Institute for Public Strategies
Latino Outdoors
Los Angeles Neighborhood Land Trust
Mono Lake Committee
Nature for All
San Diego Mountain Biking Association
San Diego River Park Foundation
Tree People
Un Mar De Colores
Wildcoast
Yes Nature to Neighborhoods

Opposition

None on file

Analysis Prepared by: Keith Cialino / W., P., & W. / (916) 319-2096